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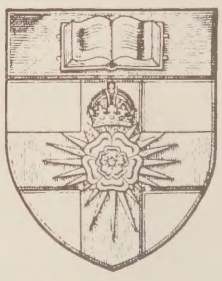

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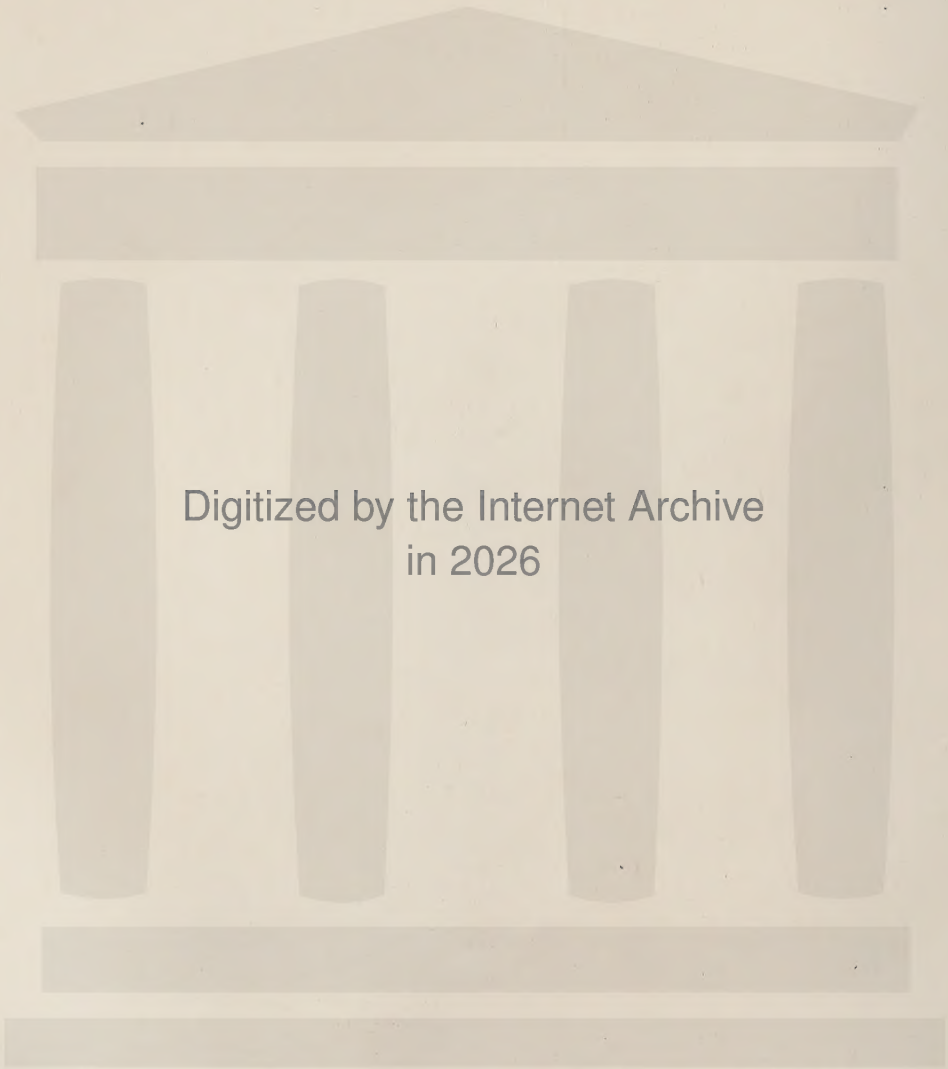

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REPORTS

FROM

COMMISSIONERS, INSPECTORS,

AND OTHERS:

FIFTY-ONE VOLUMES.

—(*29.*)—

CARE AND CONTROL OF THE FEEBLE-MINDED (ROYAL COMMISSION)—*continued*;

CONGESTION IN IRELAND (ROYAL COMMISSION).

Session

29 *January* 1908 —— 21 *December* 1908.

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ROYAL COMMISSION ON THE CARE AND CONTROL OF THE FEEBLE-MINDED.

REPORT

OF THE

MEMBERS OF THE ROYAL COMMISSION

ON THE

CARE AND CONTROL OF THE FEEBLE-MINDED

UPON THEIR VISIT TO

AMERICAN INSTITUTIONS.

VOLUME VII.

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REPORT OF THE MEMBERS OF THE ROYAL COMMISSION ON THE CARE AND CONTROL OF THE FEEBLE-MINDED UPON THEIR VISIT TO AMERICAN INSTITUTIONS.

To the Chairman of the Royal Commission on the Care and Control of the Feeble-Minded.

My Lord,—We have the honour to submit to your Lordship for the information of our colleagues the following Report of our visits to institutions and our conferences with officials and other experts in the United States of America.

Our observations will mainly relate to the methods of dealing with the classes of persons comprised within the reference to our Commission and to the institutions expressly assigned for their care and detention; we found, however, that, just as in England and Wales, these persons were to be discovered in great numbers elsewhere, as, for instance, in almshouses, prisons, reformatories, and other establishments as well as in their own homes; and that an account would be very imperfect which did not comprise the results of investigation of these sources.

We arrived at New York on Saturday, the 7th of October, 1905; our visit lasted exactly seven weeks from that date; and, as we were favoured with fine weather and found our inquiry facilitated in every way by the kindness of the State officials and others with whom our business lay, and by their well-informed interest in our investigation, we were able in that time to visit some sixty-seven institutions, including all those which were comprised in our programme and many others.

These institutions were in the States of New York, Massachusetts, Pennsylvania, Ohio, Indiana, Illinois, Maryland, New Jersey, and in Washington, D.C.

In addition to these visits we procured much valuable information from personal interviews with various officials and other persons of expert knowledge who were good enough to place their information, and in many cases a good deal of time and trouble, at our disposal.

At the more important visits and interviews all the Commissioners were present; on other occasions we divided into two or more parties with the object of spending our time to the best advantage.

There are no federal laws operating over the whole of the United States which are of any importance in connection with our inquiry; the whole subject—in so far as it is dealt with at all—is covered in each State by the laws of that State. Our tour did not extend beyond the eastern and middle portion of the Union; but even within these limits we found such considerable diversity of law and practice as rendered it in large measure impossible for us to carry over our conclusions from one State to another, and compelled us to estimate the scope and value of what we saw from week to week in the light of a constantly changing jurisprudence, just as if we were passing from France to Belgium and Belgium to Germany. In addition to this, we encountered further varieties arising from the fact that many of the institutions we saw, including those most interesting to English visitors, were

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established and conducted under the authority of what we should call Private (Local and Personal) Acts of the Legislature. These enactments imposed limitations and conferred powers and privileges of a bewildering variety.

In these circumstances we have divided our Report into sections relating to the different States we visited.

Each section is preceded by a brief statement of the law of that State so far as it affected our inquiry and of the method of dealing with defectives which have grown up under that law. Then follows a description of the special institutions for the training or detention of idiots, imbeciles and epileptics of that State, with notes of any Private Acts regulating them. The scope in operation of these institutions and their utility is then estimated: and the condition and prospects of the defectives not dealt with in them is described. At the end we have summarised the conclusions which our visit to the United States enabled us to arrive at.

See p. 139 *post*. We also append a Table showing institutions with which we made personal acquaintance, and such particulars regarding the size, the scope and the cost of the institutions as were of most interest for the purpose of our enquiry.

General Observations.

There are two or three features common to all the institutions for defectives which we saw that deserve explanation at the outset of our Report, not merely for their universality but also because of their departure from our custom in Great Britain.

These establishments are not, as a rule, established and maintained by the elected representatives of counties, cities or other districts forming the local authorities for these districts as one would naturally expect: they are almost invariably put by the legislature under the control of a small nominated body of managers who—subject to State inspection—build, manage and regulate them, appoint the officers, and apply for and receive the necessary funds from the State Treasury. It was nearly everywhere represented to us that this system not only enlisted the services of large numbers of highly competent workers, but conduced most markedly to economy in construction and purchase of buildings.

The second peculiarity is that they are not—as in Great Britain—erected out of the proceeds of loans authorised at their inception and gradually paid off by means of a Sinking Fund nor are they supported by rates; but they receive every year directly from the legislature such sums as that body can be induced to appropriate to them for completion or extension or for new works and improvements and for ordinary maintenance.

Some of the indirect effects of this system of finance will be referred to later; but it is obvious at first sight that it makes it extremely difficult if not impossible to calculate the *per capita* charge in respect of original outlay, which should in each institution be added to the cost of food, clothing, etc., in order to arrive at the true expenditure on the care and maintenance of the inmates.

Terminology.

It may be convenient if at the outset we explain that there is considerable difference in the meaning attached to certain words in America and in England respectively.

That which is termed a "Workhouse" in England is called an "Almshouse" in America. The word "Workhouse" in America denotes a "Prison," as also does the word "Reformatory." A "Lunatic Asylum" is, in America, generally called a "Hospital for the Insane" and an "Idiot Asylum" goes under the names of "Training School," "Custodial Institution" or "Colony for the Feeble-minded." The word "Feeble-minded" is used in America to denote all grades of mental defect except acquired insanity. It includes "Idiots" and "Imbeciles." It is used in this sense throughout this report. The word "pauper" is not generally used in America. A pauper is usually referred to as "An indigent or poor person."

Numbers.

We received the following information from the Bureau of the United States Census:—

Decennial enumerations of the feeble-minded in the United States have been made since 1850. In each census, from 1850 to 1890, inclusive, it was attempted to obtain returns for all the feeble-minded in the population. The enumerations were rather incomplete until 1880. In that year the work of the regular enumerators was supplemented by that of physicians, who reported more than 29 per cent. of the 76,895 persons found to be "idiots." In 1880 the number of this class per 100,000 of population was 153·3. In 1890 the total number of feeble-minded enumerated was 95,609 and the corresponding ratio 152·7 per 100,000 of population. Physicians did not make any special reports of the feeble-minded at the census of 1890, which probably accounts for the ratio being slightly less in that year than in 1880.

The primary object of all previous enumerations of the feeble-minded has been to ascertain their numbers in the United States. This object has had to be abandoned, for the Act of Congress of March 6th, 1902, governing the work of the Bureau of the Census, expressly provided that enumerations of the so-called "special classes," which include the feeble-minded, must be restricted to inmates of institutions. In the case of the insane, and to a considerable extent in the case of paupers, this restriction does not wholly prevent an approximate quantitative measurement of the extent to which insanity and pauperism prevail in the country, because a large proportion of each class is found in institutions. But of the feeble-minded relatively few are cared for in institutions of any kind. Of the 95,609 reported as feeble-minded at the census of 1890, only 5,254 were found in special institutions, and but 2,469 in asylums for the insane. The number of feeble-minded in almshouses was not ascertained.

Recent estimates made by competent authorities place the number of feeble-minded in the United States—that is, of persons so pronouncedly feeble-minded as to stand in need of institutional treatment—at not less than 150,000. Yet, on December 31st, 1903, the entire population of special public and private institutions for the feeble-minded numbered only 14,347. There were, in addition, 16,551 supposedly feeble-minded persons among the inmates of almshouses.

It is obvious that the results of an enumeration restricted to the few feeble-minded in institutions can not be brought into comparison with the results of previous censuses, at which the object was to include all persons of this class whether encountered in or outside of institutions. One might, indeed, fairly question the utility of an enumeration of the relatively small number of feeble-minded who are inmates of institutions, since it can throw no light on the real numerical strength of this class, and therefore does not accomplish the chief object of such a census. Even facts in regard to the colour, sex, age, nationality, race, geographic distribution, etc., of the relatively few feeble-minded who have been brought together in institutions

lose much of their significance so long as no inferences can be drawn from these facts in regard to the great mass of the feeble-minded who are not receiving institutional treatment.

Of the 14,300 detained in special institutions for the feeble-minded in 1904, no less than 30 per cent. suffered from physical defect also.

Epilepsy was by far the most common form of physical defect, being found in 18 per cent. of the cases, notwithstanding the fact that epileptics were professedly excluded from some of these institutions, and that many of the States have large separate epileptic hospitals and colonies.

Five per cent. were crippled or deformed, 5 per cent. paralytic and 1·5 per cent. deaf mutes. Not more than 7 per cent. were blind.

More than 80 per cent. of the deaths in the institutions are of persons under twenty-nine years of age, 50 per cent. of those under nineteen years.

Less than 8 per cent. of the inmates pay wholly for their maintenance, and less than an additional 11 per cent. pay any portion of the cost. These percentages are calculated on the whole number detained, whether in State or in private institutions.

NEW YORK STATE.

I. *The Law and practice as to Lunacy.*

Boards of Lunacy.

There is a State Commission in Lunacy established by law; it must consist of one doctor, one attorney, and one "reputable citizen."

It provides and inspects hospitals for the poor and indigent insane, now eleven or twelve in number.

Boards of visitation are appointed for each hospital; they consist of gentlemen resident in the district, nominated by the Governor of the State; they attend monthly at the hospital and have full power to visit all parts of it, see the patients and inspect books, etc., reporting their views to the Governor or to the State Commission. They receive travelling expenses, but no pay.

Private hospitals for the insane have to be licensed by the Commission.

Idiots and Imbeciles.

The State Commission in Lunacy has no jurisdiction over or duties with respect to idiots and imbeciles who do not come under the laws as to the insane and cannot be sent to a hospital for the insane. This is the marked distinction between New York and British Law. Of course an imbecile, epileptic or feeble-minded person who becomes insane can be treated as such.

All non-criminal insane persons have to be committed and certified on forms provided gratis by the Commission.

Certificate.

The certificate is to be given by two doctors who have made a joint examination of the patient within ten days of the order.

It must set out the facts and circumstances upon which the judgment of the doctors is based, and must show that care and treatment in an institution for the insane is required.

Petition.

The parent or other *near* relation or the overseer or superintendent of the poor may petition on a prescribed form for the commitment of the alleged lunatic, forwarding the certificate above described. The petition must be served on the lunatic.

Order

The order is made by the District Judge of the Supreme Court, or the Judge of the Court of Record of the city or county.

He may order commitment to an institution forthwith.

Or if the lunatic is harmless, he may commit him to relatives or a committee able and willing to look after him.

On the other hand he may order a hearing within five days and may summon such persons as he thinks fit; and make his order after the hearing, sending a written report of his decision with the order.

There may be an appeal within ten days, in which case a jury is summoned, and decides the matter. Pending appeal the commitment stands good unless a Judge of the Supreme Court orders otherwise. All costs of the hearing are paid by the town, city, or county.

Emergency.

Where the lunatic is dangerous or requires immediate care, the superintendent of an institution may receive him on the petition and certificates alone, but he must not keep him for more than five days without the judicial order.

The State pays cost of conveyance and maintenance of the poor in hospitals; and by its agents appointed by the Commission, collects what it can from the relatives.

The relatives or the Committees of the estates of the well-to-do lunatic have to pay entirely, and if they do not take proper steps for the detention of a lunatic who is dangerous to his own or others' person or property, the Poor Law authorities must do it for them, and may seize such an insane person as if he were a criminal and they were peace officers executing a warrant.

Any person apparently insane and conducting himself in a disorderly manner may be arrested by any peace officer and kept in a safe and comfortable place [*semble* a part of a jail, almshouse, or lock-up not occupied by criminals] until proceedings for his certification can be taken.

Discharge.

The superintendent of the hospital, etc., has power to discharge

i. a patient who has recovered, or

ii. a patient who has not recovered, but who, he thinks, can be discharged without injury to himself or others, to friends or relatives willing and able to receive and properly care for him.

If the superintendent will not consent to discharge a patient of the latter class, an appeal lies to the Judge of the Court of Record.

iii. a patient who is not insane but idiot or epileptic.

The Commission may discharge any patient. A writ of Habeas Corpus may be moved for in every case.

The Commission may send to the Matteawan or other State hospital for criminal lunatics any patient who has ever been in a penal institution or in Matteawan and who manifests criminal tendencies.

The superintendent of any State institution may—after notice to the relatives—apply to a district Judge of the Supreme Court for the appointment of a committee of the estate of any "incompetent" person in his custody.

There is little that we need say as to the State hospitals for the insane (*anglice*, lunatic asylums). They resembled the finest and best equipped of our county asylums, and were generally very handsome buildings, beautifully situated.

The cost of maintenance was generally high, 18s. a week being a common figure.

On the other hand, the cost of site and construction was surprisingly low, £200 a bed being regarded as ample for the finest institution. It was especially noticeable that recent extensions and additions were as a rule well designed and economical. At Poughkeepsie we saw a recent block for 500 quiet males of strikingly novel and simple and useful design; it had cost about £90 a bed and was self-contained with the exception of central heating, lighting, laundry, and attendants' home.

The general result of our enquiries was that the necessary cost of construction was much the same as in England for similar styles of building.

It will be sufficient to describe our visits to two Hospitals, during which we noted, among other things, the working of the law purporting to exclude congenital cases from institutions for the insane.

We did not discover that there actually was any essential difference between American practice and British in the important matter of discharging patients—a judgment on this point could be formed after long experience only—but we were told that persons who had recovered their tranquility, but were nevertheless a possible source of danger, were not, in fact, discharged.

As regards the law respecting criminal lunatics there are two essential differences between the laws of England and of New York State.

> i. When a person under criminal detention is alleged to be insane, the question of his commitment to a State insane hospital is to be decided not by the prison authorities and medical officers, but, as in non-criminal cases, by a judge of the Court of Record on the certificate of two independent doctors nominated by him; and
>
> ii. Whenever a convict shall continue to be insane at the expiration of the term for which he was sentenced, he may be retained in the State Criminal Hospital until he has recovered or is otherwise legally discharged.

We did not find that this latter power was used to any considerable extent to prolong the detention of persons who had recovered from their acute insanity but might, nevertheless, be dangerous in freedom, though it occasionally was useful in that way; but the institution at Matteawan—about to be described—had suffered from over-pressure on its accommodation, which partly explains this fact.

Criminal Lunatics.—In American phrase "criminal lunatic" means a person charged with a crime and certified to be insane; "convicted lunatic" or "lunatic convict" means a person found to be a lunatic when under sentence.

Lunatic Asylums in New York Visited by the Commissioners.

Hudson River State Hospital, Poughkeepsie, N.Y

Visited by all the Commissioners on October 16th, 1905.

This is a large asylum of over 2,300 inmates. The institution is managed by a board of managers, appointed by the Governor of the State, consisting of 14 persons of whom the greater number reside in Poughkeepsie.

The asylum lands are large, extending to fully 1,000 acres. The buildings consist of a large central block (including administration, some wards, recreation rooms, etc.) and a number of separate buildings without connecting corridors. These latter include two blocks, each containing about 600, and a series of cottages, each holding about fifty. These cottages were situated a long distance away from the main buildings, being so placed to facilitate work on the farm. This arrangement, however, was not approved of by the present medical staff, as the distance added to the difficulties of administration.

The staff was very large, consisting of 452 persons, which includes eleven medical officers. The disciplinary treatment appeared to be excellent, there being very little excitement or noise perceptible. All the cottage doors and many other doors were open, and the patients were given a large amount of liberty. The majority of them were allowed to roam about the grounds even after dark. There are no padded cells in the establishment; no restraint other than the sheet was used, and that only very seldom.

In this asylum we observed several persons who were congenital imbeciles. We were informed that all congenital imbeciles who were admitted were subjects of attacks of insanity, but that some were retained for a time after the acute attacks had subsided. At the time of our visit there were about thirty of this class of cases in the institution. The number we observed, however, in one room seemed to indicate that there was great difficulty in excluding congenital cases as strictly as the alleged system was said to secure. We inquired as to the number of epileptics in the institution and were informed that they constituted about 2 per cent. of the inmates. This is a much smaller proportion than obtains in English asylums.

The report for the year ending 1904 states that the value of the real estate amounted to $2,434,444·00, viz., £200 a bed; and the expenditure of maintenance for the year amounted to $414,147·00, the weekly cost *per capita* being $3·67 or 14s. 8d. The value of farm and garden products during the year amounted to $20,830·00, and the value of articles manufactured by the patients amounted to $36,899·00. There are a certain number of inmates called "reimbursing patients," who reimburse the State for the cost of their maintenance at the rate of $3·50 or 14s. per week, and there are also a few paying patients, the rates not exceeding $10·0 per room.

Buffalo State Hospital, Buffalo, N.Y.

Visited by Mr. Dickinson and Dr. Donkin on Oct. 23, 1905.

The number of inmates is 1,671. The medical staff consists of the superintendent and nine assistants, and the number of employees of the asylum amount to about 350. The weekly cost *per capita* is $3·72, 14s. 7d., and those patients who are able to pay contribute a minimum of $3·50 14s. per week.

The conduct of the asylum seemed to be all that could be desired, the patients appearing contented and happy, and grateful for the attentions of an accomplished and numerous staff. The only means of restraint used were the restraint sheet and a dress with long sleeves. There is no padded cell in the institution, and quieting drugs are rarely, if ever, used.

There is a separate building in which all those admitted are placed on reception and retained there for a time, before being located in the various wards of the institution. The greater number of the inmates are housed in the main block, there being only one cottage in which a few of the men working on the farm and in the shop are lodged. The most notable feature of the asylum is the large number of inmates who are capable of employment. Upon an average, 60 per cent. are employed regularly, chiefly in domestic work and in the laundry, but also in workshops, in which they make up the clothing of the establishment, the boots, etc. There are also carpenter shops, tinsmith shops, and painter shops, in each of which a few inmates are employed under the direction of a paid workman. There is a small amount of garden and farm work done, but the institution being surrounded by the town, the garden is hardly large enough to admit of this kind of employment to any great extent.

The law which prevents asylums for the insane admitting idiots or congenital cases is fairly observed, the superintendent being strongly of the opinion that this was a wise provision, as he thought that the introduction of the worst cases interfered with the cure of the insane, and that in cases of persons with minor defects the society of the insane would be deleterious to them. He has, nevertheless, a certain number of patients who are congenitally deficient, but these have been brought to him with attacks of temporary insanity.

The State Asylum for Criminal Lunatics at Matteawan, N.Y.

Visited by all the Commissioners on October 16th, 1905.

This is a large asylum accommodating about 650 patients, built on a fine site in a very beautiful situation. The institution affords reception for unconvicted male and female prisoners, and convicted female prisoners transferred from penitentiaries and reformatories, as well as for all persons of either class deemed to be unfit for liberty when their sentence has expired or the court returns them unsentenced to the asylum. At the time of our visit there were under detention 552 men and 89 women. The total staff numbered 118. Dr. Lamb is the superintendent and he had three assistant medical officers under him.

The ground attached to the asylum extends to about 250 acres, most of which is farmed by the inmates. The asylum itself is square shaped, the interior court being divided by a long corridor. The female patients are housed in the front of the building, the male patients in the two wings at the side. The male wings consist of day rooms on the ground flat and dormitories in the upper flat. There are very few single rooms, and what there are appear to be used as attendants' bedrooms.

The charges under which criminals are sent to this asylum are various. About 20 per cent. of them are for murder or manslaughter. The majority are for felony, but many are for petty charges, such as vagrancy, drunkenness, and petty larceny.

The custom of the asylum is to detain the inmates until they have completely recovered, after which they are sent back to the court to be dealt with. They may then be tried and sentenced, or the charges may be withdrawn. The discharges are not numerous; they take place solely on the superintendent's certificate.

The proportion of inmates at work did not appear to be very large. The majority of the men at the time of our visit were in the two airing yards in the middle of the building; and the majority of the women were in a day room. A few men and a few women were seen working in the laundry, the sexes being mixed in one of the rooms there. We were informed that about twenty-five were working on the farm that day. The work is not obligatory, but it is encouraged by all legitimate means, as being medically useful. The dietary is generous, and the discipline, however effective, was not stern. No violent punishment exists, and patients are encouraged to work rather than driven to it: they are told it is good for them. The restraints used in the asylum are little, if any. In this institution no difference is made between imbecility and acquired insanity. If an imbecile is received, he is kept and dealt with as an insane prisoner.

The total cost of maintenance is at the rate of $3·51, i.e. 14s. 7d. a week per head. This sum does not, of course, include any charge whatever in respect of interest or sinking fund to replace the original cost, nor does it includ money spent during the year in structural work.

II. *The State Board of Charities and the Fiscal Supervisor.*

There is a State Board of Charities consisting of three Commissioners nominated by the Governor, and a considerable staff who exercise general control over the State reformatories for men and women (i.e. prisons for incipient criminals) the State training schools and custodial homes for the feeble-minded, the State training and industrial schools for girls and boys, the schools for the blind and similar State institutions. It has also considerable jurisdiction over Poor Law authorities and the boarded-out poor, and over all indigent defective and criminal persons in homes, houses of refuge, protectories and other private and religious charities.

At an interview of Dr. Dunlop and Mr. Byrne with the State Commissioner of Charities, Albany, N.Y., October 17th, 1905, the Commissioner gave a complete statement of the law of the State of New York on this subject and of its working. He explained that not only the institutions for defectives of various sorts, but almshouses managed by the officers of the poor were under the control of his department, there being no other authority similar to our Local Government Board. It was clear that not long ago the condition of the country almshouses (as workhouses are called in the United States) was much the same as they are now in country places in England, that is to say, that there were in them many imbeciles of all grades who would be much better placed in institutions especially designed for their care and custody and who were gradually being moved into such institutions as the development permitted. Some of the almshouses were defective in accommodation and methods. He showed us photographs of every almshouse in the State; they exhibited a marked progressive improvement from extremely primitive beginnings.

However, even the best did not contain good accommodation for imbeciles. The Board of Charities did not insist on or desire this. Their wish was that all such persons should be removed from the Poor Law authorities and put into proper institutions. He expressed in very strong language his opinion that for imbeciles of all classes, including the feeble-minded who were merely lacking in self-control and power of successful application to business, custodial treatment was necessary. He put this not on the grounds of philanthropy, but on the grounds of economy. The propagation of such

degenerates by the freedom formerly allowed to persons mentally defective was in his opinion a danger to the community, which it was necessary to meet by the free application of permanent detention accompanied, as was now done in many other institutions, by a provision for putting the inmates to work of a remunerative character. He said that it was true that the effort made by the State towards dealing with delinquent children, destitute children, and the feeble-minded of all ages, was nothing in comparison with the efforts made by the Roman Catholic and other religious bodies and philanthropic associations who deal with the same classes. [On this point the Fiscal Supervisor, in a recent Report, remarks that the State had done much already and had recognised its duty and its burden, but the full extent of the liability could not be met in a few years.] The accommodation provided by the State, he said, was not a quarter of the existing total. He considered that in one way or another a most sufficient provision was made, but it was very difficult to give exact statistics.

[It should be noted here that while the religious bodies dealt extensively with delinquent and destitute children, we observed generally that they did not deal with the feeble-minded except incidentally, and that if they discovered an objectionable feeble-minded case among their ordinary inmates, their policy was to remove it to a State Institution.]

He thought that the number of imbeciles in New York State and in the cities within the State did not nearly reach the number of certified lunatics and was probably less than a quarter of that number.

He explained that not only in the State, but also in the private institutions, there was no real power by law to detain anyone after the expiration of the sentence passed by the Judge or Magistrate. But the detention of persons unfit for freedom was, in fact, enforced equally in all such institutions. The superintendent of a State custodial home or of a Roman Catholic orphanage would frequently refuse to give up to its parents a child or young person, or even an adult whom he believed it would be imprudent to set at liberty, and would defy the family who took proceedings in the Law Courts by *habeas corpus* or otherwise to procure his discharge. No such demands, he said, had ever been made, and the Commissioner thought that no Judge would think of allowing an order of *habeas corpus* to issue, if he were informed by the medical officer of an institution that the person was feeble-minded and a danger to himself or to the community. This practice was so universal that he did not think any amendment of the law was called for, and he could not understand our English difficulties. [As will be seen later this immunity from legal process is not universal.]

Finally he explained that the State as such gave no aid to religious or philanthropic institutions, except those for the blind or deaf and dumb during their period of training. For this he gave certain historical reasons. These institutions, however, receive regularly from the Poor Law authorities of the county from which the inmates come grants to the amount of $1·90 or $2·00, say 8s. a week, in respect of each inmate received in an institution registered and inspected by the Government. The inspection was of an entirely general character, the general management of the institutions being in the hands of the managers, and the medical treatment, receptions and discharges entirely in the hands of the superintendent.

At an interview with the Assistant Fiscal Superintendent, The Capitol, Albany, N.Y., on October 17th, 1905, the constitution and function of the office of "Fiscal Supervisor" was very fully discussed. This office is of recent formation, having formerly formed part of the office of the State Comptroller, and it was created for the purpose of scrutinising all estimates of expenditure proposed for the construction and maintenance of the following State institutions:

Western House of Refuge for Women, Albion.

New York State School for the Blind, Batavia.

New York State Soldiers' and Sailors' Home, Bath.

New York State Reformatory for Women, Bedford.

New York State Reformatory, Elmira.

New York State Training School for Girls, Hudson.

Thomas Asylum for Orphan and Destitute Indian Children, Iroquois.

New York State Custodial Asylum for Feeble-minded Women, Newark.

New York State Woman's Relief Corps Home, Oxford.

Society for the Reformation of Juvenile Delinquents, Randall's Island.

New York State Hospital for the Treatment of Incipient Pulmonary Tuberculosis, Ray Brook.

State Industrial School, Rochester.

Rome State Custodial Asylum, Rome.

Craig Colony for Epileptics, Sonyea.

Syracuse State Institution for Feeble-minded Children, Syracuse.

New York State Hospital for the Care of Crippled and Deformed Children, Tarrytown.

The general administration of these institutions appears to be in the first instance directed by the board of managers and carried out by the superintendent of each establishment. But these managers can only incur expenditure by obtaining the approval of the fiscal supervisor. Other questions of administration are subject to the inspection and to a certain extent the control of the State Board of Charities.

These institutions in the month of October submit their estimates to the office of the fiscal supervisor. The supervisor examines and collates these estimates, visits the institutions and makes local inquiries, and where he thinks it necessary, reduces or alters any entries. After the scrutiny of this office, estimates are submitted once a year to the Comptroller and voted by the legislature; but before taking effect they may be still further reduced by the Governor of the State.

During the interview we also received a description of a comparatively recent law (the date of this law we are not told) whereby no charitable institution is allowed to erect buildings which are estimated to cost more than $500·00 £100 per bed. We asked for particulars with regard to the working of this law, but were given no concrete example of a building having been constructed on these lines. We gathered that in America it is practically impossible to establish a complete institution at this figure, but an extension to an existing institution is possible. $500·00 per bed was sufficient to construct dormitories, day rooms and kitchens, but left no margin whatever for the construction of administrative blocks, or or such purposes as drainage, heating and lighting. Further particulars on this subject will appear in our description of Special Institutions.

III. *The Poor Law.*

There is a local Act of the legislature dealing with the poor law of almost every city and county in New York State: the following notes must, therefore, be confined to simple generalities.

A poor person is "one unable to maintain himself, and such persons shall be maintained by the town, city, county, or state."

The "state poor" are tramps, vagrants and other persons who have not resided sixty days in any town or county, and are relieved and supported by the state.

"Town poor" and "county poor" explain themselves. "Almshouse is a place where the poor are maintained at the public expense." Counties have elected "superintendents of the poor," towns and cities have "overseers of the poor." The powers of the superintendents include most of the powers of our guardians, but they draw on the county treasurer for their funds and render accounts to the county supervisors. One of them is keeper of the almshouse. The overseers are relieving officers with wider powers.

The Board of Supervisors (but failing them the Town Board) make general regulations as to outdoor relief, and the overseers and superintendents act accordingly.

All poor persons receive relief where they are found and are not moved to their place of settlement. Various considerations decide whether county or town pays for their maintenance, the presumption being against the town where the pauper is discovered to need relief.

County almshouses are places of commitment for vagrants and disorderly persons as well as places of relief for the honest poor.

No child under sixteen may be sent to, or kept in, any county almshouse, but must be provided for in a family, an orphan asylum, hospital, or other appropriate place at the expense of the county or town.

The superintendents are compelled by this law to provide for poor persons that may be idiots or lunatics at other places than in the almshouse.

This exclusion, by law, of idiots, lunatics and children from poor law institutions is noteworthy. It is doubtful whether it is successfully carried out in practice, but it certainly results in many of the excluded classes being found in the various special institutions hereafter to be described. And it accounts for the large number of religious and charitable institutions which exist everywhere for the maintenance and education of children.

By an Act of 1896, the State Board of Charities is to exercise supervision over aged, decrepit and feeble-minded persons, not proper subjects for care and treatment in insane hospitals, but whose friends wish to get them into homes, retreats, or asylums licensed by the Board. The only requirement in these cases beyond the licensing of the home is that there shall be an affidavit by two doctors that the aged, decrepit or feeble-minded person is not insane.

Information as to the practical working of the Poor Law was obtained on October 23rd, 1905, when Dr. Donkin and Mr. Dickinson called on the Superintendent of the Poor of the County of Erie, at Buffalo, N.Y. He was not at his office, but the principal assistant was available.

He stated that with regard to children sent to the institutions for the feeble-minded at Syracuse, Rome, or Newark, these were invariably the children of destitute persons and sent with the consent of the parents, except that in certain cases if the child was not properly maintained, the superintendent was able to dispense with this consent. In many cases the parents themselves applied to the Superintendent of the Poor for admission to these homes. Upon being asked whether in his opinion there were feeble-minded persons in the homes of the people, he stated that he thought that only a very small fraction of defectives was cared for in state institutions, and he was not aware of any private or religious institution which received them as such. The duty of the Superintendent of the Poor was to inquire into the circumstances of the parents, so as to ensure that only those who were poor were relieved of the custody of their children, and in some

cases arrangements were made whereby the parents paid part of the cost. As there was not sufficient room for all the applicants in the State institutions, the county had boarded out a certain number of feeble-minded children at various places at charges rising from 7s. 6d. a week, including a home on Long Island where there was a weekly charge of 25s. This was a private institution, which took other cases at varying rates of pay.

With regard to the women sent to Newark, he stated that dissolute women would only be sent there after they or their children had become a charge on the public, and therefore most of them would be women who had had children. Upon being asked whether cases were brought forward by charitable associations or individuals, or through the public schools, he stated that he did not know of any such cases.

He also stated that undoubtedly a great many persons of feeble intellect would be found in almshouses, for the reason that the State institutions were quite incapable of meeting the demand.

IV.—*Education Law.*

(1.)—*The City of New York.*

The law of compulsory school attendance has been in force since 1903 only, and appears to be very imperfectly enforced.

It requires all children under fourteen to attend school and they cannot be employed in factories, shops, etc.

All children between fourteen and sixteen must also attend school unless engaged in some useful and legitimate occupation during the day, in which case they must attend evening schools four evenings a week for sixteen weeks.

Attendance may be and is occasionally enforced by fines on parents who neglect their duty to keep their children at school or by committal to Truant Schools, to the Roman Catholic Protectory, or other similar institutions.

Children on register - - - - - - -	540,000
Average attendance - - - - - - -	466,000

There are no special schools for the mentally defective and epileptic, though some score or more of special classes have been started for some 400 defectives in the English sense. Sometimes markedly defective children are sent to the special institutions to be hereafter mentioned or to religious and charitable institutions, or are to be found with normal children in the ordinary classes or escape education altogether.

One of the schools visited by Mrs. Pinsent and Mr. Dickinson contained 3,000 boys, and in this school there was a special class of eleven boys. In another school, containing 1,500 boys, a special class, conducted by Miss Farrell, contained about fifteen boys, and the remainder of the special classes in other schools contained about the same number—about fifteen to thirty. The Board of Education has recently appointed Dr. Brown for the purpose of inquiring into the mental condition of the children of the school. There are 600,000 school children, amongst whom Dr. Brown estimates from 6,000 to 12,000 to be feeble-minded; or one to two per cent. Dr. Brown's method is in all essentials the same as ours in London. He has a teacher's report on each child and then makes his own examination. The Commissioners saw him conduct an examination, and came to the conclusion that he was admitting to the special classes the same grade of children as would be admitted in London. This

opinion was confirmed on a visit to the special classes in which they discerned every class of defect from the imbecile to those who were little below the average intelligence of children in a poor neighbourhood.

In addition to the twenty special classes above mentioned, there are in some schools in New York what are called the ungraded classes for those children who, for various causes, have been unable to keep pace with children of their own age. These are practically classes for the dull and backward.

At a visit by Mrs. Pinsent and Mr. Dickinson to a school in Henry Street, on October 12th, 1905, they saw Miss Richmond, who is the superintendent of that district, which district contains 26,000 children in schools. She has organised forty-four classes for backward children, containing on the average twenty-five in each class; and five classes for mental defectives, containing fifteen in each class. Her attention was drawn to the need for backward classes soon after the law had been passed forbidding any child to work who had not at the age of fourteen reached a standard of education equivalent to that of grade 5 B. In the event of a child failing to fulfil these requirements, he would be compelled to remain at the school until the age of sixteen. The grade 5 B. in the ordinary course should be reached in the second half of the fifth year of the child's schooling, or when he is about eleven years old.

Upon investigation, in the year 1903, she found that in her district there were 1,719 children whose prior education had been so neglected that they could not possibly hope to attain the required stage of instruction by fourteen. There were various causes for this. For instance, many of these were the children of foreigners who had recently arrived in the country; others had not been admitted to the schools owing to the lack of accommodation; others had been turned out by reason of their being troublesome and their seats being required for better behaved children. Some had been excluded by fear of contagion and some were children whose mental condition was unsatisfactory. Accordingly she obtained permission to organise classes for backward children. In these classes the number of children is small, and the teacher is therefore able to give individual attention, and to pass on as rapidly as possible each child into the grade more suitable to his age. The success of this naturally varies with each individual. To some children this individual teaching had done so great benefit that they succeeded in putting the work of two years into one term.

These classes also afford means of testing the mental calibre of each child and when any child appears to be mentally defective, he is removed into one of the regular classes for the feeble-minded.

(2.)—*New York State.*

At an interview of Mrs. Pinsent and Mr. Dickinson with Mr. Horner, Secretary of the Commission of Education of the State of New York, Albany, N.Y., 17th October, 1905, Mr. Horner explained the system of education in the State of New York. He stated that originally education in the State was in the hands of a Board of Regents, who dealt solely with secondary education in the higher schools, and who granted charters to various schools and universities for that purpose, until the schools of secondary grade under their control amounted to about 800. The elementary education was supervised by the Superintendent of Public Instruction. In the year 1904 an Act was passed which combined the administration of all education under a new department, called the Educational Department, consisting of eleven members, of whom the State Commissioner of Education. Mr. Draper, was one. He was elected for six years by the Legislature and after this time his place is to be filled by appointment from the Board of Education. This Board administers an educational fund of $6,000,000.00 per year, but this only forms a small part of the money expended for

education, the total amount exceeding $60,000,000.00. This sum includes taxes raised locally and also money arising from grants.

By means of this power of granting or refusing money, the Board of Education has practical control of the administration of the schools. They regulate the syllabus in all secondary schools and also to a certain extent guide the syllabus in the elementary schools. The money grants are distributed under one and the same system to all schools. They generally depend upon the number of teachers and the adequacy of the equipment. The Board of Education for the City of New York is practically exempt from the authority of the State Board of Education.

The Educational Department employs fifteen inspectors, who visit all the free public high schools. The elementary schools are inspected to a certain extent by School Commissioners, numbering 113, who reside in the various districts. The Board of Education also grants certificates enabling boys and girls to enter the professions. They likewise inspect and support the deaf and dumb schools. Mr. Horner was not able to say that much was done in the schools with regard to the feeble-minded. He thought that most cases of feeble-mindedness remained in the schools, and that this subject was dealt with locally, either by reception into the State custodial homes or private institutions of the worst cases.

The schools in rural districts are managed by trustees, who are elected by the people. These schools are inspected by the District Commissioners, who report to the Board of Education on such questions as the observance of the laws of compulsory attendance, accommodation, sanitary conditions, etc.

Some portion of the education fund is granted to private academies of a denominational character.

Many defectives, however, escape the educational net; and the law of compulsory attendance is not so effectually enforced as it might be.

Mr. Cole, City Superintendent of Education, Albany, N.Y., stated that the child population in Albany amounted to about 20,000. The deaf and dumb, blind, and idiot, as a rule were sent to the State institutions, provided they could be received. He could not say that there were any feeble-minded children in the schools, but an attempt had been made recently to meet the requirements of backward children by providing extra teachers to go occasionally into the schools to give individual attention to the pupils that required it. The teachers so employed had no special qualifications, but they were those teachers ordinarily held in reserve for the purpose of filling temporary vacancies in the staff. Mr. Cole stated that on an average a teacher could be spared to each school where it was necessary about twice a week.

A visit was paid to No. 1 school, in Bassett Street, a poor neighbourhood. No member of the substitute corps was there, but the Commissioners were told that one had been at the school last week. They saw the children who had been allotted to her to teach, and it was found that two of them were of the class who would certainly have been sent to a London special school, and two more were border-line cases, on which it was impossible to give an opinion without longer examination than was possible. It was learned in conversation that any pronounced defective or troublesome child could be refused admittance to the school, and the head mistress would inform a representative of the Catholic, Protestant, or Jewish community, who would probably take the child into one of their refuges, if the parents would consent.

The Commissioners then visited an ungraded class in a public school in Madison Avenue. This is for truant children, but they constantly get defectives whom they cannot possibly take into graded classes. The numbers varied from about fifteen to thirty-six. There were only fifteen present,

three of whom were said by the mistress to be mentally defective. The head master stated that he also had three defectives on his side of the school.

Institutions for the Feeble-minded.

We now proceed to describe the most important of the institutions in New York State and City specially established for the care of feeble-minded and other defective persons, and some typical institutions not designed with this object but containing such persons in considerable numbers.

Syracuse State Institution for Feeble-minded Children. Established 1851.

Visited by all the Commissioners on October 20th, 1905.

The State Superintendent of Public Instruction and eight persons nominated by the governor to hold office for eight years form the Board of Managers who entirely direct, visit and control this institution; the medical superintendent appointed by them is their chief executive officer.

"There shall be received and gratuitously supported in the Institution 120 feeble-minded children as State pupils who shall be selected from each judicial district in equal numbers, from those whose parents or guardians are unable to provide for their support. Such additional number of feeble-minded children as can conveniently be accommodated shall be received on such terms as shall be just."

In default of sufficient feeble-minded children, non-teachable idiots are admitted; but not those epileptic, insane or greatly deformed. Reception is by request for admission by relatives, etc., setting out the facts verified by affidavit of two disinterested neighbours and certified to be credible by the county judge. "Requests" may also be made by superintendents of the poor or commissioners of charities.

The managers may prescribe terms and conditions to be entered into with parents and guardians for the payment of the whole or part of the cost of maintaining a child. Every county shall pay £6 a year for the clothing of each of the State pupils belonging to it. Copies of the Forms used for admission are annexed.

No conditions appear to be prescribed by law for the discharge of children when their training is completed; they are simply returned to their relatives or to the keeper of the almshouse, or are sent to a custodial home.

About 284 males and 256 females were maintained and there was a large waiting list.

274 acres of land are attached to the institution.

The value of land and buildings was stated to be £80,000 *i.e.* £150 per bed.

The cost of equipment, £9,000.

The maintenance cost 16s. a week less 2s. 6d. a week if allowance be made for the home and farm products of inmates' labour.

We were received by Dr. Carson, the superintendent, and Mrs. Crowse, one of the managers. The inmates were 550, almost all of them being children, with the exception of a few whom the managers had not been able to dispose of after they reached maturity. We were shown the children at work in the schools, where they were receiving the elaborate education of the ordinary kind given to feeble-minded children. The education consisted of ordinary reading, writing, arithmetic and kindergarten studies. About half the children were capable of learning reading, writing and arithmetic. There were also rooms in which they were taught tailoring, sewing and knitting, both boys and girls doing the sewing; and there were several older boys who were capable of cutting out and making up clothes. A great number of the children appeared to be of a high grade, and many deemed proper for detention would not be considered as imbecile, or even feeble-minded, in England. Upon leaving the institution, the superintendent stated that most of the boys would go to their homes, but they would attempt to detain the girls. How far this had been done in past years we were not able to ascertain. The superintendent stated that he would not refuse to allow a girl to return to her parents, even though it might be possible that she had so little self-control that she would most likely get into trouble. This did not seem to be the opinion of the lady manager, who expressed strong opinions as to the desirability of detaining feeble-minded girls permanently when unable to control or take care of themselves. We were not able to ascertain how many discharges of this kind took place in the year, nor did there appear to be much record of the subsequent history of the children of the school.

The institution consisted of one large central building of some pretension, not modern, but quite suitable for its purpose, and also a few detached buildings, in which the lower grade imbeciles and idiots were detained. There was also a farm situated at a distance of five miles, on which we understood some forty of the elder boys were employed. The number of paid attendants was 115, a high standard of expert instruction being aimed at.

The cost per inmate that year was 12s. 6d. a week. The greater number of them are maintained by the State, but about fifteen pay the whole or part of their cost, and about forty are clothed by their parents.

There is no legal power of detention, and the superintendent was of the opinion that it would not be advisable that there should be any law on the subject, inasmuch as he thought it would deter the parents from voluntarily sending their children to the school. Under the present system a parent knew that he could withdraw the child at any moment, and the great object of the institution was to get the inmates into it, and out of danger; actual withdrawals were very few.

This institution, like all others, was inspected by the Board of Charities. This inspection was merely of a general character, concerning the order and administration of the home, and did not extend to the individual inspection of the inmates.

The funds of the home were provided by the State in the form of annual grants by the legislature, upon estimates submitted by the managers and approved by the Fiscal Supervisor.

In general the institution resembled the Royal Albert Institution in England, its defects being costliness, especially in methods of teaching. It was interesting chiefly as a pioneer institution only partially modernised, and content to do useful work for the benefit of the children sent to it without much concern as to their preparation for free life on their reaching the age when they had to be restored to freedom.

The farm seemed to be managed successfully and produced £3,600 in value.

The home work was sewing, knitting, tailoring and bootmaking and repairing.

Form of Request for Admission of Pupil.

To the Superintendent of the Syracuse State Institution for Feeble-minded Children.

I hereby request that————————————who is feeble-minded, and resides in the——Town of————————————in the County of————————————in the State of New York, may be admitted as a pupil into said Institution. ————————————

The said————————————was born in the Town of————————————in the County of————————————in the State of————————————and is of the age of————————————years, or thereabouts.————————————

Said————————————————————is now a legal resident of this county, and in indigent circumstances.

It is understood by the Superintendent of the Poor making this request, that if the person whose admission is thus sought should, after a fair trial, prove to be unteachable, or an improper subject for care and training at the Institution, by reason of insanity, epilepsy, or other disqualifying circumstances or condition,————shall be removed promptly, at the request of the Officers of the Institution, without cost to the Trustees thereof; and further, that in case of———death, the funeral expenses shall be paid by————————————County.

Dated the————————————day of————————————, 190

————————————————————————————————

Supt. of the Poor for————————————County.

Syracuse State Institution for Feeble-minded Children.

Descriptive Application.

Let every question be answered as minutely as possible by the Parents or Friends of Applicants for Admission to the Institution.

[Here follow seventy-nine questions as to the health-history, physical and mental, of the applicant, and as to his heredity.]

The family physician, or the one best acquainted with the family and the child, is requested to fill out and sign the following certificate:

————————————————————19

I,————————————a citizen of New York, physician and practitioner in the town of————————————hereby certify, that I have examined————————————and find that he is not insane, but is so deficient in mental ability, that he cannot be taught in common school as others of h age are. H bodily health is————————————, and he has no contagious disorder.

Signed————————————M.D.

N.B.—The Physician is earnestly requested to review the above questions, and to state in writing his opinion of the *cause* of the person's mental deficiency. To state whether the child is or has been epileptic. Also to mention any organic or functional peculiarity that he may have observed. It may be greatly for the advantage of the applicant that the physician should send in writing a full and minute account of the case, with his own thoughts and suggestions about it; especially any facts in answer to Questions Nos. 60 to 76 inclusive, which may be within his knowledge. Such letters will be considered confidential, and may be sent direct to the Superintendent.

This circular when properly filled out is to be mailed to

Dr. J. C. Carson,
Superintendent,
Syracuse, New York.

FORM OF REQUEST FOR ADMISSION OF PUPIL.

To the Superintendent of the Syracuse State Institution for Feeble-Minded Children:

I hereby request that———————who is feeble-minded, and resides in the ———————of———————in the———————of———————— in the State of New York, may be admitted as a pupil into the said Institution.

The said———————was born in the State of———————and is of the age of———————years, or thereabouts.

The parents or guardians of said———————are———of sufficient ability to provide———————for h support at the Institution.

Dated the———————day of———————, 189

To be signed by the applicant, name and residence in full. ———————

———————

STATE OF
COUNTY OF } ss.

———————and———————being severally duly sworn, say, and each for himself says, that he is a resident of the county of———————in the State of New York, that he is acquainted with the facts and circumstances stated and set forth in the foregoing request signed by———————and that the same are true.

To be signed by two parties, knowing to the facts and circumstances set forth. ———————

———————

CERTIFICATE OF COUNTY JUDGE.

The foregoing affidavit was, on the———————day of———————189 subscribed and sworn to before me by the said———————— and———————respectively, credible persons; and I certify that ———————, the feeble-minded person named in the foregoing request, is an eligible and proper candidate for admission as a pupil in the SYRACUSE STATE INSTITUTION FOR FEEBLE-MINDED CHILDREN.

STATE CUSTODIAL ASYLUM, ROME. ESTABLISHED IN 1893 FOR UNTEACHABLE IDIOTS AND CUSTODIAL FEEBLE-MINDED CASES.

Visited 19th October, 1905, by all the Commissioners.

Under the law regulating this establishment eleven managers are appointed by the Governor of the State with full control. The superintendent must be a doctor and chief executive officer and manager.

The inmates are to be poor persons committed by superintendents of the poor, in form prescribed by the managers from the feeble-minded and idiot persons in almshouses and in homes in the State. Epileptics are excluded.

If there is room for other cases paying patients may be received. Forms of "Request for Admission" and "Commitment" are annexed.

The value of land and buildings, £110,000, and cost of equipment, £8,000, amounting together to less than £160 per head of the 750 inmates, showed economy in construction.

Weekly maintenance cost 12s. per head, but including value of inmates' work and farm, 11s.

To Dr. Bernstein, the superintendent, were put the questions which have usually been addressed to the superintendents of all asylums and institutions who appeared before the Commission in England. Speaking usually, his evidence was in striking agreement with that laid before us by them. He was unwilling to express a decided opinion on the question of the comparative importance of heredity and evil environment in the production of feeble-mindedness, but he expressed the opinion that when a feeble-minded person was brought to his institution he would naturally expect to find a defective parentage. He stated that out of the classes of imbeciles who filled his institution, only about one-third were capable of any work which had a substantial result in paying for their maintenance, and that little, if any, more than one-tenth were capable of doing work which had an estimable money value. More than 50 per cent. of the inmates were actually occupied in cleaning the floors or in domestic work of some other trifling description. It was explained to us that the absence of teaching or professional industrial training was attributable to the fact that the institution was originally described as being for "untrainable idiots," and although this name had been modified the system of having no highly trained professional teachers of ndustry had continued.

There was only one trained and certificated teacher. Dr. Bernstein discouraged any education in the ordinary sense of the word, but has consented to a small three R's class for both boys and girls, yielding to the great desire of his teacher. He stated that it was useless in most cases, and where it succeeded did not make for happiness, but increased restlessness and a desire to leave the institution. He would like the whole of the time devoted to manual work, and this had been the case until lately. Rough sloyd work and various kindergarten occupations he had found most useful. There is only one school mistress, but the ward attendants are trained by her and by lectures from the medical staff to teach the children various forms of manual work. This is done by a system of half-hour classes, taking place both morning and afternoon. There is no schoolroom; the children are taught by the ward attendants in their own wards. Only 7 per cent. can read, and 5 per cent. read and write. There is also an expert instructor in drill and calisthenics, who takes classes himself and also instructs the ward attendants. These exercises are said to be performed regularly by all those who are capable of taking part in them, and to be useful in effect. It was also said that great care was taken that all those who were able to go out should have at least one hour's exercise in the open air, and from speaking to the inmates we gathered that this was the case. We observed much freedom in the general management of the establishment, there being very little locking up, the inmates (with the exception of those in one or two wards) moving freely about the house and grounds.

As regards the employment of the inmates, we were told that there was one shop for repairing, but not for making boots and shoes. An instructor and five inmates were engaged in the shop. We understood that the inmates made all their own clothing, except the boots, which came from other State institutions. All the clothing was washed by inmate labour, except the officers' uniforms, which were washed by paid labour, assisted by two or three of the more competent inmates. The cartage of coal and other goods from one part of the institution to another was carried out by the inmates, and also a good deal of painting and repairs.

There is a farm of nearly 400 acres, with fifty cows mostly used for milking purposes, but afterwards fattened to serve as food for the institution. The milking was done entirely by the inmates. There was a very large piggery, containing 180 animals, and the pork (which, we were told, was the commonest meat food in the institution) came wholly from this source. There was sufficient meadow land to provide in ordinary years all the fresh feed and hay required for the institution. The use of the farm for growing

crops appeared to be still in the experimental stage, but Dr. Bernstein had hopes that when the capabilities of the land were better understood, not only could the whole of the vegetables be produced on their own land, but considerable profit might be made by the sale of produce. In view of the anticipated profits from their farming enterprise, the managers were anxious to buy a neighbouring farm of 1,000 acres and to establish on it a colony of 120 of the more competent workers, locating them in separate cottages of an economical type of twenty each. The expectations were that the annual cost would amount to £360, and the returns in the shape of produce would exceed £520. The cost of constructing these cottages is estimated at £1,000 each.

The cost of maintenance *per capita* has rapidly diminished in recent years; in 1901 it was £33, in 1902, £31, and in 1903, £28. None of the buildings whatever, except a little shed which cost a few pounds, have been erected by inmate labour; but a considerable amount of repair work and painting is done by the inmates under instruction. The boilers, engines and apparatus for electric lighting, heating and ventilation were of an unusually simple, convenient and economical character. The whole of the bread was baked by one baker and six inmates. The number of attendants to inmates was not more than one to ten, notwithstanding the low grade of the latter.

To encourage work a system has been devised of giving small payments to those whose labour deserved it, which are applied as payment for their clothing, the balance they could spend as they liked, except a small amount which was always kept in reserve. But these gratuities were only given to a small number.

There were 148 applications for admissions during the past year, and a large "Waiting List." About fifty came from the Syracuse school and most of them through county authorities. The children, as a rule, were brought to the institution through the county superintendent, and their suitability for admission was decided by the managers of the home. Fifty per cent. of them had been in institutions previously. The inmates were detained in the home and generally the request that they should be discharged was refused by the managers. In such cases the parents could appeal to the State Commissioners of Charities, and from them to the law courts. This course had been taken on two occasions only, but in both these cases the judge had issued a mandate to release the inmate.

The population of the institution at the time of our visit was about 450 men and about 300 women. With regard to the character of the inmates, the great majority were idiots or very decidedly imbecile. We observed a certain number among the inmates who did not show the grosser symptoms of imbecility and were apparently of the class of so-called feeble-minded, with which our Commission is especially concerned. On inquiry of the superintendent he stated that there were about fifty of this particular class whom he described as in his opinion all able to earn their own living under supervision; but they were all of them, without exception, certain to fail if they attempted to stand alone. He was of the opinion that all these should be detained for life, as they probably would be, in this institution. Among the women the less defective class seemed smaller than it did among the men. The superintendent promised to give us as detailed an account as possible of all these cases, both men and women. Among this minority of cases we were shown two instances of so-called "moral imbecility," both of which were well marked, but they also evinced other defects. One was an incendiary and the other a kleptomaniac. We also saw one or two cases of chronic insanity, and one case who was a deaf mute and who appeared to be suffering from that defect rather than from imbecility.

In this institution the term "feeble-minded" is used in the same sense as the word "imbecile" is generally used with us, the word "backward" being

applied to cases which we call "feeble-minded." In fact the terms used by Dr. Barr are adopted.

Upon inspecting the case book, we found the histories imperfect. The medical officers stated that it was very difficult to get any reliable histories from the relatives of the patients, or from any other source; and consequently in many cases it was difficult to differentiate between congenital defect and acquired insanity. According to the amount of attention they required, the patients were divided into three groups: the idiots, the crippled, and others, the "others" being roughly classified according to age, there being a nursery, a department for boys, a department for the younger men, and one for the older men. The women were classified in a similar manner. But these classifications were not strictly adhered to. This classification did not make any very "hard and fast" distinction between the different grades of mental defects, and from what we saw we concluded that not only did it cause no hardship, but was beneficial, in that the brighter cases were able to assist in the charge of the others, and were happy in so doing.

Regarding admissions, we ascertained that the institution received all sorts of cases except those who had been committed either to a prison or a reformatory. The reason for the [recent] rejection of such cases was that in the past they had been found very troublesome, to be possessed of immoral tendencies, and to contaminate others in the institution. To ascertain the character of the class admitted, we took note of the last nine male admissions and the last ten female admissions. Dr. Bernstein laid great stress on the exclusion of the "criminal" idiot until his institution was provided with suitable *detached* buildings for their detention.

Recent Admissions.

Males.

1. A boy aged thirteen, admitted within the last few days; said to be a middle grade imbecile, about whom the previous history had not as yet been reported. He was in an excited condition.

2. A boy aged six, said to be an idio-imbecile, dirty in his habits, but whom the staff described as being teachable and improvable.

3. A boy aged seven, an Italian by birth, described as an idio-imbecile.

4. A boy aged sixteen, a middle grade imbecile with very imperfect speech.

5. An Italian boy aged eleven, a high grade imbecile, who might possibly be a useful inmate.

6. A high grade imbecile aged twenty-one, with imperfect speech; but judging from his ready answers to questions, has some intellect. A transfer from Syracuse.

7. A boy aged eighteen or over, imperfect speech, described as "retarded," but to us he appeared to be a genuine imbecile.

8. Aged twenty-three, an idiot.

9. Aged sixteen, a middle grade imbecile.

The majority of these nine were undoubted imbeciles, but two, or perhaps three, of them are such as in England would be designated as "feeble-minded" rather than imbecile.

Females.

1. An infant seven months old, wasted and premature; admitted with the mother to the institution.

2. A girl aged six, evidently an idiot; no previous history stated or recorded; no use of limbs.

3. and 4. Two sisters, the one aged eleven and the other aged nine. Neither of them was markedly deficient. Their education was imperfect, but from what was said this was evidently due to their not having been made to attend school. They were both admitted from the Albany Orphan Asylum. Their admission seemed to be due more to neglect and destitution than to imbecility.

5. A girl aged twenty-three, rescued by the Salvation Army. Her early history was not known. A more recent history is that of having borne an illegitimate child. She was weak and confused. The diagnosis of her condition was very doubtful; it might be a mild imbecility, but to us it appeared more suggestive of imperfect recovery from an attack of insanity.

6. A girl aged twenty-four, received from Newark; an imbecile; was excitable and a temporary. She was transferred from Newark because she was too bad for management there.

7. A woman over twenty years of age, described as an idio-imbecile.

8. A woman upwards of thirty years of age; a low grade imbecile transferred from Syracuse.

9. A girl of eighteen years, a low grade imbecile with no power of speech.

10. A woman aged twenty-five, an idiot.

The buildings both of the institution proper and of the farm, though devoid of ornament or any particular architectural beauty, appeared to us to be constructed with a commendable regard to economy as well as suitability for their objects, and we annex some views of them.

ROME STATE CUSTODIAL ASYLUM.

BUILDINGS "D" AND "E" (REAR).—ROME.

Building "D" (Front).—Rome.

Dining Room (Male).—Rome.

West Group (Female).—Rome.

Inmates Grading in rear of Women's Group, Rome State Custodial Asylum.—Idiots at Work.

Form of Request for Admission to the Rome State Custodial Asylum.

According to the form prescribed by the board of managers of the Rome State Custodial Asylum, October 28, 1895.

To the Superintendent of the Rome State Custodial Asylum :

I hereby request that————————who is idiotic or mentally deficient and resides in town of————————in the county of————————in the State of New York, be admitted as an inmate to said asylum.

Dated the————day of————————190

(To be signed by the applicant.)

Superintendent of Poor————————County.

Statement.

(The family physician, parents or superintendent of poor are requested to state the facts called for below to the best of their knowledge and belief. If any particular is unknown the fact should be stated.)

1. Age————years; sex————; civil condition————; color————; occupation————; religion————; nativity of father————; of mother————education————none; ————reads.

2. When was mental peculiarity first noticed ?———————————————————

3. What is the bodily condition of patient ? (If there is any deformity of body or limbs, so state.)

4. Is there any defect of the special senses ? (If so, describe it.)

5. Is the patient subject to epilepsy ? (If so, state frequency of attacks.)

6. Is the patient violent, dangerous, destructive, irritable or passionate ? (If so, give nstances.)

7. Was the patient ever an inmate of an asylum or hospital for the insane ? (If so, was patient discharged as recovered, improved or unimproved, and when did such discharge take place ?)

8. Is the patient cleanly or otherwise in dress and personal habits ?

9. Has the patient any morbid habit ? (If so, describe it.)

10. Is the patient addicted to the use of tobacco or narcotic drugs of any kind ? (If so, state to what extent.)

11. What is supposed cause of present mental condition ?

12. Is there any history of insanity, epilepsy, chorea, or defects of vision, hearing or speech, or any nervous affection in the family of father or mother ? (If so, describe.)

13. How many brothers and sisters has the patient had ?

14. Was there any bodily deformity or mental deficiency in the other children ? (If so describe.)

15. Other facts indicating idiocy or mental deficiency ? (State if there has been any change in the patient's mental condition.)

16. Name of parents or nearest relative.

17. Residence and post office address.

ROME STATE CUSTODIAL ASYLUM.—FORM OF COMMITMENT OF PATIENT.

According to this form prescribed by the board of managers of the Rome State Custodial Asylum, October 28, 1895, and by resolution of said board on that date ordered to go into effect immediately, under authority of chapter 59 of the Laws of 1895, as amended by chapter 437 of the Laws of 1897.

I hereby commit———————————————who is a legal resident of this county and in indigent circumstances, to the Rome State Custodial Asylum for care and treatment.

It is understood by the superintendent of poor making this commitment that if the person named in this commitment should, after a fair trial, prove to be an improper subject for care and treatment at the asylum by reason of insanity, epilepsy or other disqualifying circumstances or conditions, the said———————shall be promptly removed at the request of the officers of the asylum without cost to the managers thereof.

Dated the———————day of———————190

Superintendent of Poor———————County.

NEWARK STATE CUSTODIAL ASYLUM FOR FEEBLE-MINDED WOMEN, ESTABLISHED AS AN OFFSHOOT OF SYRACUSE IN 1878: A SEPARATE INSTITUTION SINCE 1886.

Visited by all the Commissioners on 21st October, 1905.

The Board of Managers consists of nine persons, three to be women, nominated by the Governor of the State with full control; the superintendent is their chief executive officer.

There are about 600 inmates.

The institution covers 42 acres of land.

Value of land and buildings, £25,000; cost of equipment, £6,000; viz., about £53 per head.

Weekly cost of maintenance, 9s. 6d., but allowing for work, 9s. per head.

The Asylum is designed for feeble-minded women of child-bearing age, whose mental, moral, and physical condition can be improved in the institution, as appears from the following circular issued to Superintendents of the Poor, etc.

CIRCULAR.

The objects and purposes of the Custodial Asylum are EXCLUSIVELY for the enforced custody and protection during the *child-bearing age*, of feeble-minded women of such physical development as to be capable of becoming mothers, who are indigent residents of this State.

The Institution is supported by the State, except transportation and funeral expenses, in event of death, which must be borne by the county whence they come. It is not a school, in an educational sense, but conducted as a well regulated home, with special regard to training in all household duties and industries, the cultivation of habits of cleanliness, propriety, physical culture, music, vocalisation and self-reliance. A school department is maintained for such as are teachable and of school age.

Applications for admission must be made by or with the concurrence of the Superintendent of the Poor of the county of which the applicant is a legal resident, and must be accompanied by a description of applicant in conformity with blanks furnished for that purpose, and should be directed to the undersigned, who will refer the same to the Committee on Admissions. If a proper case, the applicant will be admitted at the pleasure of the Superintendent of Poor, provided a vacancy exists and she is accompanied by a written order of commitment by the said Superintendent of Poor, as per form furnished, who must also remove inmate on our notice, if for any reason she becomes disqualified. He may also remove on his own election without cause.

This institution is not an asylum for the aged infirm, for juvenile offenders, the reformatory class, the helpless invalid, the cripple, the insane, or the "mildly insane." Any case not clearly a proper subject for CUSTODIAL care, within the meaning of the first paragraph above, will be discharged as soon as her ineligibility is discovered.

Friends or relatives who desire to remove inmates must consult the Superintendent of Poor of the county of which said inmate is a legal resident, and secure his order in writing for such removal. This is all that is required.

All inquiries concerning the admission of inmates or the Institution will be promptly answered. For application blanks, circulars, or for any other information not herein contained, address,

C. W. WINSPEAR, *Superintendent*,
Newark, Wayne County, New York.

Forms of application are printed below:—

STATE CUSTODIAL ASYLUM FOR FEEBLE-MINDED WOMEN, NEWARK, WAYNE COUNTY, N.Y.

C. W. WINSPEAR, ESQ., *Superintendent:*

It is hereby requested that————————————whose preliminary application for admission to your institution has been accepted by your Board of Managers, and upon which I hereby commit her to your institution, be received into the same as a feeble-minded person, eligible to protective care of such asylum.

The said————————————is a feeble-minded person as stated in said preliminary application, is now a legal resident of————————in the County of———— and is in indigent circumstances, and, as near as can be ascertained, of the age of————years.

It is understood by the Superintendent of the Poor making this request, that if the person whose admission is thus sought should prove to be an improper subject for care and training at the Asylum, by reason of insanity, epilepsy, or other disqualifying circumstances or condition, she shall be removed promptly, at request of the officers of the Institution, without cost to the Managers thereof; and further, that in case of her death, her funeral expenses shall be paid by the County from which she comes.

Dated this———————day of———————————190

CHARLES MCLOUTH, Pres.,
C. W. WINSPEAR, Supt.,
ANNA WARNECKE, M.D.

Committee on Admission———————————————————

Supt. of the Poor for———————— ——*County.*

DESCRIPTION OF PERSON FOR WHOM ADMISSION IS DESIRED AT THE STATE CUSTODIAL ASYLUM FOR FEEBLE-MINDED WOMEN, NEWARK, WAYNE COUNTY, N.Y.

Every question must be answered as minutely as possible by some one acquainted with the applicant for admission to the asylum. The application should then be transmitted to the asylum for consideration of the proper authorities.

[Here follow 37 questions as to the birth, condition, and mental and physical health history of the candidate.]

Dated———————————————190 (Signed) ———————————————

Supt. of Poor, County of—— ——————

Questions relating to family history to be answered by a physician acquainted with the case.

38.	Is the case congenital ?	38. ————————————————
39.	Has she insane or criminal tendencies ?	39. ————————————————
40.	Has there been cases of idiocy, insanity or criminality in the family to which she belongs ?	40. ————————————————
41.	Were the father and mother related ?	41. ————————————————
42.	Are both parents temperate ?	42. ————————————————
43.	Has she any physical ailment or disability ? If so, is the condition chronic ?	43. ————————————————

IMPORTANT.—The physician will please note any circumstances that throw light upon the history of the case, its supposed cause, etc., and will certify whether or not the case is feeble-minded.

———————————————————————————————

———————————————————————————————

———————————————————————————————

Dated———————————————190 (Signed) ———————————————M B

Mr. Winspear, the superintendent, received us. He is not a doctor, but the general superintendent or steward, of the institution, taking evidently a special interest in all matters connected with the building and management of the establishment. He is assisted in medical respects by Miss Warnecke, a qualified doctor.

Mr. Winspear explained to us with emphasis that the whole object of the institution was to detain women of a child-bearing age, in order to prevent the propagation of persons of feeble mind, with its attendant evils to the community. He said that 50 per cent. were receptions on direct applications from relatives, which applications must be made through the Superintendent of the Poor. Another 25 per cent. were women who had been brought before a magistrate on some charge and, without being convicted by him, had been sent to the asylum as a proper place for their detention. Another 25 per cent. had been received from almshouses on the application of Superintendents of the Poor, who considered that the almshouses were not proper places for their care. A very small number (never reaching

5 per cent.) were received from the Hudson Reformatory for women, by suspension of the sentences arranged by the managers of that institution, or from Syracuse or other institutions, to which they had been sent without order of commitment, if the managers considered that Newark was a more suitable place. It will be seen, therefore, that a feeble-minded woman can be transferred from prison to Newark and detained there after the expiry of her sentence.

The average age at the time of application was something under twenty. The rule was that women must be of child-bearing age, which was usually sixteen to forty-five, the lower limit being occasionally reduced to thirteen and in a few cases the higher limit being raised. The medical officer said that 75 per cent. of the women received had had illegitimate children.

There is no legal power whatever of detaining the women sent to the asylum. In practice, however, no difficulty was found in keeping them as long as the superintendent wished. The requests of relatives for the release of inmates were often refused, but the dispute had never been carried into the law courts. About eight or ten per annum were returned to their friends. In the superintendent's opinion none of these did well, and it was desirable that these releases should be restricted as much as possible.

The grounds of the institution were entirely open, and there was nothing to prevent the escape of the inmates, if they wished. Two had escaped in the last twelve years, and in the same period there had been twelve attempted escapes and recaptures.

The inmates were divided theoretically into three classes, A., B., and C. which roughly represented an equal proportion of the total number, and were roughly based on the mental condition and tractability of the patients.

The object of the institution was very little directed towards the teaching or education of the inmates. There was only one trained teacher. However, those inmates who were able to work and who were working, were instructed in that direction. A number were taught sewing, and it was stated that 25 per cent. of them were capable of using the sewing and knitting machines. All the clothing of the institution is made in it, with the exception of the boots. Some of the patients were employed in the laundry. A sufficient number of inmates were employed in the bakery under the supervision of one woman to carry out all the baking for the establishment. There were seventy-five paid assistants of all description for the 600 inmates.

Although the cost of maintenance was remarkably low, the utmost economy was not aimed at. The inmates were allowed to work for themselves after the completion of what was considered their daily work, and they were allowed to sell, through their friends, any work performed in this time, but they did not receive any gratuity or other payment for their work in the institution. The superintendent thought that it was very undesirable either to press them to work hard or to devote any special attention to arranging lucrative work, as, for instance, laundry work for hotels or private families. He thought that it was important to cultivate three sentiments, and his managers had agreed with this policy for many years. First, that the women should be made happy by thinking that they were working for themselves by working for the institution which maintained them; secondly, that it was undesirable that people outside should think that the women were kept to penally hard work, as it would diminish the willingness to enter the establishment; and thirdly, even if he wished it, it would be difficult to carry out lucrative work, in view of the opposition from trade unionists and politicians.

The buildings of the institution, of which we annex some views, are appropriate and economical.

Newark State Custodial Asylum for Feeble-Minded Women.

Cottage at Newark Custodial Asylum.—£70 a Bed per Inmate.

Main Buildings of the New York State Custodial Asylum for Feeble-minded Women, Newark, N.Y.

A specially interesting feature is the cottages, which are separated from the main block and are of more recent construction. They appeared to be admirably suited to their purpose, having much more complete accommodation than is usually provided in such annexes, and having been constructed at an astonishingly low cost. One cottage which we visited was for forty-five inmates, in charge of one matron, two attendants, a cook, and a night watch. The inmates had commodious and separate day rooms and dining rooms, dormitories, complete sanitary arrangements, lockers, and drying

rooms for their clothes, with ample space in the basement and in the roof for storage or occasional use.

We were very much impressed with the cooking arrangements, which had been in use for many years but were remarkably simple, convenient and economical. In addition to the kitchener the cottage was provided with boilers for making tea, coffee, stews and cooking vegetables. They were heated by steam pipes from the central boilers. The *per capita* cost of the building of this cottage, based on the number of inmates and omitting the attendants, had been $375.00 (£75). We annex a view of this handsome and economical building. The superintendent stated that if it could have been built at the prices prevalent nine years ago, it would only have cost $240.00 (£50). We also saw a newer and larger cottage, which contained only sixty inmates, but had ample room for eighty. This cottage had cost £5,200, and although in appearance somewhat simpler than the smaller cottage, it was at least equally commodious, both for the inmates and for the attendants. In both cottages it was noticeable that, notwithstanding the economy of construction, the officers were particularly well provided for, there being a matron's room, and a large and prettily decorated drawing room for her use and the attendants'.

It should be mentioned that the cooking apparatus in the central block was equally convenient and economical in operation as that in the cottages, a similar plant being here also supplied from a central boiler.

The absence of constraint and control all over the institution was remarkable. The women seemed very happy and contented with their lot and as in the other institutions we saw, mutually helpful and affectionate. Although separated indoors into the classes A., B. and C., as above mentioned, they all mixed outside in what they called the park, which was a large garden planted with trees. No objectionable results had been found to arise from this association.

Of the 600 cases under detention, about half were decidedly imbecile or idiotic, the other half being high grade imbeciles or young women whose defect was so slight that on casual observation it would not be evident. The latter half contained nearly 200 cases whose mental disorder was so slight that in England they would not be legally recognised as mentally defective and would certainly not be detained in any existing institution. Among these we had pointed out to us several who on account of their defect were nymphomaniacs, and others in whom a hot temper and an excitable disposition were the conspicuous features. Practically all this class could converse reasonably, were educated or educable; but on close inspection and more especially after prolonged observation, they showed some distinct, though perhaps small, sign of defect. We were struck in recognising in some of these high grade cases characters similar to those which are frequently observed in English and Scottish prisons and inebriate reformatories; but many of them were not so degraded as some of the female inmates of the latter institutions.

The cases were primarily classified into lower grades and higher grades, and the latter into a younger and an older group. This classification, however, was not strictly adhered to, high grade cases being put into the departments for the low grade cases, most of them to assist the attendants, a task apparently grateful to the inmate and economical in result.

The previous history of the inmates, whether it indicated a moral or immoral life, was not taken into account in determining into which class the patient should be placed. The so-called "moral imbeciles" were not classed by themselves, the experience of the institution having shown that those cases with immoral tendencies are better treated and easier dealt with if mixed with the others rather than being classed by themselves. In discussing the high grade cases with us, the medical officer expressed her decided opinion that in none of them was there any chance whatever of their being able properly to care and protect themselves outside of the institution.

Even years of institutional care and treatment could not fit them for a free and independent life, and she, therefore, strongly advocated permanent detention. The superintendent stated emphatically that the detention illustrated by the Newark institution was not only approved by American medical and governmental opinion, but by the vast bulk of the people. This feature, of course, constituted in our eyes the most important lesson to be derived at Newark.

The large class of women of greater or less degree of mental defect, who in our country pass in and out of prisons, inebriate reformatories, asylums, and charitable institutions, and who in their intervals of freedom are a source of misery to their relatives and scandal to the community—not to mention more serious social dangers—seem to be dealt with at Newark in a manner which benefits themselves, satisfies the humane instincts of the community and is reconcilable with strict economy.

The Craig Colony for Epileptics.

Visited by all the Commissioners on the 26th October, 1905.

This institution was opened in 1896 "to secure the humane curative and economical care and treatment of sane epileptics."

Three Commissioners of the State Board of Charities, under powers conferred by a law of 1893, selected as a suitable site for an epileptic colony the extensive (1,900 acres) and beautiful estate of Sonyea, formerly belonging to the Shaker community, which, together with large buildings already on the land, was bought for £23,000.

Twelve managers nominated by the governor were empowered to get the estate and buildings into condition to receive patients gradually, and to educate and use the labour of colonists for labour on the land and new buildings. The superintendent was to be a doctor and chief executive officer.

"There shall be received and gratuitously supported in the colony epileptics residing in the State, who, if of age, are unable, or, if under age, whose parents or guardians are unable, to provide for their support." These are State patients.

Paying patients may also be received. Children are received in the colony upon the written request of persons desiring to send them, accompanied by a statement as to how much they can pay.

In case of State patients the application must be verified by the affidavits of the petitioner and of two disinterested persons and the opinion of a qualified doctor, all neighbours, and must be certified to be credible by the county judge or surrogate of the county, who must also certify that the patient is a proper and suitable candidate.

The forms in use are annexed.

Superintendents of the poor, etc., may make application as well as relatives.

All Poor Law authorities have every year to send to the State Board of Charities a list of all epileptics and of their condition on a prescribed form.

It is their duty to send to the colony all epileptics who become chargeable or whose health morals, or comfort are not properly provided for,

the poorer being always preferred to the richer. If they do not become State patients the Poor Law authorities must pay for them and recover from the relatives. For each State patient the State pays £50 per annum, and the poor law authority of the district £6 for clothing. State patients are assigned to each county in the ratio of its dependent epileptic population. Private patients pay as per agreement.

The superintendent has full power of discharge, but no patient may be discharged directly or indirectly to any workhouse or almshouse.

Patients becoming insane are certified and sent to asylums.

The managers employ an agent to collect contributions from parents who can pay: these are about 1 per cent.

They supply all Poor Law authorities with forms of application for admission.

INFORMATION RELATIVE TO THE MAKING OF COMMITMENT PAPERS AND THE ADMISSION OF PATIENTS TO THE CRAIG COLONY FOR EPILEPTICS, AT SONYEA, LIVINGSTON, CO., N.Y.

The paper to which this is attached is the regular application paper for admission of a patient to the Colony. The first and second pages must be filled and signed by a physician in the manner prescribed thereon, while the third must be signed by the Superintendent of the Poor of the county in which the patient resides.

Attention is respectfully called to the following resolutions:

No. 1.

"WHEREAS, Chap. 358, Laws 1898, provides that the Managers of the Colony shall fix the condition of admission, treatment, support, custody, discipline, and discharge of patients, be it therefore

RESOLVED:

That the Colony is not in condition at the present time for the reception of bed-ridden, helpless, or idiotic cases, and it cannot receive such cases until especial provision has been made for such classes on the Colony premises."

No. 2.

"WHEREAS, It appears that patients are frequently brought to the Colony in conditions of extreme uncleanliness, and

WHEREAS, In order to protect the Colony against the introduction of communicable diseases and other evils dependent upon uncleanliness of body and clothing, be it therefore

RESOLVED:

That no patient shall be received at the Colony who is not in a state of body cleanliness and who is not clothed, at the time of admission, with clean and suitable clothing; and that the Superintendent of the Colony, or his representative, be and is hereby empowered and directed to refuse to receive into the Colony any patient whose bodily condition or clothing is in violation of the requirements of this regulation."

(Section 1. Subdivision 5, Chapter 359, Laws, 1898.)

The foregoing resolutions were adopted by the Executive Committee of the Board of Managers of the Craig Colony for Epileptics at meeting held at the Colony on the respective dates of December 13, 1898, and September 13, 1898.

1. All clothing should be clean and appropriate to the season.

2. The body of the patient must be clean and free from vermin, and to insure such cleanliness the patient should have a bath immediately before being brought to the Colony.

3. Patients suffering from communicable diseases, such as smallpox, measles, scarlet fever, or diphtheria will not be received.

WILLIAM P. SPRATLING, M.D.,
Medical Superintendent.

CRAIG COLONY FOR EPILEPTICS.—CIRCULAR OF INFORMATION REQUIRED IN REGARD TO APPLICANTS FOR ADMISSION.

Sonyea, Livingston County, N.Y.

This blank may be obtained free on application to Superintendent of Craig Colony.

It is requested that the blank be accurately filled out and all information given that will be useful in the treatment and care of each case.

Christian and surname of patient———————————————————

A resident of———————————County of———————————

Age———Sex———Color———Place of Nativity———

Birthplace of father———Birthplace of mother———

Religion———Occupation———Married or single———

Education ———————————————————

Age at onset———Length of time patient has had Epilepsy———

Cause ———————————————————

———————————————————

Heredity (alcoholism, tuberculosis, rheumatism, epilepsy, or other nervous diseases in the parents or relatives)———————————————————

———————————————————

Pre-natal influences or difficult labor———————————————————

Character of attack (petit mal, grand mal, Jacksonian or psychic seizures)———

———————————————————

Frequency of attacks at first and at present———

———————————————————

Nocturnal or diurnal———Nature of aura if any———

Mental State
1. Can patient tell day of week, of month, and year ?———
2. Can patient dress and undress without aid ?———
3. Can patient take food (meals at table) without aid ?———
4. If mentally deficient, state its duration.———
5. Did such deficiency precede or follow epilepsy ?———
6. Is the patient depressed or suicidal ?———Homicidal ?———
7. Which of the following terms best describes the patient's mental state: Idiotic; Imbecile; Feeble-minded; Fair; Good;———

Physical State: lungs———heart———tongue———
urine———knee jerks and wrist jerks———
pupils———eyes———
paralysis ?———

Is patient *deformed* or *crippled* in any manner ?———

If so describe fully———

The name of person most familiar with the history of the case is———
——————————Address———

The examining physician is urgently requested to give some information under each of the foregoing headings, especially describing the mental state as fully as possible.

I hereby certify that I have known this person———years, that the foregoing facts were ascertained by a personal examination of such person and by inquiry of relative and others familiar with the case, and I further certify that, in my opinion, such a person is a proper patient for Craig Colony and likely to be benefited by the treatment in the institution.

Subscribed and sworn to before me this———day of ———190

———M.D.

Residence ———

———

Notary Public.

CRAIG COLONY FOR EPILEPTICS.—APPLICATION OF COUNTY SUPERINTENDENT OF THE POOR, OR OF THE POOR AUTHORITIES OF ANY CITY.

To the Board of Managers of Craig Colony:

The undersigned, a———————————————————————
———————————of———————————————County, State of New York,———
hereby makes application for the admission to the Craig Colony for Epileptics of———————
———————————————————————————————————
an epileptic, aged———————————years, born in———————————, residing
in———————————————and an indigent.

The name and address of the nearest friend or relative is———————————————
———————————————————————————————————
who is related as———————————————————————to the patient
Telegraphic address of friend or relative———————————————————

I hereby certify that I have personally examined and carefully inquired into the legal residence and financial condition of this person, and I further certify that such person is a citizen of this State and a resident of this county, in indigent circumstances, and, in my opinion, a proper patient for Craig Colony.

———————————————————

Superintendent of the Poor.
Commissioner of Charities.

County.

———————————

City.

Dated———————————190

———————————————

THE CRAIG COLONY FOR EPILEPTICS.—PERSONAL AND FAMILY HISTORY.

Name of patient———————————————————————

Address———————————————————County of———————

Parents or relatives will fill out this blank form and when completed send to the "Medical Superintendent," Craig Colony for Epileptics, Sonyea, N.Y.

Please state fully *all facts* regarding the case with which you are familiar or which you are able to obtain from any source.

Dated———————————190

PART ONE.

PATIENT'S FAMILY HISTORY.

[Here follow 12 questions.]

PART TWO.

PATIENT'S PERSONAL HISTORY.

[Here follow 25 questions.]

PART THREE.

HISTORY OF PATIENT'S EPILEPSY.

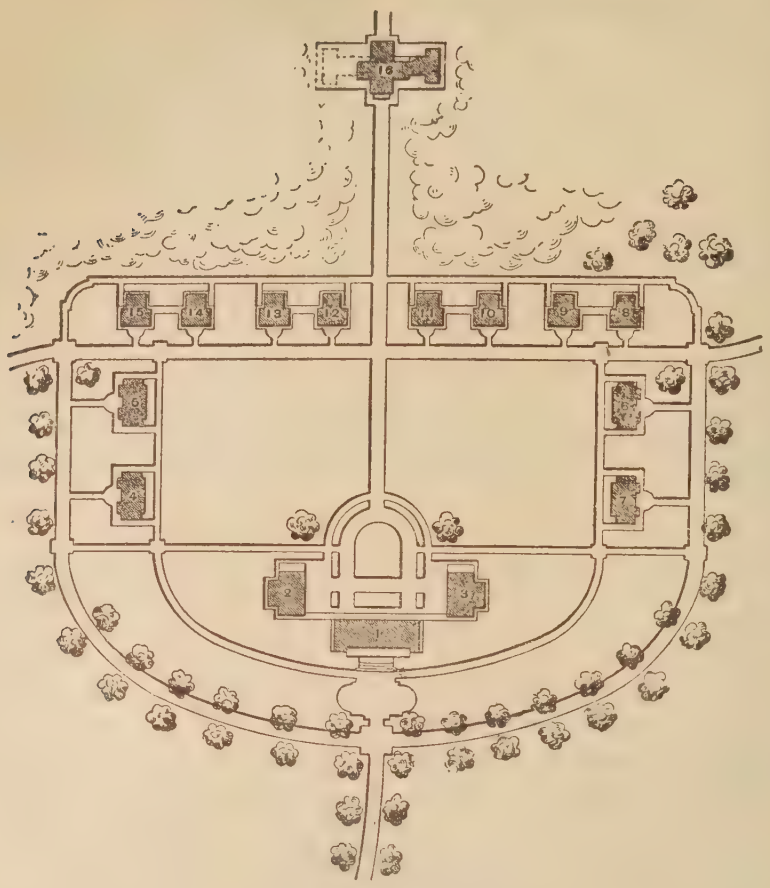
[Here follow 35 questions.]

Name and address of person or persons giving the above information.

———————————————————————————————————
———————————————————————————————————

Date———————————

The following plans show the nature and arrangement of the women's cottages.



GROUND PLAN OF A GROUP OF COTTAGES FOR 400 WOMEN AT THE CRAIG COLONY FOR EPILEPTICS, SONYEA, N.Y.

Building No. 1 is for medical officers and assistants who have the immediate supervision of the group. Cottages 2 and 3 are for children, each cottage having a capacity of from thirty to forty. Each cottage is complete in itself, with school-rooms, playrooms, kindergarten rooms, rain-bath, etc. Cottages 4, 5, 6, and 7 accommodate thirty adult women each, of the middle class. Cottages 8, 9, 10, 11, 12, 13, 14, and 15 are for women of the first class, each cottage accommodating sixteen to eighteen patients. Building No. 16 is an infirmary for crippled, bed-ridden, and helpless cases. The patients of Class One live in the eight small cottages, those of Class Two in all other cottages, with the exception of the infirmary, which is occupied by Class Three. The entire group of sixteen buildings is heated by steam from a central plant in building No. 1. The buildings are all two storeys high. They are constructed of brick and painted white, with red roofs. The style of architecture is Spanish. The main building is called the Villa Flora, and all the other cottages bear the name of some plant, tree, or flower, the purpose being to plant about each one shrubs or flowers that have reference to the name of the cottage.

The cottages are quite independent except in regard to the central steam heating and lighting, and central laundry and bakery. One man and a woman cook control each male cottage.

Four large cottages, four medium size, and four small ones built eight years ago cost £20,000, about £80 per inmate. To-day they would cost at least £100. The steward thought that an institution built on the cottage system, but complete with administrative blocks, etc., would now cost nearly £120 a head. The estimate which the managers have submitted to the legislature this year for dormitories (cottages) for 250 new colonists, including heating, plumbing, lighting and furnishing is £100 a head. The managers regard day labour under their own supervision as vastly more economical than contract construction.

The net *per capita* cost of maintenance last year was 11s. 6d. a week; the gross cost about 14s. Interest on capital charges might bring the total net charge to 14s. a week.

Although the colony is not yet ten years old and has been rapidly developing all the time, it is a very interesting and instructive example of a fairly complete epileptic colony, which will, in the opinion of its officers, eventually have to grow to a size sufficient for the purposes of a State having some 14,000 epileptics.

Farm.—Very large; 100 cattle; 20 horses; 250 pigs; dairy; 300 sheep; 150,000 quarts of milk annually.

Gardens.—From thirty to sixty patients employed.

Value of products of farm, garden and dairy - -	£5,262
Cost of production - - - - - - -	£2,868
Net proceeds - - - -	£2,394

Laundry.—Does the whole work of the institution, 19,000 pieces a week. Two paid men and six paid women; thirty inmates.

Brickfield.—Employs two paid men and twenty-eight colonists at a profit to the State of £400 or £500 per annum. Bricks are sold as well as used.

Workshops and Trade School Building.—Paint shop, blacksmiths' shop, plumbers', carpenters' and lumber and repair room; a printing office and bakery. One paid man at the head of each directing five to ten inmates.

Sewing Room.—Forty women employed; they do the whole work of making and repairing clothes for the female and much for the male inmates.

School.—Sloyd school for boys and elementary schools for 68 of the younger female patients. The boys receive no elementary instruction.

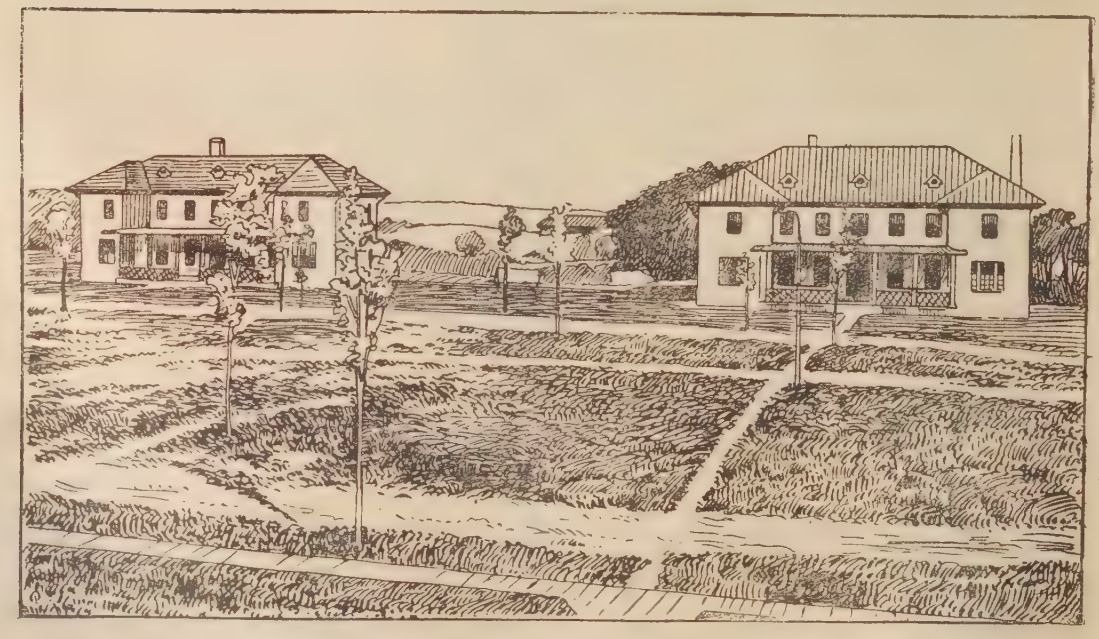
A stream flows through the centre of the estate roughly dividing the male from the female patients. There are 640 acres of forest, 100 acres of garden, 135 acres of good brick clay from which 500,000 bricks are made annually; 400 acres of rich alluvium in the valley land, the rest mostly clay.

The numbers when the colony was visited by all the Commissioners on 24th October were 850; the site would permit of almost indefinite increase; the estimated number for this year is 1,050.

There are seven medical assistants, including one lady, and a steward with practical control over the financial and business side of the colony. Total number of employees, 165. One night watchman is considered sufficient to attend to four cottages. If a patient has a fit at night, the other patients attend to him. We did not hear of any accidents at night.

The Shaker Colony buildings are still in use; they are fifty years old, and not particularly suited for their present purposes; but the bulk of the colonists live in separate cottages containing from sixteen to forty-eight persons.

One of Eight Cottages for the best class of Female Patients; Sixteen to Eighteen Persons living in each Cottage.



Types of Cottages on the Village Green, Twenty-Eight Men of the better class living in each Cottage. When completed, there will be Twenty-two buildings like these on the Village Green.

The original intention was, we were informed, that the treatment should aim at cure in the majority of cases, though the superintendent regrets that the disease is, as a rule, chronic before admission, which endangers and postpones good results.

Nearly the whole of the admissions have been at ages between ten and forty, equally divided between the groups ten to twenty, and twenty to forty; there is a known heredity of epilepsy, alcohol, insanity, or tuberculosis in 56 per cent. of the cases.

The patients cannot be detained against their will; 90 per cent. stay willingly, and those unfit for freedom are generally persuaded to remain.

There is an excellent hospital, operating room, therapeutic baths, examination room, medical library, and record room, and a research laboratory for which the State gives £500 per annum.

There is an Employees' and a Colonists' Club managed by inmates, a Roman Catholic Church, and Protestant Church—the latter used as assembly room.

A remarkably economical and picturesque pavilion for contagious diseases, containing 16 beds, is shown in this illustration.

A mile from Sonyea Hall and on the Bluff overlooking the picturesque Kishaqua, is this little Pavilion for Contagious Diseases. Cost complete, £500. Capacity, 16 Beds.

The patients are classified into two groups, the one sane or nearly sane, the other, the feeble-minded. The former are housed in the cottages, the latter in infirmaries. Among the former very few—the doctor informed us—could be regarded as really sane, although the Colony was supposed to be for such cases, and some, in addition to being epileptic, are distinctly feeble-minded or demented. Among the latter there are gross cases of imbecility, of dementia, and idiocy. The Report of the managers deprecates the treatment of idiots by the colony system, and advocates their detention in single large buildings separate from the cottages and removed from the ordinary free life of the colony.

The treatment of those in the cottages seemed to be quite good, but the same cannot be said for those in the infirmaries. The infirmaries were to all intents and purposes idiot asylums, where the attendance and nursing were insufficient. The wards were dirty and smelling. The inmates were ill-cared for. A considerable number, especially on the male side, were in straight jackets. The patients were seldom, if ever, taken outside for airing. There was turmoil and cross talking. Of 850 inmates in the institution, about 120 were in the infirmary blocks, and an increase of that number was expected.

In the infirmary blocks there were some so-called single rooms. These were practically prison cells, without furniture, and with a grating at the door for observation. These seemed to be used both for punishment and for the convenience of attendants, patients being shut in there often without the cognisance of the medical officers. We ascertained that the attendants habitually ordered the use of the straight jacket without medical authority. Upon commenting upon these facts to a member of the medical staff, we ascertained that the staff was painfully aware of this and desired better, but were, by reasons of economy, unable to procure it.

In addition to the two main classes, the cottages and the infirmaries, there were also a few inmates in an institution hospital, which was very well equipped. There were a considerable number of old men in a special house and a considerable number of small boys in another.

The buildings in many cases, especially the older ones, were in a state of dilapidation. The doorsteps were broken down, plaster was coming off the walls, floors were loose, and so forth. The reason for this was delay in supply of funds for purposes of repair.

The Houses of Refuge and Reformatories for Women at Albion and Bedford.

The latter visited on November 21st, 1905, by Mr. Byrne and Dr. Donkin.

These Houses were opened in 1893 and 1902 respectively.

They receive reformable women between fifteen and thirty, convicted of prostitution, inebriety or petty or first offences and committed by magistrates on indeterminate sentences not exceeding three years.

Women may be conditionally discharged at any time and re-arrested, if necessary. If feeble-minded, they may be transferred to Newark.

They may earn compensation for their labour and keep the balance over 8s. a week.

The average age of conviction is about twenty-one.

The Albion House of Refuge accommodates 140, and has 97 acres of land. The value of the land and buildings is £28,000 and the cost of equipment was £2,000. The weekly maintenance per head costs 20s. 6d., but including proceeds of work, this is reduced to 20s.

The Bedford House actually contains 227, but has proper accommodation for not more than 200; it has 107 acres of land. The cost of the land and buildings was £66,000, of the equipment £5,000. The *per capita* maintenance costs 18s. 6d. weekly; but including work, only 18s.

The reformatory methods used both in instruction and discipline seemed well adapted to the object and of unusual refinement, and are apparently to a considerable extent successful, though applied to unpromising material.

The superintendent, a highly intelligent and cultivated lady, informed us that about 5 per cent. of the women admitted were obviously imbecile, and another 5 per cent. so feeble-minded as to render most forms of instruction almost useless, and permanent detention necessary for their own sake

and that of others. Her experience led her to believe that there was always to be found a percentage of women of abnormal mind and character on whom reformatory efforts were wasted. For the control of these and the benefit of the others she felt the want of a disciplinary building.

About half the women were high grade; these lived in the cottages, the middle grade about [30 per cent.] and the low grade [20 per cent.] in separate reception blocks. The chief work was laundry, sewing, simple embroidery, cooking, hat and basket making, and paper box and stout envelope making, gardening, painting, decorating and ornamental floor laying, grading and trenching. Two or three learn typewriting and shorthand. A fair amount of school teaching is done, and a good deal of gymnastics, dancing and singing.

During the year eighty-six women were on parole: Six had to be returned to the reformatory for drinking and other offences. Seven broke parole and absconded.

After the expiry of the probation period, there were but little means of keeping in touch with the discharged women.

Girls Grading the Embankment in front of the Administration Building, New York State Reformatory for Women, Bedford.

The Hudson State Training School for Girls.

The school was visited on 17th October, 1905, by Mr. Byrne, Dr. Donkin, and Mrs. Pinsent.

It was first established in 1881 as a reformatory for women aged fifteen to thirty convicted of prostitution and petty offences, and not insane, but to some extent capable of reformatory discipline. It was altered in 1904 to a training school for girls, not over sixteen, committed as vagrants, disorderly, or criminals on indeterminate sentences.

It is under six managers appointed by the Governor and a lady doctor.

Magistrates may commit any girl not over sixteen who frequents houses of prostitution or assignation, or the company of thieves or prostitutes, or vicious and dissolute persons, or is in danger of depravation or is disobedient to parents or guardians, or is intemperate or a vagrant, and is not insane nor incapable of being substantially benefited.

The managers may discharge girls on parole at any time and cannot keep them beyond eighteen.

Moral reformation and the teaching of useful trades are aimed at; the girls may earn a peculium and receive clothes and a gratuity on leaving. They may keep the balance of their earnings over 8s. a week. Laundry, domestic work, and sewing are the chief occupations.

The institution is a collection of handsome buildings on a site giving magnificent views over the Hudson and the Catskills.

It is on the cottage system, there being seven three-storey brickbuilt, self-contained cottages. Originally the institution was built for older women who might be committed under thirty years of age for three years. There are sixty cases of this description still in the establishment, but only juveniles are now admitted, the cottage system enabling proper segregation to be carried out. There are at present only 238 inmates, although the amount of space, size of buildings, and the number of the staff seem to be sufficient to provide for double the number. The accommodation is unnecessarily luxurious, the bedrooms and recreation rooms being far better than those of many English private schools for the upper and middle classes. The *per capita* weekly cost is 23s. 3d., paid wholly by the State.

The superintendent and resident medical officer are both lady doctors.

It is perhaps unfair to form a definite opinion as to the value of this institution, as it is so new; but if continued on the present lines, the expense seems out of all relation to the class of children received, and in all probability to the results which can be achieved. Probably the idea is to increase the number of inmates, but we understood from the superintendent that the various religious bodies have their own reformatories, to which by far the greater number of juvenile delinquents are sent. The State deals with only a small proportion. The superintendent believed that the various religious institutions were not able to give the children so great educational opportunities as afforded by the State. She believed that the results obtained in the New York State Training School for Girls were really satisfactory, but stated that they had at present no means of following up cases after the period of probation was over. Even during probation they were visited by the parole agent only two or three times a year, and had to write a formal monthly letter. Most of the girls were trained for domestic service and that she always had applications for more girls than she was able to provide. The cookery, laundry, and sewing schools seemed very satisfactory. The household work of the cottages is done by the inmates, each cottage having its own matron (at a salary of £8 per month) and an under matron (at a salary of £5 per month).

With regard to the feeble-minded the superintendent said that a large number were sent to her from the courts who were probably not recognised as feeble-minded until they had been for some time in the institution. She said that they had generally from fifteen to thirty such cases out of the 200 odd inmates. When possible, these feeble-minded girls are sent to the institution at Newark; but it often happens that there is no vacancy there, in which case she considers it better to keep them in the training school than to return them to their homes.

We have not appended any illustration of this institution as we should not be prepared to advise the housing of reformatory girls, whether feeble-minded or not, in such luxurious premises.

The New York City School for the Feeble-Minded and Custodial Asylum, on Randall's Island.

Visited by Mrs. Pinsent, Mr. Dickinson, and Dr. Dunlop, on October 11th, 1905.

Mrs. M. C. Dunphy, the superintendent, very kindly showed the Commissioners around. They first visited the schools and saw four grades in classes, the general system being very similar to that used in London. The number is over 500.

The children have about four hours per day in class, which also included the physical training. Then they have four hours of manual and industrial training. They all sleep in dormitories placed immediately over the class-room. The sexes are entirely separate.

They next visited the Kindergarten Department, where the smaller children are taught. In this department the two sexes are taught together but are separated at play and in their dormitories.

In the gymnasium they saw the classes go through their physical exercises. Each child has at least one hour twice a week, and in addition to marching, dancing and calisthenics special exercises have been arranged for the nervous and paralytic which are stated to be of great utility. While here the Commissioners heard the institution's brass band, the musicians being composed of the feeble-minded boys, ranging in ages from fourteen to nineteen. This is considered a great means of improvement as well as recreation, and it made a lasting impression on the visitors.

In the "Industrial Department" they found the following industries:—

Tailoring.—All the inmates' clothes are made here by five paid women and inmates, who are estimated to do two-thirds of the work.

Basket Shop.—The basketmaking and chair caning for all the City institutions is done here.

Tinsmiths' Shop.—Many things are made here for the use of the institution.

Shoemaking.—New boot and shoes can be bought more economically from outside sources, but the whole of the repairs of the institution are done here.

Household and Laundry Work.—Done to a large extent by the lower grade girls.

They afterwards visited the custodial section for low grade imbeciles and idiots. Also the adult idiots, who were working outside as well as in the workshops. The total population is 305, of which 232 are feeble-minded, and 73 idiots.

This institution is supported by the State of New York, and itself forms

part of the charities organised and conducted by the Board of Public Charities.

There is no certification or power of compulsory detention.

The annexed statistical details have been furnished us through the courtesy of Mrs. Dunphy.

School for feeble-minded and custodial asylumn.

Males - - - - - - -	443
Females - - - - - -	290
	733

Of the number of male inmates 150 are employed in domestic and other work. To do the work performed by these inmates the services of hospital helpers would be required as follows:

> 12 Ward helpers; 1 helper in storehouse; 3 helpers in kitchen; 6 helpers to clean grounds; 11 helpers in industrial school. Total 33 helpers at $120·00 per annum each, $3960·00; annual *per capita* cost of maintenance, $117·96, $3,892·68, a total annual saving of £1.570.

Of the number of female inmates, ninety are employed in domestic and other work. To do the same work performed by these inmates the services of seamstresses and hospital helpers would be required as follows:

> 5 Seamstresses at $204·00 per annum each $1,020·00; 13 hospital helpers at $120· per annum each, $1,560·00; Total 18. Annual *per capita* cost of maintenance, $117·98, $2,123·28. Annual saving, £940. Grand total saving, £2,510.

It is difficult to determine the maintenance cost *per capita* of the feeble-minded children, as the figures of the adjoining children's hospitals and schools are given together, but it is evidently considerable, perhaps 18s. a week.

New York Almshouse, Blackwell's Island, New York, N.Y.

Visited by Mr. Byrne and Dr. Donkin, October 11th, 1905.

It is an enormous mass of buildings run very much on the lines of an ill-arranged English workhouse, and containing vagrants, paupers and committed drunkards and wastrels. In certain of the wards there were many senile dements and some imbeciles. We also saw a few cases of acute insanity. In the wards with the dements there were also some sane inmates.

The nursing staff is very small, there being but one day and one night nurse for each ward containing about sixty persons. Each nurse has the assistance of two inmates. The medical attention was of the slightest, and the casetaking was very imperfect. There was little of interest and nothing instructive to be seen: the inmates drifted in and out, mostly for very short periods, and were put to work, and fed, and discharged with the minimum of attention or expense.

The dements came some by direct order from the Commissioner of Charities' office and others from the Bellevue Hospital, mental and inebriate wards.

We had been informed that pretty generally the almshouses of the State gave shelter to many imbeciles, often in unsatisfactory conditions: this was a striking instance both of the fact and of the need for reform.

Albany Almshouse, Albany, N.Y.

Visited on 17th October, 1905, by Mr. Dickinson and Dr. Dunlop.

The almshouse consists mostly of old buildings and has accommodation for about 500. The inmates at the time of inspection numbered 246, three-fourths of whom were men and one-fourth women. The total staff, including the superintendent and the deputy superintendent numbered ten.

The superintendent informed us that about one-third of the inmates were distinctly feeble-minded, and our inspection quite corroborated that statement as we found a considerable number of senile dements, some imbeciles and some insane. Among the few patients we spoke to we found two low grade imbeciles, one of whom was a deaf mute, and two or three cases of secondary dementia. We saw one case of acute melancholia with delusions, and one case of paranoia. The deputy superintendent informed us that his insane were sent to asylums and any feeble-minded cases giving trouble to the State institutions; but he also stated that they had not had a transfer of an imbecile for more than five years. The almshouse is inspected by an inspector from the Board of Charities.

No children are admitted or detained in the almshouse, the city and county authorities sending them to two institutions, one Catholic and the other Protestant, assisted by the State.

So far as we could understand, there is no board of managers, the administration being in the hands of the superintendent, who has the practical direction of the institution. The salary of the superintendent is £500 per year, and that of the deputy superintendent £300.

There is farm land around the institution on which the inmates do a certain amount of work. The sane and insane inmates are not separated.

Good Shepherd Institution and Reformatory, Sisters of St. Vincent, Best Street, Buffalo, N.Y.

Visited by Mrs. Pinsent and Mr. Byrne on 23rd October, 1905.

It consists of three departments, one a home for rescuing fallen women, who are brought to it by friends, the clergy, or philanthropic persons. Secondly, a reformatory for girls between the ages of fifteen and thirty who are committed by magistrates for living in disorderly houses, etc. Thirdly, a protectory and establishment for young girls against whom as yet no charge is made, but who require custodial treatment and attention to save them from getting into trouble.

There are nearly fifty women of the first class. They are mostly of the poorest and most degraded sort, although one or two fashionable prostitutes sometimes find their way into the home.

In the reformatory department there are thirty-six, some of them quite young and none apparently as old as thirty. They are nearly all committed as prostitutes for six or twelve months. If they behave very well and show signs of reformation, they may be released on probation. The department has a probation officer, who visits their home and tries to help them upon discharge. The Sister Superior who took us around was unable to say how many were reformed by that department. They had no power of detention beyond the term of sentence, and she feared that reformations were very few. They were, however, occasionally brought about. Some of the better sort of women who were reformed were allowed to remain in the institution and its branches, as a sort of tertiary or lay sister. These took part in the work of the department, the laundry and the sewing shop where work of a lucrative character was done to help towards the support of the inmates. The thirty-six committed women were partially paid for by the usual contribution of 6s. per head per week from the Superintendent of the Poor of the county from which they came. They mostly came from the lowest parts of Rochester and Buffalo. The actual cost of maintenance and education of the inmates was very nearly 16s. per week. The remainder was made up by the private means of the Sisters and benefactions which they receive from religious and charitable sources and the proceeds of work.

There were altogether fifty-seven sisters in the establishment, which was large and well kept. Strong religious influences were brought to bear on the women, and their behaviour while in the institution was reported to us and seemed to be remarkably docile, quiet, and cheerful. There were comparatively few Sisters in charge of the different rooms and working departments, and it was no doubt the religious dress and surroundings which produced the quiet orderliness which was so noticeable.

Out of the thirty-six committed women and the fifty other adults, no less than forty-one were inebriates. The Sister Superior told us that at least three-quarters of them had one of the venereal diseases, some of them so badly that they had to be sent to the public hospital ; eight of them had been sent for this reason since last January. Of the thirty-six committed prostitutes nine were inebriates. Some of these had been back in the institution eight or ten times, and the Sister considered their committal for so short a time a farce. She considered that fully one-quarter of the total number were suffering from mental defect (if that phrase were taken as including moral defect) and quite unfit to be at large, and that they should be permanently kept, comfortably, but at work, in an institution. Few of the women escaped and all who did so had been recaptured. The numbers of women committed to them varied greatly, on account of the occasional activity but general inactivity of the police. On a recent occasion they had committed to them eighty women in one week.

They had had considerable difficulty in retaining some of the fallen women whom they had charitably received into their house, the keepers of saloons and disorderly houses being very anxious to get back these lucrative assets. These persons employed a low class of solicitor to take proceedings in respect to the detention of the women. The Sisters deemed it their duty on moral grounds to resist these attempts, but no less than eight had been released on *habeas corpus*. It was stated that the local Law Association had threatened to get the solicitor concerned struck off the rolls for putting the law in motion.

The protectory contained sixty-two young children, most of whom looked very happy and healthy; some of them were partly maintained by contributions from poor law authorities.

The statement of the Sister as to the number of incapables among the inmates was borne out by the fact that two or three, or possibly four, of the

thirty-six committed women (all of whom we saw) appeared even on a casual view to be mentally defective, and one of them seemed to be an absolute imbecile.

This was an interesting and characteristic instance of a difficult, thankless, and costly work of charity and reformation being carried out by philanthropic and religious persons, a feature which we encountered everywhere in the States. The work carried on at Buffalo was no doubt much more difficult than that exhibited by the same sisterhood at their fine institution at High Park, near Dublin, where the women were carefully selected as being quiet and reformable. But there was no perceptible difference in the order and discipline maintained apparently with equal ease. But here as in all other philanthropic and religious institutions there was no attempt at the systematic permanent detention and treatment of the Feeble-minded.

MASSACHUSETTS.

The laws of this State relating to defectives are most conveniently summarised by considering the jurisdiction of: I. The State Board of Insanity; II. The State Board of Charity; III. The State Board of Education.

I.—*The State Board of Insanity.*

The Governor appoints a Board of five persons, two at least of whom must be experts in insanity, unpaid, but receiving allowances for expenses. The board appoint a paid executive officer, an expert in insanity, who has a permanent staff.

The board controls and inspects seven State and two endowed lunatic asylums, one criminal lunatic asylum, and one State almshouse at the State Farm at Titicut, the Foxborough Hospital for Inebriates, the Palmer Hospital for Epileptics, the Waverley School for the Feeble-Minded, and the colony annexed thereto, the Baldwinville Hospital for Crippled and Epileptic Children, and the boarded-out insane poor.

The board reports annually as to the working of these institutions, their extension or modification, the appropriations which they require, it encourages, pays for, and reports on scientific and clinical work in these institutions, and sets out for the guidance of the legislature the best American and foreign methods of dealing with all classes of defectives. It prescribes the annual returns to be made, and the forms and certificates to be used; and approves all plans and specifications before buildings or extensions can be carried out.

It has practically unlimited powers of transfer from one institution to another provided that no person can be sent to an insane institution without compliance with the law as to commitment of insane persons.

It has full powers of visitation, investigation, and discharge, also of committal to asylums of any persons detained in any State institution.

The following information as to the law and practice in lunacy was given to us by Dr. Copp, the Secretary and executive officer of the Lunacy Board, whose friendly assistance was of great value to the Commission.

Lunatics are not distinguished and dealt with entirely separately from idiots and imbeciles as in New York. An idiot may be certified as a lunatic just as in England. The diversity in their treatment which largely exists in practice is due to historical causes. They have had hospitals for the insane for seventy-five years; they have had training schools for idiot and imbecile children for fifty years with custodial departments for some of those who proved to be permanently unfit for free life. Until quite recently harmless idiots and imbeciles were kept in the almshouses. In January, 1904, large numbers of them were taken out of the almshouses, those whose condition and habits made their continued existence there undesirable being certified as lunatics and sent to asylums. The residue—the clean and comfortable class—remain in the almshouses. Very few children, however, of this class remain, perhaps 200; the bulk are sent to the Waverley School or are in appropriate private establishments.

There are 10,000 insane in the State, 1,300 known feeble-minded, and a large residue of unknown. The Lunacy Board think this residue to be about another 1,300; other experts place it higher; Dr. Fernald, of the Waverley School, is inclined to think there are as many feeble-minded of all grades as there are of the insane. In the hospitals for the insane the proportion of cases of congenital mental deficiency is from $3\frac{1}{2}$ to 10 per cent.

The young children sent to the school for the feeble-minded are simply sent there by friends without any committal, or in low grade cases are committed by the Probate Court on the certificate of a physician; an adult imbecile would, like any other insane person, be committed by the judge of a city or district or police court on the certificate of two physicians.

Of the feeble-minded at large many find their way into prisons, reformatories, etc. Dr. Copp thought that 10 per cent. of the prisoners were feeble-minded, but that the greatest evil was the immorality of the women and the propagation of degenerate offspring, which was, unquestionably, an evil of considerable magnitude.

The special classes in Boston schools were bringing to light many defective cases, some of whom will receive a special education in the hope that they may be fit for freedom; others, for the sake of themselves and the community, must be dealt with custodially. This necessity is now generally recognised; and the State is ready to double the existing accommodation for them. Those who are merely backward can be cured—not so the lower grades; of the extreme cases 20 per cent. die young. Many are boarded out with relatives under supervision; but the class for whom this method is suitable is limited. The colony at Templeton is for those who leave the school when its training has left them still unable to live upon their own resources. This colony was a pioneer institution of which they have the highest hopes. It possessed practically unlimited land. A number of idiots and imbeciles were already quartered and working on it: buildings were springing up to meet their requirements as shown by daily practical experience, and better and more economical results were looked for than from any existing institution established in accordance with *à priori* theories.

II.—*The State Board of Charity.*

This Board, also appointed by the governor, has wide powers relating to hospitals, almshouses, charitable institutions, and the poor generally.

It has more particular supervision of—

The State Hospital, Tewkesbury.

The State Farm, Bridgwater [Titicut].

The Lyman School for Boys.

The Girls Industrial School, Lancaster.

The State Sanatorium at Rutland.

It has general supervision of, inspects and reports on nearly 500 charitable corporations.

It inspects the 205 city and town almshouses of the State, containing nearly 5 000 inmates, and also relieving 27,000 vagrants in the course of a year. It sees to the enforcement of "diligent employment" of all capable persons and of the law requiring the total separation of committed criminals from other inmates in almshouses. In agreement with the recent Departmental Committee in our own country, it recommends the entire separation of vagrants from the aged and destitute poor.

In its Report for 1904 it expresses its regrets as to the detention in almshouses of so many mentally and physically defective children and infants: other children are not allowed to be kept there at all, but, as in New York, are boarded out or placed in charitable institutions.

In order to understand the practical operation of the poor law we have perused the Returns and the Reports of the board on the individual almshouses of the State. They give the impression that many of these institutions are very imperfect in construction, that very little work is done and that the arrangements for the separation of the sexes are very imperfect, often non-existent. Unfortunately these Reports give no information as to the proportion of persons of defective mind found therein. It is stated that "Seventy-seven out-door paupers were reported as insane; seventy-one idiotic and seventy-five epileptic." This statement is obviously quite incomplete, and the return of indoor paupers, viz., 952 insane and 278 idiotic is also obviously under the mark.

On the other hand, it is satisfactory to see that there are no committed criminals now in the almshouses; vagrants of course there are in considerable numbers, viz., no less than 30,000 out of the 60,000 persons partially supported in almshouses during the year 1904.

For the condition of the almshouses we had to rely chiefly on Returns and statements furnished and made to us; but we were able to check these to some extent by personal investigation.

On 1st and 2nd November, 1905, Mr. Dickinson visited the office of the Pauper Institution Trustees of the City of Boston, and the Almshouse upon Long Island.

He ascertained from the office that the number of paupers in Long Island Almshouse varied between 800 and 1,000, and that up to nine years ago it contained both insane and feeble-minded persons; but that during the last nine years arrangements had been made to remove these persons, either to the asylums for the insane or to establishments for feeble-minded. The latest report gave the number of these persons in the almshouse as twenty-two demented, eight lunatic, and six epileptic. Upon visiting the almshouse itself it was clear both from what he saw and what all the officers told him that these numbers did not comprise all the persons of defective intellect. The assistant doctor stated that in his opinion from one-third to one-half of the people at the Almshouse had some mental defect, and it was generally admitted in respect to many inmates, that other accommodation was desirable, but that it was difficult, if not impossible, to obtain it. Especially, cases were mentioned of feeble-minded women entering the almshouse for the purpose of giving birth to a child, and it was stated that although the trustees had in several cases desired to place these women in some safe custodial home, it had been found impossible to do so. It was not feasible to certify them as

insane, nor did the doctor think that he could obtain the commitment of the Probate Court to send them to Dr. Fernald's school or colony; in any case, at the present time it was impossible to do so as Dr. Fernald would not readily admit adults. There were only eighteen children in the almshouse and these were all infants. The law does not allow children to be retained, unless they are defective in mind or body, or are of very tender age.

III.—*The State Board of Education.*

At an interview with the Commissioners of Education we were informed that the education laws were somewhat strictly enforced.

As regards defective children, we found that no boarding schools had yet been established for their elementary education, but the problem was well understood and was receiving consideration.

On October 30th, 1905, Mrs. Pinsent and Mr. Dickinson visited two schools, in Rutland Street and in Hyde Street, Boston, in company with Dr. Jelly, the medical expert, and Miss Carlyle, in order to see the special classes.

They were told that there are no special schools and only seven single classes for defectives in Boston, as the work is but beginning. In each of these classes the number of children is limited to fifteen. Some of the children come from long distances, being sent in the street cars at the expense of the school. There seemed to be a widespread objection in Boston on the part of the parents to send their children to special schools, which objection is only gradually being overcome.

These schools have a morning session only, lasting from nine to one o'clock. A few of the best children return to the graded schools in the afternoon. Dr. Jelly attached importance to this, as it removed the prejudice of the parents to a certain extent.

The children in these classes were clearly low grade defectives; and in both cases the teachers told us that only from three to five of the children in each class had any chance of becoming self-supporting. Dr. Jelly thought likewise on this point. The teachers were strongly of the opinion that all the rest would ultimately need permanent care, and would have been glad if it had been possible to transfer them to Dr. Fernald's institution. But this is impossible without the consent of the parents and also because his institution is already overcrowded.

One of the girls interviewed had reached the age of fourteen, and the authorities found themselves compelled to allow her to go out, because the parents would consent to no further custody of her, notwithstanding that she was clearly of a morally defective character, and certain to be ruined.

Two teachers whom we saw had devoted a great deal of their leisure time to learning different kinds of manual work, and it was understood that this was the same with all other special teachers. The manual work was distinctly of a high order.

We now proceed to describe the institutions of the State of Massachusetts, more specially interesting to our Commission and directly illustrating the prevalent methods of dealing with defectives.

The Massachusetts School for the Feeble-minded, Waverley, near Boston, Massachusetts, and its Annexe, the Colony at Templeton Massachusetts.

Visited by all the Commissioners on 30th October, 1905.

This is a most interesting institution, embodying in itself the whole history of American methods of dealing with the feeble-minded from its earliest beginnings in the training school for the idiot to its latest development, the colony for the permanent custodial care and employment of defectives unfit for free life. Its superintendent is Dr. W. Fernald, who is not only one of the greatest authorities in the United States of America on the medical aspects of the care of mental defectives, but is an institution manager of great energy, enthusiasm, resource, and capacity.

The school was started in consequence of the feeling aroused by a Commission appointed by the Governor of the State in 1846, from whose Report we may extract these words :—

"Common observation, the official report of the various town officers, and the research of Commissioners appointed for the special purpose, all concur in showing that there is a large number of idiotic persons in the Commonwealth who live in a state of brutish ignorance, idleness, and degradation, and go down to the grave like brutes that perish, without a ray of religious moral intellectual light; and experience has shown that, where such persons are taken at a proper age, they may be trained to habits of decency, industry, and sobriety, and lifted up from the slough of mere animal existence to the platform of humanity."

In 1851, when the school was incorporated, the joint committee of the Legislature on public charitable institutions reported :—

"Your committee have visited this school and been highly gratified by what they saw; the experiment seems to have succeeded entirely. The capacity of this unfortunate class for improvement seems to be proved beyond question."

During all this time the work was tentative. Four or five years later, in the report of 1855, it appears that the trustees, considering the limited means at their disposal, were of the opinion that only those should be admitted to the school whose age and condition gave chance for improvement. The school idea still prevailed. The nearer the child was to the child fitted for ordinary common school instruction, the more welcome he was as an inmate.

The school increased in numbers to somewhat over 100 pupils (there were ninety on the average in 1879, and 108 on the average in 1880), who remained for some five or six or seven years, and then were returned to their homes. There was no custodial department.

During this time the school was a private corporation, receiving from the Commonwealth an annual appropriation, always upon the condition that it would support and train a stated number of idiotic persons designated by the Governor. The managers were economical and thrifty and made some money, but always dealt fairly by the State in return for her appropriations, supporting at the school from 30 to 50 per cent. more indigent inmates on her account than they were required by the amount of appropriation.

About 1880 some of the more recently appointed or elected trustees began to agitate the subject of a custodial department. Whatever might be the merits of the school proper, they felt that there was urgent need in the community for an institution which should train the hopeless idiot, who had been rejected at their doors for thirty years as unimprovable. The early experiment had shown, as we have seen, that he could be vastly

improved. The arguments of these new members found favour with those who had been on the Board from the beginning of the school; and the result was that the custodial department was established, not by law, but by the trustees or corporation under their general power. Finally, in 1883, the custodial department was established by law; but by the same Act by which it was established the school department, so far as State cases were concerned, was pauperised, all State inmates being put upon the same footing; and the charges for the support of all cases, whether school or custodial, with the exception of private cases and cases from other States, were laid upon the inmates themselves, or, in case of poverty, upon the places of settlement, and when the settlement was not known, upon the Commonwealth.

In 1887 and 1888 the State gave grants of £45,000 to be expended in the erection of new buildings on the estate of Waverley, and the site in South Boston which the school had heretofore occupied was sold; the Legislature then expressly recognising a responsibility for providing suitable education for all idiotic persons, either at its own expense or the expense of the place of settlement. Both the State and cities and towns paid 13s. a week for custodial cases; cases from other States were received at £60 a year, and private patients on the school's own terms.

By the Act of 1886 the trustees were directed to make an annual report to the State Board of Education of pretty much all matters that had been contained in their reports to the corporation and Legislature; and were also directed to submit their accounts for the support of inmates in the custodial department by the Commonwealth to the Board of Lunacy and Charity for approval. To the State Board of Lunacy and Charity was also given the power to transfer to the school from the State almshouse and certain other institutions any inmate whose condition would be benefited by said transfer, upon the certificate of a physician that he is a proper subject for the institution.

Thus, by this Act of 1886, for the first time some other person or board of officers than the corporation and the trustees of this school and the Governor was authorised to take steps for the care and custody of the feeble-minded in the Commonwealth.

Since 1886 there has been no substantial change of the law.

In effect the State pays for the inmates who have no known settlement in the Commonwealth, the place of settlement or the persons legally liable to maintain pay in other cases.

The forms of admission and commitment are as follows:—

(For the Custodial Department—Judge's Commitment.)

Massachusetts School for the Feeble-minded.

Commitment Paper.

———————————, 19—.

I, the subscriber,* ———————————of the———————— of ———————— where————————resides, hereby certify that I have been notified in writing of the intention of———————————— to apply for the commitment of†————————————, the said ————————————to the Massachussetts School for the Feeble-Minded.

(*Signed*) ————————————

* Insert "overseers of the poor." (If in city of Boston insert "institution's registrar" or "chairman of insane hospital trustees.")

† Insert his or her son, daughter, or ward.

———————————, 19—,

I, the subscriber, resident of the ——————of——————, graduate of a legally organised medical college, and having practised three years within this Commonwealth, hereby certify that I have examined ——————, and find that —————— is so deficient in mental ability that —————— cannot be taught in the public schools as other children of —————— age are, and that in my opinion —————— is a suitable subject for the Massachusetts School for the Feeble-Minded.

(*Signed*)

——————M.D.

——————, 19—.

I, the subscriber resident of the —————— of ——————hereby represent that my* —————— is a fit subject for the Massachussetts School for the Feeble-Minded, and petition His Honour the Judge of the Probate Court for—————— County, that said—————— may be committed to the Massachusetts School for the Feeble-Minded according to law.

(*Signed*)

——————

* Insert son, daughter, or ward.

To the Trustees of the Massachusetts School for the Feeble-Minded, in Waltham.

Greeting :

Whereas it has been made to appear to me, ——————Esquire, Judge of the Probate Court for the County of——————, upon application in writing, this——————day of——————19—. that—————— ——————is a fit subject for the Massachusetts School for the Feeble-Minded.

Now, therefore, you, the Trustees of said School, are hereby commanded, in the name of the Commonwealth, to receive the said——————of the—————— of ——— ——————, and to care for——————according to law.

Witness my hand and seal at——————aforesaid, the——————day of——————, in the year of our Lord one thousand nine hundred and——————

——————

Judge of Probate for County of ——————

MASSACHUSETTS SCHOOL FOR THE FEEBLE MINDED.

Waltham,——————, 19 .

The applicant,——— ——————seems to be a fit subject for education at this school, and————will be admitted ON TRIAL, if on recommendation of the Secretary of the Board of Education, His Excellency the Governor approves this application.

——————

Supt.

Boston,——————, 19 .

It is recommended that the within-named—————— be admitted to the Massachusetts School for the Feeble-Minded.

——————

Secretary of the Board of Education.

COMMONWEALTH OF MASSACHUSETTS.

Executive Department.

Boston,——————, 19 .

Approved.

——————

Warrant issued———— ——— ———, 19 .

(For the School Department.)

Application for the Instruction of Feeble-minded Children.

———————————, 19—.

To His Excellency the Governor:

I, the undersigned, resident of the————————of————————————
respectfully represent that my*————————, named————————————
and aged————years, is so deficient in mental ability that————cannot be taught in the common schools as other children are; and that I cannot afford to defray the expenses of———— education. I therefore request that your Excellency will designate————to be admitted as a pupil at the Massachusetts School for the Feeble-Minded, as a beneficiary of the Commonwealth.

———————————

———————————, 19—.

The undersigned, being acquainted with————————————a resident of this ————————, are of opinion that————statement is true, and that the child———— ————————————ought to be educated as a beneficiary of the Commonwealth at the Massachusetts School for the Feeble-Minded.

[Signatures.] ——————————————— ———————
——————————————— ———————
——————————————— ———————

———————————, 19—.

I hereby certify that I have examined the above-named————————————, and find that————is so deficient in mental ability that————cannot be taught in the common schools as other children are, and that, in my opinion,————is a fit subject for the Massachusetts School for the Feeble-Minded.

———————————M.D.

Note.—The first of the above declarations is to be signed by the parent or guardian of the applicant; the second, by a majority of the select men of the town or mayor of the city where the applicant resides; and the third, by the family physician or a competent medical practitioner. The paper is then to be sent to the Superintendent of the School. When a vacancy occurs, if the child can be admitted, the case will be considered.

* Insert, son, daughter, or ward.

(For all Cases.)

Application No.———————— Admission No.———

Massachusetts School for the Feeble-minded.

———————————19—.

Descriptive Application.

Let every Question be answered as minutely as possible by the Parents or Friends of Applicants for Admission to the School.

[*Here follow eighty searching questions as to condition, heredity, etc.*]

The family physician, or the one best acquainted with the family and the child, is requested to fill out and sign the following certificate:—

Please date.

19.

I, citizen of Massachusetts, physician, and practitioner in the town of hereby certify that I have examined and find that is not insane, but is so deficient in mental ability that cannot be taught in common schools as others of age are. bodily health is , and has no contagious disorder.

(*Signed*)

———————————————M.D.

N.B.—The physician is earnestly requested to review the above questions, and to state in writing his opinion of the *cause* of the person's mental deficiency; to state whether the child is or has been epileptic; also to mention any organic or functional peculiarity that he may have observed. It may be greatly for the advantage of the applicant that the physician should send, in writing, a full and minute account of the case, with his own thoughts and suggestions about its especially any facts in answer to Questions No. 60 to 76, inclusive, which may be within his knowledge. Such letters will be considered confidential, and may be sent directly to the Superintendent.

This application, when properly filled out, is to be mailed to

WALTER E. FERNALD, M.D., *Superintendent.*

WAVERLEY, MASS.

The institution having been in a state of perpetual growth and development naturally exhibits this in its buildings, which may be generally described as consisting of several central blocks of detached cottages, economical but quite adequate and healthy and cheerful.

The following notes give our impressions and conversation with Dr. Fernald. The school then contained over 1,000 patients; it covers 150 acres of land.

(*Dr. Fernald.*) This is a *cottage* for girls, 105 patients. They work in the laundry, sewing room, etc. The type of our building, you will note, is

MASSACHUSETTS SCHOOL FOR THE FEEBLE-MINDED, WALTHAM.—GIRLS' DORMITORY.

internally designed to have large space and few corners; we have rounded all the corners. Externally, as you see, it is economical but sufficient (*see* illustration). The girls have this day room, dining-room, and three dormitories. We have no separate room in this building. If a patient is sick, she is sent to the hospital. There is one matron and five attendants, who care for 105 patients. We have no kitchen in this building; the food is brought here. The attendants do no domestic work, except the cleaning and taking care of the clothing. The patients go to the sewing room to sew, but they do

their mending here; the newly admitted patients, who sew badly, also get some instruction in this building before they are assigned to some definite thing. Now, here is a point; we believe that in order to get the highest development of these people, it is not well to highly specialise their work during the educational period. It is best to give them great variety.

Do you include much book education? You cut that short, don't you? —(*Dr. Fernald.*) Rather. We waste no time.

Have you stopped teaching boys at the age of nine or ten?—(*Dr. Fernald.*) Yes; reading and writing is for only a few of our patients, and that he has been taught to read is no test what we have done for a boy. I think in America some of us have gone to a very great extreme the other way. Thus, the Elwin idea and the Waverley idea are very different. We believe in development and education, but education for the feeble-minded boy, in my opinion, should be looked at from a different standpoint from the normal boy. It should be practical and should aim at fitting him for work.

With regard to the very few of whom you can have hopes of a life outside, do you pursue their education?—(*Dr. Fernald.*) To no very high level. It is only possible with a few. The curse of our American institutions has been the presence of half-defective cases in each institution, who have misled the teachers to think that all the pupils could be carried to the point of development marked by them.

Have the Pennsylvania people continued their enthusiasm for education in their new place at Polk?—(*Dr. Fernald.*) Not to the extent that they did at Elwin; they have modified that very much.

The cost of this building, with furnishing, was $34,000.00; equal to £65 a bed.

We then saw a

Dormitory.—Thirty-five beds, eight windows, spring mattresses. Very good ventilating arrangement in an apparatus for exhausting the air from the room and admitting warm air.

Has each of these blocks a heating apparatus?—(*Dr. Fernald.*) No, the steam is generated in a building 800 feet away and is brought in conducts to this building. Each building has its ventilating arrangement.

Toilet Room.—Asphalt floor, rounded corners.

The walls in these blocks are all common brick, painted. The boys do all the varnishing and every bit of painting is done by them. Thirty-five patients use the toilet room.

Linen Room, joining each dormitory.—There is a place for each patient's clothing. It goes to a common laundry and comes back to its proper place. The woman who has charge of the dormitory has charge of this room.

What type of women are the attendants—are they of the servant or of the trained teacher type?—(*Dr. Fernald.*) They are above the servant type, but we have no trained service as yet. I should like to take them untrained but to do more than we are doing with them. I think we should greatly increase their value by instruction. Of course, we give them a great deal of instruction, but it is necessarily scrappy.

As regards small illnesses, a woman probably would be left in this building, but not for more than two days.

Stairs to upper floor covered with black rubber, which we were told was clean and everlasting.

Up-stairs.—Dormitory with thirty-five beds.

Where do the attendants sleep?—(*Dr. Fernald.*) The attendants sleep in a separate building, but the matron sleeps here.

How much supervision do you find necessary at night for these thirty-five?—(*Dr. Fernald.*) We have one woman here. If we have fatigued those children with work and exercise, she has nothing to do at night.

Are these all children? [Some were obviously middle-aged.]—(*Dr. Fernald.*) There are very few of them children, but we have got to use the word children here for all our people.

Does no one sit up at night?—(*Dr. Fernald.*) One attendant is on duty. She comes on at eight o'clock and goes about. She runs the whole show at night.

Attendants' Room.—You have no cells or separate rooms?—(*Dr. Fernald.*) No, only those three large ones. (Thirty-five beds in each.)

Toilet room upstairs same as below.

Do you use the shower in preference to the ordinary bath?—(*Dr. Fernald.*) Yes, it is safest and quickest and most efficient if it is properly done.

Matron's Office.—These women are mostly occupied in the laundry and in the sewing room. We keep our girls busy the whole day long, they do all the domestic work.

Plain Dining-room in basement.—There is no kitchen but a place for cleaning up.

The floor of the basement is concrete and the walls are all solid brick and the partition walls are brick, so that a fire could get very little headway.

The women in this building (medium grade) all go to the laundry, where they fold clothes, etc. They polish floors in all of the buildings.

Do they look after the lower grade imbeciles?—(*Dr. Fernald.*) No.

A second New Building for eighty Patients.—This was not as economical as the other, but of similar type.

School House.—Upstairs we were shown a large cupboard containing toys and a very remarkable collection of various instruments for primary sense training?—(*Dr. Fernald.*) We spent over £300 on the contents of these two cases, not counting the time of the people who planned the work. This training is applied to people of all ages. Your public elementary school classes need this sort of thing.

School Room.—Oldest class of girls reading and writing; seventeen present. The first class reads United States history intelligently and writes it in composition form. All can write home letters so that they are intelligible. Other children are in the second reader and some in the third. There are three classes in reading. Numbering is the greatest difficulty. This is our most advanced class. Their home letters are wholly without revision. They write compositions from their object lessons. The children are very fond of their school life and very much interested in nature study. Sixteen is the maximum number in a class. All these girls were employed this morning, some in the cooking school, sewing-room, manual training class, etc. They never have more than half a day in the school room. We believe in the industrial idea for all as much as in the educational. The lower grade children have a great deal of the open air exercises.

School room for oldest class of boys ; ten present. There were interesting detailed records kept of the children's work, to exhibit progress or failure and to indicate future training.

(*Dr. Fernald.*) All these children reach an age where, if school is continued two years longer, it would ruin them for practical purposes. We usually keep them in school to the age of eighteen for some part of the day.

How do boys compare with the girls as to self-control ?—(*Dr. Fernald.*) Barring the sexual problem, I think the boys are a trifle less capable. They need a great deal of looking after. But as regards the girls, who from mental weakness are morally irresponsible for their conduct it is the sentiment of the people at large, and we ourselves believe that protection should be given them, that they should be kept permanently away from men, for their own good and the good of the community. But there must be mental defect as well as moral obliquity before we receive them here. We object to receiving here girls whose real defect is simply want of chastity. This is not a home for fallen women, and many women who offend against chastity are anything but feeble-minded. But the moral imbecile, the woman who has no sexual control because she is defective in brain requires custodial treatment and is received here.

The Boston classes are not as bright as some of these classes of children. Are there not any here who could be sent back to the ordinary schools ?—(*Dr. Fernald.*) The trouble is that most of them have no parents or bad parents.

(*Dr. Fernald.*) *Cooking School.*—No practical work is done here, the idea is only to instruct. There is a trained teacher who gives instruction in regard to cooking, washing dishes, etc. There is a dining table where the girls learn to serve and wait upon each other, and a bedroom, where they go through the bedroom duties. They are also taught to wash and iron uniforms. This school has been open only a month. We pick out the most likely girls for this work.

Six girls with cap and apron were working in the school.

School room for older girls, but not far advanced ; fifteen present.

Another school room, second grade from the lowest grade of school classes, next to beginners' class. Dr. Fernald only put into this class the children whom he expects will learn to read and write. Twelve small boys and girls were present. They were playing with letters and arranging them according to sentences on blackboard. Thus they learn to read. The arbitrary name of the letter they learn much later. Box for matching colours, and the usual kindergarten.

The Hall, where twenty boys were doing physical exercises under one teacher and one male attendant. This instruction is regarded as of first-class importance and is kept up from morning until night for one class or another. The Ling or Swedish system is used ; a mental and physical drill, in which precise and carefully planned muscular movements have to be promptly executed at word of command.

Workshops : One Paint Room.—Five boys painting wagons ; five boys working on boot and shoe repairing ; five small boys painting red, yellow, and green blocks used in the schoolrooms.

Print Room.—Room with printing press, where the work of the institution is done by inmates.

Sloyd Working Room.—Windows on three sides. Nine boys working under one teacher. Girls come here in the morning. (Cost of work benches, £2.)

Sewing Room.—Window on three sides, about twenty-eight girls and women working; two instructors. The women were sewing towels, suits, aprons, and all sorts of institution work.

Class of beginners in sewing, small girls; fourteen working under one teacher. None of these girls could be taught to read or write.

All the cottages are on essentially the same plan.

(*Dr. Fernald.*) There are at the present time eleven patients in the infirmary, out of 1,000. Sometimes we have not a single patient.

Laundry.—Eleven patients working. There are five paid assistants in the laundry, all the rest of the work is done by inmates. Every girl gets instruction in this practical labour.

Ironing Room.—A large number of patients were working.

In no case is the actual industrial work mixed with the experimental work. The girls go through a special educational school for cooking, laundry work, etc.; after going through these they are sent to do the actual work. The same applies to the boys with regard to carpentry.

In the course of a day over 100 girls come to the ironing rooms. Many of these girls were mentally of a very low type, but quite industrious and well-behaved.

(*Dr. Fernald.*) I would have no hesitancy in certifying any patient in the institution (with the possible exception of one) as being of unsound mind. We have very few of the highest grade. There are about 125, not over that.

Out of doors we found in a field young boys carrying stones, older boys using pickaxes and breaking the earth. One supervisor.

Many children playing games and practising balance and exercises under an expert teacher on the lawn.

Cottage for Children: Idiot Cases.—About fifty. A day room, bath room, dormitory, dining room, matron's office.—(*Dr. Fernald.*) These do mostly physical work, but there is hardly a child here who does not receive some instruction. Each attendant has a class in teaching children to wash their faces, to dress themselves, etc. This sort of training will diminish the after-care very much. We expect 90 per cent. of the children to come out of this school; they would remain here for ever if we did not attempt to teach them.

Do you fully believe that by care and instruction you can raise even these up?—(*Dr. Fernald.*) We *know* that; already two generations have gone up. Of course, not every one of them; there is always a certain proportion who cannot be brought up. But a very large number can be, if the training is done in early childhood. If they are properly developed, they are capable of doing physical, manual work. We find that the physical development makes them tidier. There are five attendants, one head attendant and four others. She has two to five inmate helpers as well. We expect to make workmen out of most of these boys. We know we can do it, because we have already done it.

About a dozen children were seen playing outside with a teacher, holding on to a rope. The teacher was beating a small drum. The children run after balls, and the weak and paralytic are helped and encouraged to stand and walk and run.

A party of girls, low grade cases, carrying stones from one circular enclosure to another, for exercise and health and muscular instruction.

An enclosure with squares of large and small stones, and pile of wood, where children exercise daily, even in winter, unless there is snow on the ground.

(*Dr. Fernald.*) As regards our worst cases: the State gave us £400 to start with and the trustees promised to take care of the idiots; we agreed that we would care for them and nurse them. But we found we could not do it. When we put 100 children together, we couldn't live with them. They broke the furniture, broke the window glass, and the attendants wouldn't stay. In self-defence we were *driven* to train the idiots in order to be able to live with them, and now the trouble is over.

A circle among the trees, where girls were marching with an attendant Low grade idiots.

Five boys painting a dormitory. More are earning their living at this occupation than at any other. All the varnishing and painting is done by patients, as well as work on Dr. Fernald's new home.

Dining room for low grade cases, boys. About fifteen attendants to 140 patients. A considerable number of inmates were employed in feeding the helpless idiot children, and assisting in waiting during the supper hour.

Employees' Dining-room.—There is one head waitress, who usually has nine patients assisting her.

(*Dr. Fernald.*) We usually have about 100 children going home on holiday in the summer, but we scrutinise carefully whom we allow to go. This keeps up the home ties.

Most of my attendants are Canadians, daughters of respectable country people. They are the best—with no training when they come here but well-behaved, patient, and quick at learning. With a little experience they become ideal attendants and teachers.

The total maintenance expenses of the institution for 1904, including repairs and improvements were $150,000, practically 14s. a week.

There is a long waiting list of children desiring admission.

The Templeton Colony for Feeble-Minded Males, 90 Miles from Boston.

Visited by all the Commissioners on October 31st, 1905.

This colony, beautifully located on an eminence 1,200 feet above sea-level, a few miles from a railway, comprises an extent of 2,000 acres of land purchased for an incredibly small sum, but affording a useful variety of soil, sand and clay. There is an abundance of woodland, from which all the fuel used in the colony is drawn. Some of the land has, in the two years of its existence as a colony, been freed from stones and cultivated, and thereby very largely raised in value; but the greater part is still in its primeval state, with great boulders strewn over it and covered with brush, thus affording unlimited opportunity for labour in reclamation. Water power comes from a brook, which at one point has a fall of 80 feet, supplying power.

The colony consists of four groups of well designed but very economical wooden cottages, standing some distance apart, each group affording

room for fifty workers and the attendants. Three of these groups are inhabited, and the fourth, just completed, will shortly be the home of fifty arrivals from Waverley.

The colonists, though all custodial cases, *i.e.*, idiots or marked imbeciles, are all required to do manual work, and many of them do nearly the full work of a free labourer. We saw a group of four, with heavy sledges and hammers, breaking rock and drilling it for blasting with explosive; they were working steadily and without supervision. Further on was another group of five men working in a field. They were bringing in stooks of corn, which they were loading upon a cart. Others in the shed were unloading and storing the corn. A further group was hauling brick in wheelbarrows. At a little distance there was a row of about a dozen, who under the supervision of one man were working a field with sharp pick-axes. An imbecile was ploughing with a pair of horses, his daily task. All of these men had come from Dr. Fernald's schools for the feeble-minded, and a large proportion of those who were busily and happily engaged in useful work could never be taught to read and write, some had not human speech. The previous training was, of course, essential: idiots and low grade imbeciles could not be employed in this way without preliminary training.

All the cottages are built on essentially the same plan—solid brick foundations on cement with rough cast walls and slate roof. £20 was paid to the architect for the original design, after which all the buildings are modelled. The cost of building and furnishing a cottage is £2,000, although the cost of the group just erected, owing to a rise in material, was £2,400—£40 to £50 a head. The levelling, etc., is done by the inmates, as well as all carting, trenching, sewering, painting, and varnishing.

In each of the cottages there is a large sitting and dining room for the men. It is a pleasant apartment, with an immense open fire-place, and windows along three walls of the room; the impression given is that of a large substantial farmhouse.

Here the "boys" assemble in the evening and the attendants read to them from books such as would appeal to the normal boy of twelve. There is also music, and games are played until the early bed-time.

Each cottage has its own kitchen and storeroom. Once a month a requisition is made on Waverley for the supplies needed for the following month. There is also a cold-storage room, which is supplied with ice from Waverley. Baked bread comes from Waverley in barrels, which are returned filled with fruit, potatoes, etc.

There are two dormitories in each group, holding twenty-five beds each. These are large rooms with twelve windows and three doors. There is a single flue, 2 feet square, in each. All the cottages are heated by stoves and lighted by oil lamps. Next to the dormitories there is a small room, holding the best clothes of the men; these they wear once a week.

In the washroom there is a pump and a large sink, in which six movable basins can be placed, allowing that number of men to wash at the same time.

The attendance in one cottage consists of a man and his wife, four women and a laundress. In another group it consists of a man and his wife, two male assistants, and three women. In each group there are rooms for the attendants.

Belonging to each group there is a barn, the care of which falls entirely to the inmates.

An immense woodshed, where the entire supply for the colony is kept, furnishes employment for many of the men, especially in winter.

There is no doctor in the colony, but the local physician looks after the care of the inmates. There is telephonic communication with Waverley. It is seldom that medical aid is required, as long a period as six months having passed without an illness or mishap occurring.

One of Dr. Fernald's immediate projects for the colony is the establishment of a saw-mill, and the increase of his herd of cattle so as to supply the whole of the milk required at Waverley.

The training schools at Waverley, and their adjunct, the Templeton Colony, appear to embody the ideals of Dr. Fernald and of the State Commissions of Massachusetts as a permanent provision for the training and employment of custodial cases, whether feeble-minded, epileptic, or even of certain types of insanity. They called our attention with enthusiasm to its possibilities, now beginning to be realised, not only in respect of the health and well-being of the colonists and of the economical utilisation, under easy control, of such capacities as they had, but also of its adaptability to every class of defective, of the opportunities it gave for experiment and variety in employment, and of the prospect of its organic growth, step by step, into an institution which would not only benefit and lift up the unfortunate sufferers, but would reconcile their relatives and the whole community to the permanent detention of people whose freedom would mean a burden to their families, a nuisance to the community, and a danger to coming generations. The ideal, and of course to a more limited extent—the practical realisation made a most favourable impression on the Commissioners. It was a pleasure to see the happiness of the colonists, the humanity of their treatment, and the social utility of their employment in reproductive work with prospects of good economical results.

Dietary, Templeton Colony.

There is a daily written menu for each cottage—the diet was simple, cheap, but generous in quantity.

October 28th, 1905.

Breakfast.

Rolled wheat.
Milk and sugar.
Fried potatoes.
Coffee.

Dinner.

Beef stew with turnips, carrots, onions.
Mashed potatoes.
Farina pudding.
Bread.

Supper.

Griddle cakes and syrup.
Bread and butter.
Milk and tea.

October 29th, 1905.

Breakfast.

Hominy.
Catsup.
Baked beans.
Muffins.
Bread and butter.
Tea and coffee.

Dinner.

Fried ham.
Squash.
Coldslaw.
Mashed potatoes.
Apple pie and cheese.
Tea.

Supper.

Stewed pears.
F. toast.
Bread and butter.
Raisin cake.
Tea.

October 30th, 1905.

Breakfast.

Rolled wheat.
Fried fish.
Baked potatoes.
Corn biscuits.
Bread and butter.
Tea and coffee.

Dinner.

Beefsteak.
Parsnips.
Potatoes.
Pickles.
Sea moss farina.
Bread and butter.
Tea.

Supper.

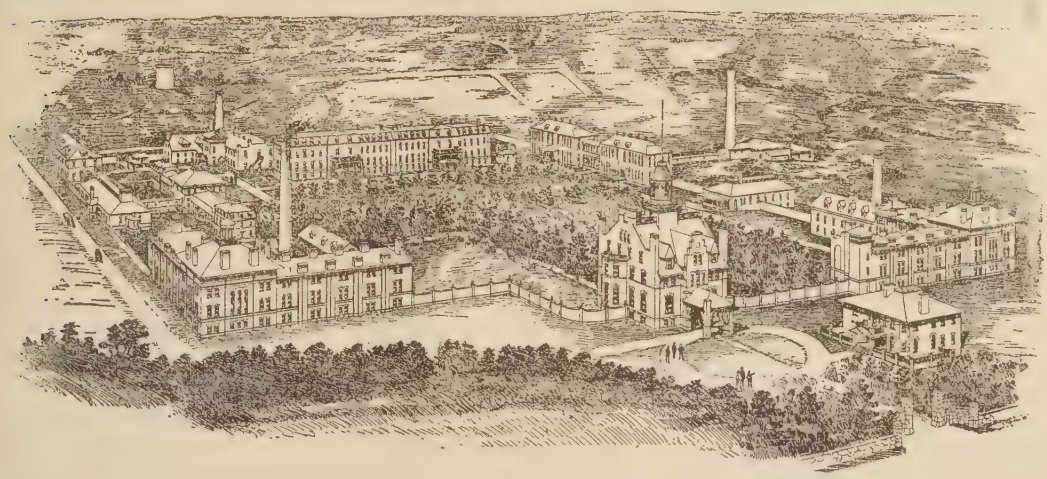
Baked beans.
Sliced pickles.
Bread and butter.
Gingerbread.
Tea.

The State Hospital at Tewkesbury, Massachusetts.

Visited by Mr. Byrne on November 1st, 1905.

Mr. Byrne was received by the superintendent and first assistant medical officer, Dr. Nichols and Dr. Emerson, who had both had considerable experience of work in the institution, which was more than fifty years old.

The State hospital provides for sick, insane and indigent paupers who are at the charge of the State, that is to say, who are either aliens or have no settlement in any county of the State of Massachusetts. The institution is consequently an interesting receptacle for every class of those who have gone under in the battle of life and have fallen upon the resources of the State. The inmates are not committed. They are received in the institution on what is called a "permit," which is really an order from the overseers of the poor of the district where they are found in trouble. The State bears the entire charge of their maintenance. The inmates vary in number from about 1,300 in summer to 1,800 in winter. The handsome buildings are, or at any rate looked, modern, and are adequate, well equipped and officered, the proportion being 1 : 11. There are 600 acres of land, a herd of eighty cows, and a large piggery; and much land is successfully cultivated for maize and roots as well as for fruit and vegetable garden produce, mostly by inmate labour (and this point was especially made), by the labour of lunatics who were fit to be outside the walls. The land and buildings were worth £170,000 *i.e.*, £100 a bed: the gross weekly cost of maintenance was 13s. 9d.: net cost apparently about 12s. 6d; the number requiring nursing or hospital treatment was very large.



State Hospital, Tewkesbury (General View from North East).

Mr. Byrne did not see the hospital (of which the general view is inserted) which he was told differed in no degree from the ordinary well equipped hospital in a large city; nor the training school for nurses, which was thought much of.

The lunatic asylum was very well arranged, and included all the usual classes of lunatics and idiots, the proportion of the latter being apparently about the same as in an English county asylum. Most of the lunatics were certified and ordered to be detained by the Judge of Probate, or the district judge, in the manner usual all over the State; but many were put into the lunatic wards by the doctors for observation, or detention without any ceremony, there being no legal objection to this being done—in fact, the doctors had an absolutely free hand as regards classification in the whole of the institution. Everyone who came in was received on a permit which gave the roughest particulars as to name, condition, etc. The doctors in the reception house sorted them out, sending some to the hospital, some to the almshouse wards, some to the observation wards in the asylum and some to the certified wards in the asylum, as their condition required. In practice this freedom, though strange to English eyes, seemed admirably effective; but the result had been that the doctors had taken no particular care to estimate the proportions of the various classes whom they received, considered from the mental point of view, being aware that they could put a man or a woman at a moment's notice in whatever department his or her condition seemed to require. There was also a maternity ward of the class usual in a big London workhouse in which there were 117 births a year.

The doctors expressed the opinions which have been usually laid before the Commission by thoughtful persons in such positions. They considered that, apart from the classes who were certified as lunatics, which in Massachusetts includes idiots, and from the classes which they call feeble-minded, who were appropriate inmates of the Waverley School or the Templeton Colony, there were a number of persons who were in and out of their institution after having had interludes in prison, at the State Farm, or in alms-houses, whose destitute and semi-criminal position was attributable to a defective mind, which they considered was quite as often a moral defect as an intellectual one. The percentage of these persons among the pauper class in their institution might reach twenty. It was certainly not less than ten, but of this number they thought only a small proportion, say half or quarter, required permanent detention in a colony in their own interests and in the interests of the community. Such detention they considered necessary if the State were to aim at being in a position to assert that all classes of its defectives were being properly dealt with as the interests of the community required; and they considered that the evils whch arose from the present position of affairs were great, though they were not in a position to say that they were recognised as being so great as to require the first and most immediate attention of the State. They considered that the presence of these people in the community must undoubtedly increase, and that it might even be said to give rise to the burden which the State had to bear from its criminals, its epileptics, its lunatics and other degenerates; but they both appeared to think that the effect of a vicious heredity was to be traced as much from the circumstances unfavourable to proper mental and moral growth in which the children of defective parents were necessarily found, as from any direct physical taint. As practical men they did not consider it mattered which view was taken.

They expressed a very strong opinion that institutions of this sort should be at remote places in the country, on a railway line, but where land was cheap; secondly, that all classes of defectives should, both in their own interests and in the interests of good management of the institution, be kept constantly at such work as they were capable of, and that satisfactory methods of dealing with this class were almost impossible until their identification on each reconviction or falling into poverty became practicable. They would welcome the "finger-printing" of such people.

Institutions for Epileptics at Palmer, Mass.

The Commissioners were unable to visit this institution as they intended, but particulars are appended which have been compiled mostly from the Annual Report of the institution for 1904. It dates from 1898.

At that time there were believed to be at least 10,000 epileptics in the State, nearly all in their own homes; institution treatment was desired in the case of at least 10 per cent. There were 460 in the Palmer Hospital, 100 in the Children's Cottages, to be described hereafter, 100 in the Waverley School, and at least 100 in almshouses.

The 460 in the Palmer Institution comprised many insane and feeble-minded, though most of the insane were intended in future to be dealt with in the hospitals.

The land and buildings, including water and sewerage systems, were valued at $360,000, about £156 per head. There are several hundred acres of land, and the buildings, though scattered, were described as adequate and well equipped.

Bird's-Eye View of the Massachusetts Hospital for Epileptics, Palmer, Mass.

The Cottage Hospital for Epileptics, Palmer, Mass.

The number of employees was very large, nearly one to four patients. The low bodily and mental condition of the bulk of the patients is shown by the large number of workmen found necessary: *e.g.*, eleven assistant farmers. As might be expected, the cost of maintenance is high, 18s. a week. The institution is complete, with infirmary, industrial building, central heating and lighting, etc.

There is a superintendent and three assistant physicians, and at present the institution is run rather on hospital lines than as a "colony."

The farm products reached a value of over £400 a year.

The work done by the inmates was mostly of a light character.

TABLE SHOWING PATIENTS EMPLOYED, AND IN WHAT WAY.

	Males.	Females.		Males.	Females.
Industrial building	17	–	Painting	4	–
Administration building	–	3	On roads	2	–
Employees' cottage	2	5	Weaving	1	1
Nurses' home	–	2	Mason	2	–
Sewing-rooms	–	50	Carpenter	2	–
Laboratory	1	–	Boiler-house	3	–
Dining-rooms	3	8	Bakery	4	–
Kitchens	12	39	Store	2	–
Laundry	10	42	Clerical	2	–
Stable	3	–	Farm:—Such work as apple picking, barn, vegetable garden, clearing land, cutting brush, ditching, teaming, tending sheep, tending cows, milking, with gardener	17	–
Ward work	60	26			
Grading	70	–			
Teaching	–	1			
Music practice for assemblies	1	1			
With yard man	4	–	Totals	222	178

The management were strongly in favour of constant light employment and manual training as opposed to book education for young epileptics. They estimated that cottages containing twenty-five, which they regarded as the ideal mode of dealing with this class on a large estate, should be constructed for £2,400, *i.e.*, £96 a head.

The methods by which patients are admitted to this hospital are as follows:—

1. The regular insane commitment, such as is used at the insane hospitals.

2. The sane indigent; in this case the approval of a judge is required, in addition to the physicians' certificates and the notification of the town authorities.

3. The sane private, in which two sureties are required to sign the patient's application.

The lands, buildings, and improvements were paid for by moneys voted by the State Legislature; the cost of maintenance was defrayed by receipts from the State, from Poor Law authorities, and from private individuals in the proportions of £21,000, £7,500, and £1,100 respectively.

THE HOSPITAL COTTAGES FOR CHILDREN, AT BALDWINVILLE, MASSACHUSETTS.

Visited by all the Commisioners on October 31st, 1905.

This is a private philanthropic institution for epileptic, nervous, and deformed children to the age of fourteen. It consists of a central building with two wings at the side. The patients at the time of our visit numbered 140. The full paying rate is 20s. a week; the "charity" rate is 13s., and a few beds are maintained free.

The children were assembled in day rooms, to either side of which dormitories were attached. These held ten beds each. Leading out from one of the dormitories was a small room with four beds, for tubercular cases.

There were two well-equipped school-rooms, one for the older children with desks and benches, and another for the younger children, with chairs.

Dr. Bates, who is the superintendent of the institution, told us with regard to the dietary that the children never received meat, but they were given soup in which meat had been boiled, and broth. They receive very little fried food, no raw fruit, with the exception of oranges, no nuts, and especially no apples, and very little pastry. They may have cereals and cooked green vegetables. He laid great stress on the necessity of his scientific dietary for epileptics and believed that errors in food-supply were responsible for many relapses and failures.

The children who are mentally defective at the age of fourteen go to Dr. Fernald's school, but owing to want of room at his institution, they have often been kept longer at the cottages than the managers desired.

The Massachusetts Hospital for Dipsomaniacs and Inebriates, Foxborough, Massachusetts.

Visited by Dr. Dunlop on November 2nd, 1905.

This is an institution for the treatment of inebriates who are neither of bad repute nor of bad character. It thus corresponds to retreats established under the 1879 Act. The procedure for admission is that an application is made by the inebriate himself, a relation or a friend, a neighbour or public authority—in fact, anybody. That application is supported by a double medical certificate and presented to a judge. It may be to a judge of the Supreme Court or of any court, or even a justice of the peace. On receipt of this application, the judge has to give the inebriate twenty-four hours' notice of a trial, and if the inebriate lodges defences, he remits the case for trial by jury. If the inebriate gives consent to waive his right for trial or fails to appear when cited, the judge grants an order of commitment, ordering his detention for any period up to two years. This action is taken in terms of Section 59 of the laws relating to the Massachusetts Hospital for Dipsomaniacs and Inebriates, which reads as follows :—

"Any of the judges named in Section 33 may commit to the Massachusetts Hospital for Dipsomaniacs and Inebriates any male, or to a State insane hospital any male or female, who is addicted or subject to dipsomania or inebriety either in public or private; but no such commitment shall be made until satisfactory evidence is presented to the judge by whom the proceedings for commitment are heard that like notice to that required by Section 34 has been given and that such person is not of bad repute or of bad character apart from his habits of inebriety. The magistrate who receives the application for such commitment shall examine on oath the applicant and all other witnesses, shall reduce the application to writing and cause it to be subscribed and sworn to by the applicant. He shall cause a summons and a copy of said application to be served upon the person to be committed in the manner provided by Section 25 of Chapter 217. Said person shall be entitled to a hearing, unless after receiving said summons, he shall in writing waive such hearing; and in such case, said magistrate may issue an order for his commitment to said hospital without such hearing if he is of opinion that such person is a proper subject for its treatment and custody."

The institution consists of three pavilion buildings, with outhouses and a farm.

FOXBOROUGH HOSPITAL FOR INEBRIATES.

ADMINISTRATION HOUSE. GYMNASIUM. COTTAGE. DINING HALL. COTTAGE. COTTAGE.

DAY ROOM.

The pavilions are constructed thus: On the ground floor at one end of the pavilion there is a dayroom; at the side a small dormitory with six or eight beds, extending along the pavilion from the dayroom there is a passage, and off the passage there are a series of small rooms. On the first floor there is a similar dayroom and similar dormitory, but the rooms entering from the passage are double the size of those below, and instead of containing only one bed, have four each. These rooms appeared crowded, the floor space being 12 by 16 feet. On the second floor there are large unused attics over the single rooms in the lower floors, and a dormitory placed over the dayrooms of the lower floors. There are also beds in the passage and at the head of the stairs. The three pavilions are built on similar lines, two of them being used for inebriates and the third for chronic insane, the reason why the third was given up to this purpose being that there was a popular outcry against the expense of treating inebriates in this manner, and the one pavilion was devoted to the care of the insane as a cloak to cover the expenses of management. Perhaps also inebriates "not of bad repute or of bad character" were fewer than was anticipated.

The other buildings consisted of a barn and stable, a brush manufactory, a hall used for physical culture, chapel and entertainments, with a very complete hydro-therapeutic department attached; and another small hall devoted to a dining-room, kitchen, bakery and storehouse.

The staff of the institution consists of a medical superintendent, two assistant medical superintendents, a physical director, twelve day and three night nurses, a head nurse, and twenty-four other paid employees, including a farm superintendent—no less than one to five in all.

The inmates at the time of our visit numbered 224, of whom 62 were lunatics placed in the one pavilion, and 162 inebriates placed in the other two pavilions.

The inebriate inmates were classed into three groups. The first were recent admissions. These were kept apart and suitable treatment was given them until the immediate effect of drinking had passed over. Some of those seen had been two or three weeks in this group. Secondly, the well-behaved inmates. This group included the greater majority. Thirdly, the uncontrollable inmates; these numbered sixteen. They were kept within locked doors, being employed in the brush factory and in a locked up corridor in one of the pavilions.

The essentials of the treatment were compulsory abstention from drink, good food, physical culture, and work, it being a rule of the institution that the inmates must work for at least eight hours per day. The following is a note of the actual employment of the 162 inmates at the time of the visit:—

Bakery	2	Gymnasium	2
Barbers	2	Kitchen	5
Barn	3	Matron	5
Stable	2	Office	2
Carpenters	2	Laundry	10
Cobbler	1	Paint-shop	6
Dining-room	9	Piggery	1
Engine-room	7	Special	5
Broom-shop	16	Ward work	14
Farm	31	Sick and unemployed	20
Street department	17		

A scrutiny of the inmates gave the impression that they were essentially of the same class as those treated in inebriates' retreats. Few of them were markedly degenerate, and even the worst cases in conversation did not show the grosser signs of mental defect. They evidently were drawn from a class very different from the ordinary alcoholic degenerate seen at home in prisons and certified Inebriate Reformatories.

The discipline of the institution was apparently not strict, but punishment is used to a considerable extent. This consists of seclusion in a bedroom, to which punishment there is occasionally added a bread and water diet. Another punishment is transfer to the incorrigible class. Malingering to avoid work is a fairly frequent offence. When an inmate does this, he is carefully examined by the doctor to ascertain if there is anything really wrong and if nothing is found he is treated nominally as if sick, being put to bed and kept there, fed on a milk diet, being given a small drink of milk every two hours and nothing more, until such a time as he apparently recovers. The great disciplinary difficulty is escape. Many inmates do so every year. Most are recaptured but many are not. To meet this the staff is at present agitating authority to transfer escapers to other State institutions, such as Concord Reformatory and the State Farm, and to have a rule to the effect that time absence on escape or under transfer to these institutions does not count towards the completion of the period of commitment.

By looking over the commitments it appeared that the medical certification set out in most cases comparatively uninteresting details; the only facts recorded were such as any commonsense person could put in, no special

medical knowledge or power of observation being directed to causation, heredity, mental condition or stress and other interesting factors. The after histories of the cases were evidently carefully watched, an official being sent around to the various districts to glean particulars of the ex-patients. The current report gave the subsequent histories for a short time after discharge only, but in further reports (a draft of one of which was seen) the histories will be continued much longer. From that draft it would appear that about 30 per cent. of the cases may for practical purposes be considered cured, in so far as they are able to live at home peaceably and to keep out of mischief. A scrutiny of the commitment orders also showed that in the majority of cases the application was made by some public official; but it was stated that although this was so, it was on the report of a relative or friend that the public official took action. But in the commitments looked at there was also a considerable number where a relative or friend applied directly.

The cost of the establishment is very heavy, averaging something like 24s. per week per head. That this should be so is due to the very large staff. The land, 105 acres, is valued at £3,300; the buildings, £35,000; total £170 a head.

Those who can pay for their own maintenance have to do so; the others are supported by their place of settlement.

Inmates may be released on probationary licence.

State Farm, Bridgewater, Massachusetts.

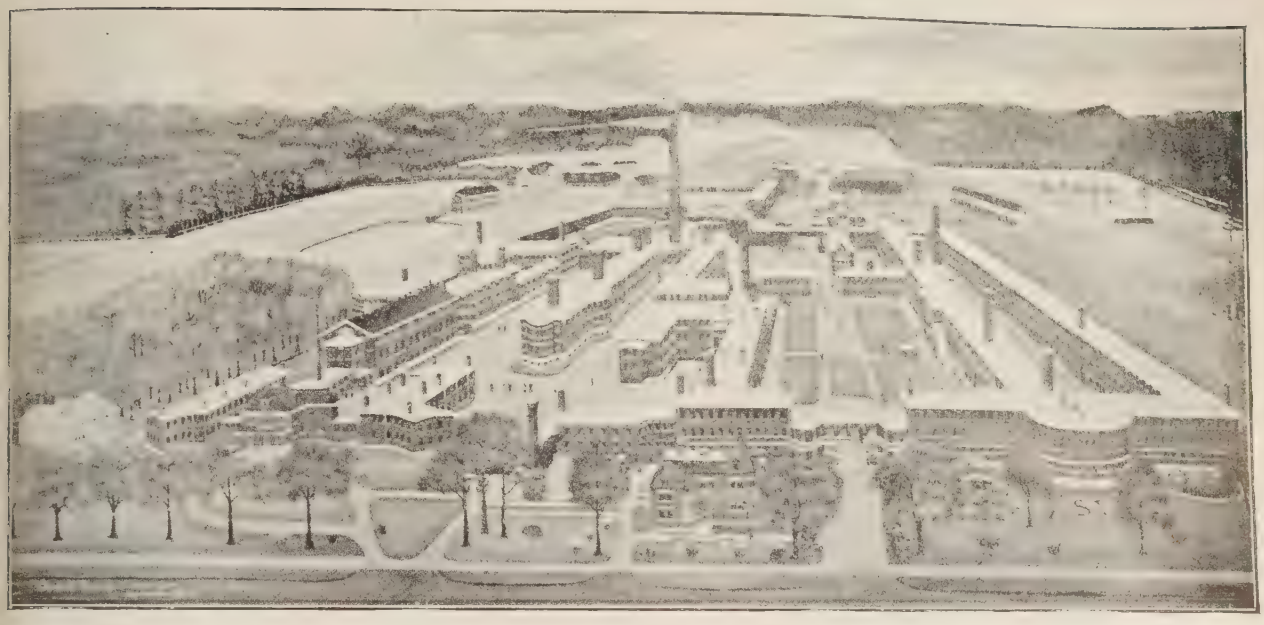
Visited by Dr. Donkin and Mr. Byrne on 2nd November, 1905.

It is a well managed and highly interesting institution, comprising a criminal lunatic asylum, an indeterminate sentence prison, and a workhouse on one site and under the same management; it has existed some fifty years.

The farm consists of nearly 1,000 acres, and it and the very handsome buildings are valued at £155,000, or £90 per head of the 1,660 inmates. The farm stock and products and the machinery, carriages, etc., were very valuable; the whole personal estate being valued at £200,000.

The prisoners are drunkards, vagrants, nightwalkers, and so forth; two-thirds under indeterminate sentence not exceeding one year; some 400 under indeterminate sentence not exceeding two years, the remainder under sentences of from five to fifteen months. The numbers had recently been suddenly increased by a police raid on the tramps' lodging-houses in Boston in search of thieves and bad characters, a manœuvre practised from time to time in America, and known as a "hobo scoop."

MASSACHUSETTS STATE FARM, BRIDGEWATER, MASS.



CRIMINAL INSANE DEPARTMENT [500]. HOSPITAL AND ADMINISTRATION [200]. WORKHOUSE DEPARTMENT [1000].

Under the system of indeterminate sentences the authorities had and exercised full power of transfer from one part of the establishment to another, as circumstances might indicate; and it was impossible not to be impressed by the *primâ facie* advantages arising from the existence of this power, though we were told that there were many cases for which the limited indeterminate sentence was insufficient.

The bulk of the criminal insane were convicted persons from the State prisons, houses of correction, and reformatories, about 1 in 9 only being sent direct from the courts without conviction.

The workhouse hospital exhibits instances of nearly all ailments; and there is a considerable proportion of seniles, of the tuberculous, and of drunkards.

In all three departments Dr. Drew attributed the presence of a large proportion of the cases to the results of personal or ancestral excess in drink.

Unfortunately, our visit had to be a hasty one, but in addition to the information which we derived from our conversation with the superintendent and the doctor we carried away a favourable general impression. The buildings presented quite an imposing frontage, and were in admirable condition and cleanliness, though simple and economically built. Good order reigned, and we were informed that the prisoners were kept strictly to work, especially on the extensive farm, at reclamation, building, and other outdoor employment of a lucrative description. The criminal insane appeared, we thought, to be kept more indoors than at Broadmoor; and to have fewer attendants and less personal care. On the other hand, the sane prisoners were largely kept to useful work, and were well-housed.

The staff consisted of one superintendent, one assistant superintendent, one medical director, four medical assistants, and over eighty employees; that is, 1 to 18 inmates—a very low figure considering the number of sick and insane. The maintenance cost was very creditably low, 9s. a week.

The Reformatory, Concord, Massachusetts.

Visited on November 1st, 1905, by Dr. Donkin, Mrs. Pinsent, and Dr. Dunlop. It is a Reformatory or Prison for Males, the Elmira of Massachusetts.

This is a prison for males. Its object is to give knowledge of a trade and training in habits of industry to criminals whose reformation is not despaired of, but as at Elmira there was a considerable admixture of first and more confirmed offenders by those of unknown antecedents.

At the time of our visit the number in custody was 835, that being described as small, the usual number being considerably over 900.

The establishment consists of a large prison block with three wings radiating from a central hall, all with inside cells. Outside of these blocks there are large workshops, etc. These workshops were in full swing when seen by us. Many inmates were engaged in the manufacture of furniture, some of which was high-class work. Among the products we saw a large number of light folding tables, which we were informed were turned out in quantities as a ready market was found for them. We also saw some spinning and weaving being done, and we were told that in the reformatory the inmates made cloth for a large number of the State institutions. Other shops we saw were a tinsmith's and an iron-founding shop.

As at other reformatories, the inmates are divided into three grades according to conduct. The third or lowest grade contained about thirty boys.

In going around the prison we were struck by the absence of imbeciles. Our attention was directed to one or two, but from the deputy warden's statement and from our own observation we were satisfied that they were not numerous.

Punishment consisted of losing marks, the use of a dark cell, and of a bread and water diet. The offences for which the boys were committed were in most instances trivial, such as vagrancy, petty larceny, and the like. The sentences of the great majority were indeterminate.

Sherbourne Reformatory for Women, South Framingham, Massachusetts.

Visited on November 1st, 1905, by Dr. Donkin, Mrs. Pinsent and Dr. Dunlop.

This establishment is equipped for the reception of about 600 female prisoners, but the actual number present at the time of our visit was only 190. These were graded as at the male reformatories, and out of the 190, about 100 were in the second and intermediate grade, ninety were in the first grade, and none in the third.

The objects of the Reformatory were similar to those of the Male Reformatory at Concord.

The first grade prisoners are housed in comfortable rooms, measuring 12 by 10 feet, each with a large window. They have access to a comfortably

furnished day room and also to a dining room, where they eat their meals from white tablecloths. The second grade are kept in similar rooms, which are, however, not quite so well furnished. They have access to a dining room, but not to a day room.

There are a few strong rooms into which inmates are put for mild punishment. None of these was occupied at the time of our visit. There are also some rooms reserved for the inmates on reception.

All the prisoners are worked. We saw about fifty in a room where they were manufacturing shirts. This was fitted up with steam machinery and apparently was equipped for turning out a large amount of work. About thirty inmates were working in a sewing room, doing the domestic sewing of the establishment. A large number were engaged in the laundry, where they did not only the washing for the institution, but also outside washing or profit.

Attached to the prison is a large farm with a herd of cows. But few inmates are habitually at work on this. In the summer, however, a considerable number work at weeding, etc.

The punishments used are detention in one of the strong rooms described above, and for the most serious offences in a darkened cell, where the prisoners are subjected to a bread and water diet.

On going around the prison and talking to a few of the inmates, our impression was that a few were obviously feeble-minded, but that the great majority was not so.

The inside staff of the prison is entirely composed of females, there being a female superintendent, a female chaplain, a female medical officer, a female assistant medical officer, etc.

The offences committed by most of the inmates were trivial: drunkenness, stubbornness, and offences against decency were apparently the most numerous.

MARYLAND.

With the exception of the small but interesting institution at Owings Mills, described below, we found that practically no special provision for the feeble-minded as distinguished from the insane was made in this State. It is necessary to bear in mind that here—at least as much as in other States we visited—religious and private charity deal on a scale which excites admiration and astonishment with poor and orphan children, the blind and crippled, fallen women, and other classes of the destitute, and include in their beneficent operations the feeble-minded class, though the epileptic, the dirty, and the more objectionable members of that class are naturally the last to be benefited. There are no reliable statistics as to the number of imbeciles in the State; the census of 1890 gives 1,550. This is admittedly too few; and in the country districts there must be many unknown and neglected cases. Baltimore has "Supervisors of City Charities," who appear to have done good work during the few years of their existence. They are an important branch of the Board of Charities and Correction, which deals with prisons, insane asylums, hospitals, and charitable institutions.

The Charity Organisation Society, Baltimore, Maryland.

Visited by Mr. Dickinson and Dr. Dunlop, on November 7th, 1905.

It was ascertained that in Maryland the law makes no provision whatever for the asylum care and treatment of adult imbeciles. A few imbecile children are received and dealt with at Owings Mills Asylum, and a few are received into almshouses. Imbeciles are refused by the insane asylum authorities. The Charity Organisation Society has found the greatest difficulty in getting cases into any of these institutions. Indeed, it is felt in the State that the proper care of these classes is a crying question, and the opinions of the Charity Organisation Society and other persons concerned in work among the poor and the criminal have been loudly expressed in writings. The Legislature has not, however, as yet dealt comprehensively with the question.

Lunatics.

Even as regards lunatics the State has not, and will not until 1909, assume full responsibility.

> The existing Lunacy law is contained in an Act of the Legislature of 1900, Chapter 603, Section 1. When any person is alleged to be a lunatic or insane, and without sufficient means to pay for his or her maintenance at an asylum, and who has no relative or relatives, or others legally chargeable with his or her support, the County Commissioners of the county in which such person may reside, or the Supervisors of City Charities (if such person resides in the city of Baltimore) shall, upon the written certificates of two qualified physicians, cause such person to be sent to the almshouse of the county or city to which he belongs, or to an hospital or some other place better suited to his condition, there to be confined at the expense of the county or city until he shall have recovered and be discharged in due course of law; but if demanded by the alleged lunatic or insane person, or any of his relatives or friends, or if requested by the Board of County Commissioners of the county in which the alleged lunatic or insane person resides, or by the Supervisors of the City Charities, if said person resides therein, the Circuit Court for the county in which such person may reside, or the Criminal Court of Baltimore (if such person resides in the city of Baltimore), shall cause a jury of twelve good and lawful men to be empaneled forthwith, and shall charge the said jury to inquire whether such person is insane or lunatic, and, if found so, it shall be the duty of the County Commissioners or of the Supervisors of City Charities to cause such person to be sent to the almshouse of the county or city to which he belongs, or to an hospital, or to some other place better suited to his condition, there to be confined at the expense of the county or city until he shall have recovered and be discharged in due course of law. It shall be the duty of any Board of County Commissioners and the Supervisors of the City Charities, before whom any such alleged lunatic or insane person is brought for commitment, under this section, if not satisfied that such person is lunatic or insane, as defined in Section 3, of this Article, to notify the State's attorney of said county or city, and he shall immediately thereupon bring the said question before the Circuit Court of the said county, or the Criminal Court of Baltimore City, for the determination in accordance with the provisions of this section.

Nothing contained in this section shall prevent the friends or relatives of such lunatic or insane person from confining him or providing for his comfort.

3. No person shall be deemed entitled to the benefit of the preceding sections who shall possess or be entitled to receive sufficient income for his maintenance and support as a patient in any home, retreat, or hospital for the insane in this State, or who has relatives or others legally chargeable with the support of the said person who are able to pay for the maintenance and support of the said person as a patient at any home, retreat, or hospital for the insane in this State. The County Commissioners of any county or the Supervisors of City Charities may consent in writing to the commitment in accordance with the provisions of Section 1 of this Article, of any indigent insane person from the respective counties or the city aforesaid not able to pay the whole cost of his maintenance, but who may be able to pay for part thereof, as a reimbursing patient, and designate the rate per week which shall be reimbursed to the county or City of Baltimore, from which said patient is committed; but no person shall be committed as a reimbursing patient who is himself able, or who has relatives or others legally chargeable with the support of said person, who are able to pay the rates for private patients at the State hospital or at any institution, home, or retreat for the insane within the State.

31. No person shall be committed to or confined as a patient in any institution, public, corporate or private, or almshouse or other place for the care and custody of the insane or idiotic, except upon the written certificates of two qualified physicians of the State of Maryland, made within one week after separate examination by them of said alleged lunatic, and setting forth the insanity or idiocy of such person and the reason for such opinion. No certificate shall be of force which shall be presented for the commitment of any patient more than thirty days after date of examination. The form of physician's certificate shall be substantially as follows:—

State of Maryland, County or City of ———. Dated ———, I, a resident of the County or City of———, being a graduate of——— Medical College, and having practised as a physician five years, do hereby certify that on this ——— day of ——— I have personally examined ———, age ——— (sex) ——— ? (social state), and do verily believe that the said ——— is insane, and that the disease is of a character which, in my opinion, requires that the person shall be placed in a hospital or other establishment where the insane are detained for care and treatment. I further certify that I am not related by blood or marriage to the said ———, nor in any way connected as medical attendant or otherwise with the hospital or other establishment in which it is proposed to place the aforesaid ———, and that this certificate is signed and made within one week of the examination of the patient.

——— ———, M.D.

Residence ———————.

By the further act of 1904, Chapter 421, Section 2, it is provided:—

From and after the first day of January, 1909, the State of Maryland shall be charged with the maintenance, care, control, and treatment of all dependent insane persons who are at that time residents of the State of Maryland. And as soon as practicable after the said first day of January, 1909, the State Board of Lunacy shall transfer from the several county almshouses and county and city asylums to one of the State hospitals for the insane such dependent insane persons who are residents of the State of Maryland as in the judgment of the said Board of Lunacy should be so removed;

and all such dependent insane persons, after their removal to one of the State hospitals for the insane, shall be maintained therein at the expense of the State.

There is an excellent State Lunatic Asylum at Springfield, and a city hospital with a large lunatic department at Bayview. We give no details as to these institutions as we did not obtain full particulars as to their cost, and some of the buildings are more largely constructed of wood than would be permissible in England.

Boarding-Out.

The system of boarding-out the destitute (including some defectives) in private families under inspection is largely used on grounds of economy and appears to work without grave difficulties.

The following paragraphs are from the last Report of the Supervisors of City Charities:—

Feeble in Mind.

Attention is again directed to the deplorable condition of the scores of feeble-minded and imbecile girls and boys all around us who are poorly cared for and are causing pain and suffering in their homes because the State has not made sufficient provision for the treatment of such cases.

It is not unusual to come across cases that disturb the domestic peace and happiness of the family to such an extent that the sympathies of the whole neighbourhood are aroused, and yet we are powerless to afford relief. What can be done with an active boy eleven years of age who, if not closely watched, will jump out of a window or strike one of the smaller children with a stick or chair or anything that is at hand? The boy, nevertheless, must be attended to and constantly cleaned like an infant. Some of these defective children chew the shoes off their feet and gnaw the plaster from the wall. Cases are frequently found where widowed mothers of such children are prevented from earning a living, and forced to become objects of charity, compelled as they are to watch the children constantly.

The economic side of this question will eventually force itself upon the community. These children, so inhumanly neglected, will almost certainly bring increased expense to the community by becoming parents of another generation of unfortunates, who in turn are to be a blight upon society. Why in this enlightened age such distressing conditions are permitted to exist from year to year it is difficult to understand.

Epileptics.

The urgent need of proper care for epileptics in this State cannot be too strongly emphasised. Other States are establishing colonies and in many ways giving special attention to this large class of unfortunates. The apparent indifference exhibited by the State of Maryland can only be accounted for by a total ignorance of the facts. Numerous cases come to the notice of this department of persons suffering with epilepsy who live aimlessly, unhappily and wretchedly, a burden to themselves and their families, simply drifting through life as misfits because they cannot receive proper care either at home or elsewhere. No firm will employ a man or a woman, however competent, who is liable at any moment to fall over with a fit. The foundry, factory, and office all alike are closed to him; recently a man after having attacks several times in church was requested in a kind way not to attend the future services. As a consequence, the epileptic gradually drifts to the almshouse or an insane asylum.

Immediate steps should be taken to establish a colony, where each of these unfortunates could become a busy, useful member. Experience has shown that in other States these colonies in a few years become almost self supporting, and lift their many subjects from a worn-out, aimless existence into a comparatively happy, contented life. The Craig Colony at Sonyea, New York, provides for over 1,000 patients, and is aiming to care for double that number. Maryland has done next to nothing in this line.

Inebriates.

As regards inebriates there appears to be no satisfactory provision. The local "Jane Cakebread" has been the subject of a recent legal decision to the effect that such persons cannot be committed to a hospital or asylum, but must go to the penitentiary.

The supervisors remark—

"Amanda Orr is representative of a class of persons who cannot resist the temptation of liquor. She has been committed to Bayview and the House of Correction many times for drunkenness and disorderly conduct. The only remedy for this class is to be confined indefinitely until cured of their disease in some place where they can be held in restraint and given healthy work and proper treatment. Incurable cases should be confined for life. This method of treatment is the most humane for the victim of the drink or opium habit and discourages the intemperate use of liquor and drugs. It is also much the cheapest method for the public in the long run. We need legislation to provide for indeterminate commitments for such cases."

The Maryland Asylum and Training School for Feeble-Minded, at Owings Mills, near Baltimore, Maryland.

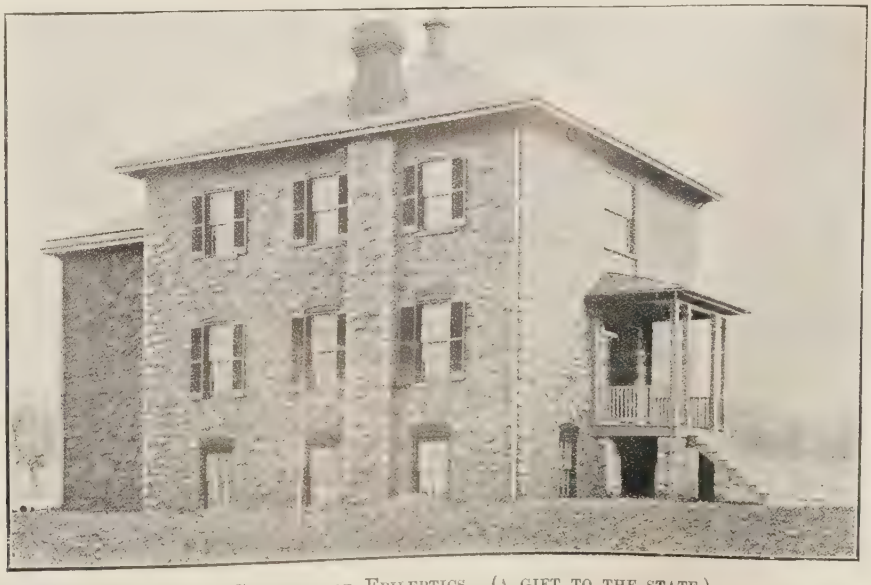
Visited on November 7th, 1905, by Mr. Dickinson and Dr. Dunlop.

This institution which has existed about seventeen years is situated twelve miles from Baltimore and is reached by a city tramway. The asylum is built on the villa principle, a large administrative block in front with some dormitories for the highest grade girls. Behind this there was one building containing kitchen, laundry, and sewing room; also one school building arranged for classes numbering sixty-eight, and four residential blocks, two being for boys and two for girls, one being for nineteen epileptics.

Special Institution.

The Maryland Asylum and Training School for Feeble-Minded, Owings Mills, Baltimore County.

LAUNDRY GUNDRY COTTAGE. PEMBROKE COTTAGE COTTAGE FOR EPILEPTICS.



Thom Cottage for Epileptics. (A gift to the State.)

The cottages hold about forty-five patients with three attendants. The population is about 200, the number of boys and girls being nearly equal. About half are "feeble-minded," the remainder lower grade imbeciles and idiots or epileptics.

Admission to the institution is by application; the greater number are received from various institutions, such as infant asylums and almshouses in the State. The waiting list is a long one (at present over 200) and the admissions are few. Idiots are attempted to be excluded, the higher grade imbeciles being the class desired for treatment. The age for reception is seven, and most of the inmates are very young.

There is no commitment of children to the institution, but power exists for committing older cases or for the detention of pupils who have attained to majority, although this power has never yet been exercised. The following is an extract from the Act of April 7th, 1900 :—

"Section 1. Be it enacted by the General Assembly of Maryland, that it shall be the duty of the visitors of the Maryland Asylum and Training School for Feeble-minded to report or cause to be reported to the Lunacy Commission the names of all inmates in said asylum and training school as wards of the State whom they know or have reason to believe to be twenty-one years of age, with such information as said visitors possess as to the age, condition and parentage of such inmates, and the place of residence of the parents or other near relatives or friends of such inmates if known.

"Section 2. And be it enacted, that when the Lunacy Commission receives the report required by the preceding section, it shall be the duty of such Commission without delay to examine, or cause to be examined, by at least two competent physicians, such inmate or inmates with special reference to his, her or their mental condition, and if the members of said Lunacy Commission, after such examination shall have been made, shall be of opinion such inmate or inmates so examined is or are by reason of mental imbecility, idiocy or unsoundness of mind, incapable of taking proper care of themselves, they shall report such fact to the Circuit Court for Baltimore County, with the reason for their opinion therefor.

"Section 3. And be it enacted, that when the report mentioned in the preceding section shall have been filed in said Court, it shall be the duty of the judge or judges thereof to examine the same, and if of opinion from such report and the reason given therein that the welfare of such inmate would be promoted by his or her remaining longer in the custody and subject to the control of the management of said Asylum and Training School, said judge or judges shall certify the same, and which shall be authority for the retention of the control of such inmate until otherwise ordered."

Discharges are very few and so far have only been made to suitable parents. In one case a parent raised proceedings by *habeas corpus* to get his child out of the institution, but the institution defended the action and won the case. The intention of the management is to keep the cases permanently and to increase the size of the institution according to the needs of the State.

The maintenance cost of the institution amounts to about £30 per head per year. The recent buildings have cost about £70 per bed.

The staff consists of a medical superintendent, a matron, four teachers, a housekeeper, a farmer, and attendants, the total number being seven superior officers and thirty attendants. Each residential block is supervised by a principal attendant (always a woman) and four attendants, who in case of the girls are all females, but with the boys one is a male. The amount of industrial work done in the establishment appeared to be small, though the farm was utilised as a means of employment for some of the epileptics and others capable of doing and of being benefited by work. Open air life was encouraged, and better scope for labour was contemplated as the numbers increased.

The ratio of staff to patients would also be diminished.

WASHINGTON, DISTRICT OF COLUMBIA.

At the seat of the United States Federal Government we found little of special interest or importance in connection with our inquiry, though our conversations with the courteous State officials whom we interviewed supplied us with much general information. In fact the scientific dealing with mental defectives was sadly to seek in the centre of Government except, of course, in regard to the insane who were dealt with in a fine asylum of modern type. The blind and the deaf and dumb were also dealt with in admirable institutions run on the most modern lines. The Legislature was slow to give consideration—much less practical effect—to proposals for dealing with the feeble-minded, whether children or adults, and we failed to find that any effectual inquiry had been made into their numbers or condition. The higher officials were aware of the importance of the question, but had failed to influence the Legislature to any practical action, the question being "crowded out" by matters of greater political interest. If the local affairs and finances of, say, Birmingham were managed directly by the Crown and Parliament, the same results would probably be noticed as are exhibited at Washington, which is governed directly by Congress and commissioners responsible to and relying for ways and means on Congress. Here as elsewhere we found that many mental defectives were to be found in the almshouses and the homes of the poor, a burden and a trouble to the community and to private families.

The state of affairs can best be illustrated by what we found at the local short sentence prison, "the Workhouse." This was visited by Mr. Byrne, Mrs. Pinsent, and Dr. Donkin on November 6th, 1905. They had an interview with the assistant superintendent, who had been in office over five years, and who spoke with interest and intelligence, though the inquiry was obviously a novel one to him. His account of the place coincided largely with the account already received at the Workhouse on Blackwell's Island, New York. The inmates were nearly all sentenced for varying times up to six months for drunkenness, and a few for longer terms for vagrancy and disorderly conduct.

The assistant-superintendent stated that he considered there was no good result from the short sentences given, nearly all the inmates being "repeaters." He did not know one case in all his experience where there was reason to believe reform had taken place, and he anticipated none until the law was altered.

Upon being questioned as to the mental condition of these inmates he stated that many were "not right in their heads," and that a very large proportion of them were in his opinion of weak will and entirely unable to control themselves, but he preferred not to give an opinion as to whether the drunkenness was a cause or the result of the feeble-mindedness. He told us that in the neighbouring jail, which was not under the same control, a very large number of prisoners were found who had previously been inmates of the workhouse, it being practically a matter of accident to which of these institutions many men were committed, though the jail was nominally for the more serious cases.

In almost all cases drunkenness was a part of the offence, and they were sent to the jail with sentences of six months or even a year when disorderly conduct was excessive. He spoke very strongly in favour of the indeterminate sentence for all criminals of this class, considering that the present system was entirely a farce.

On being asked as to whether the men under his charge were able to work hard, he said on the whole, "Yes." All that could work were made to work, and he believed that in the proper conditions he could get the

average inmate of the institution to do two-thirds of an ordinary industrious labourer's daily work, though this desirable result was not at present attained owing to want of sufficient land and appliances costing money which was not forthcoming. The remarks of this observant official and the appearance of the institution alike gave the impression that the responsible authorities while keeping the objectionable classes committed to it, at any rate temporarily, out of sight, had not as yet successfully coped with the more difficult problems of classification, training, and reformation

PENNSYLVANIA.

Our time did not allow us to have the advantage in this State of conferring with official and other experts as to the details of the laws relating to defectives and their practical working. However, we learned much from the Report of the Board of Public Charities and Lunacy for 1903 which gives very complete details on subjects of interest to us.

The number of inmates in almshouses is given as 13,000, of whom 5,000 were returned as insane, idiotic or feeble-minded, 9,000 were in State and other hospitals for the insane, and 1,900 in the two special institutions for the feeble-minded at Elwyn and Polk, which important institutions we saw and propose to describe later. 29,000 persons received out-door relief: there seem to be no reliable statistics as to the number of defectives among these.

The State seems to be remarkably well provided with hospitals, homes for children, refuges for fallen women (white and coloured), training schools and so forth—all of which appear to have been provided by the charity of religious and philanthropic persons, and occasionally of municipalities and other public bodies. These are inspected by, and make returns to, the Board.

From a careful examination of the Reports of the Board on the almshouses, it appears that some of the larger ones have suitable and well-managed insane and imbecile wards; but that in others there is an objectionable mixture of all classes, and very defective arrangements for employment, and even, in some cases, for the separation of the sexes. The State institutions for the insane are much lauded, some of them are indeed famous, but the total accommodation falls much behind present requirements as regards numbers. Inexpensive cottage buildings and other annexes to the existing institutions are contemplated to remedy this.

No special provision is made for epileptics and practically none for inebriates. By a statute passed in 1903 provision is made for the reception into the hospitals for the insane for one year of persons addicted to excessive use of alcohol and drugs. The Committee on Lunacy (which is a Committee of the Board of Charities) regards this novel measure with some misgiving.

Elwyn School for Feeble-minded Children (Pennsylvania)

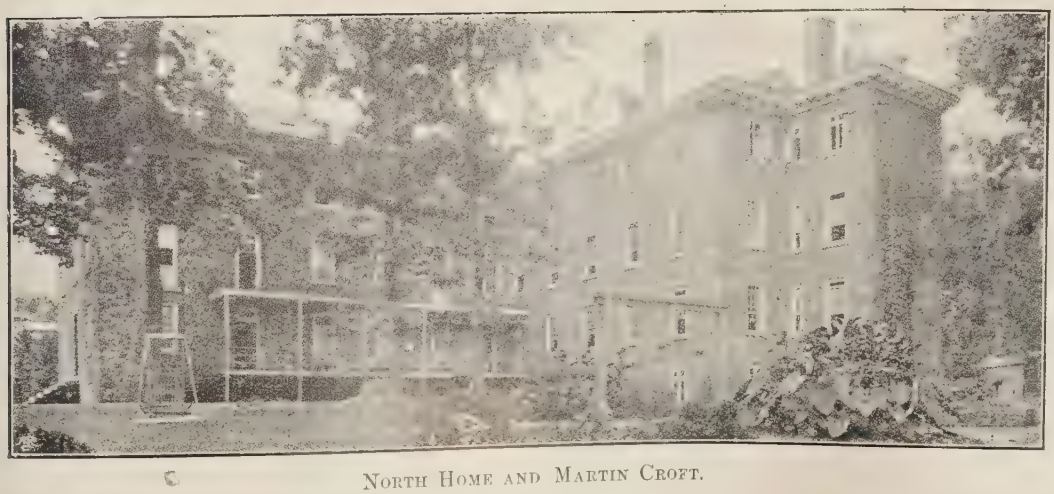
Visited by all the Commissioners on November 7th, 1905.

This famous institution illustrates almost the whole history of American methods of dealing with the feeble-minded. It was started some fifty years ago by contributions from private individuals with a State subvention to carry out the training of idiot children in accordance with the methods

and hopes of the Seguin School. Its accommodation and numbers gradually increased as its utility became manifest, the State contributing largely both by grants for building purposes and by generous allowances for the maintenance of inmates. About thirty years ago its scope was extended by State aid so as to include a custodial or asylum department for the care of the feeble-minded irrespective of age.

It now consists of a picturesque and well-wooded estate of 350 acres, and of a large collection of separate blocks and cottages providing for very complete classification and including schools, residential cottages, entertainment halls, band rooms, industrial buildings, and every conceivable adjunct to a complete establishment. The buildings are plain and economical but rendered picturesque by trees, shrubs, and creepers.

Department of the Training School: Main Building.



North Home and Martin Croft.

THE SCHOOL HOUSE.

Some of these have been provided by private benefaction, some by the State. The training given is elaborate, scientific, and careful in a high degree; as compared with that at Waverley it was, perhaps, less practical in its objects and more showy and directed to accomplishments. This is no doubt in part due to the fact that owing to their being no power of detention and to children being constantly taken away by their relatives, every effort was made by intensive education to fit them as rapidly as possible for a life of freedom, efforts doomed, in the opinion of Dr. Barr, the distinguished superintendent, to failure in the vast majority of cases.

The number of inmates was 1,060; of paid employees, 165.

The value of the land and buildings is said to be £150,000; the weekly cost of maintenance has been gradually reduced to 14s.

Dr. Barr gives the following scientific educational classification of the feeble-minded:—

Requiring—	IDIOT.	
	Profound (Apathetic / Excitable)	Unimprovable.
Asylum Care.	Superficial (Apathetic / Excitable)	Improvable in self-help only.
	IDIO-IMBECILE.	
	Improvable in self-help and helpfulness. Trainable in very limited degree to assist others.	
	MORAL IMBECILE.	
	Mentally and morally deficient.	
Custodial Life and Perpetual Guardianship.	Low Grade.—Trainable in industrial occupations.	Temperament bestial.
	Middle Grade.—Trainable in industrial and manual occupations.	A plotter of mischief.
	High Grade.—Trainable in manual and intellectual arts, with genius for evil.	
	IMBECILE.	
	Mentally deficient.	
Long Apprenticeship and Colony Life under Protection.	Low Grade.—Trainable in industrial and simplest manual occupations.	
	Middle Grade.—Trainable in manual arts and simplest mental acquirements.	
	High Grade.—Trainable in manual and intellectual arts.	

BACKWARD OR MENTALLY FEEBLE.

Training for a Place in the World.

Mental processes normal, but slow and requiring special training and environment to prevent deterioration. Defect imminent under slightest provocation, such as excitement, over-stimulation or illness.

ACTUAL CLASSIFICATION IN THE SCHOOL.

		Males.	Females.	Total.
School Department.	In School	138	91	229
	In Improvement Classes	46	28	74
Manual Department.	In Carpentering	3	–	3
	In Painting	5	–	5
	In Hammock Making	6	–	6
	In Mattress Making	23	–	23
	In Shoemaking	8	–	8
	In Tailoring	6	–	6
	In Sewing Room and Dress Making	1	20	21
Industrial Department.	In Household Service	113	102	215
	In Laundry	12	54	66
	In Kitchen	17	5	22
	In Bakery	6	–	6
	In Engine Room, Store Room and Stable	9	–	9
	In Farm and Garden	23	–	23
	In Grading and Road Making	15	–	15
Custodial Department.	In Asylum	127	71	198
	In Nursery	31	48	79
SEPT. 1904.	Totals	589	419	1,008

In 1904 the children were supported as follows:—

	Males.	Females.	TOTAL.
State of Pennsylvania, wholly	144	99	243
State of Pennsylvania, partially	8	6	14
State of Pennsylvania, supplemental	206	161	367
City of Philadelphia	88	61	149
State of New Jersey	3	—	3
State of Delaware	7	7	14
Parents and Guardians	76	49	125
United States	27	14	41
Institution	7	3	10
Free Fund	23	19	42
On roll September 30th, 1904	589	419	1,008

Dr. Barr gave the following evidence.

This is primarily a training school, but we have some buildings for asylum purposes. We attempt to keep out those who are as easily cared for in an almshouse as here.

There is no legal commitment of children or adults, unfortunately.

No really feeble-minded child ought ever to be released from an institution. They constantly do get out; that is something we have every day. Among the poorer classes the parents are dazzled by a little accomplishment and want them to go out. I find the best place for my boys is in the United States Marine; and I sent a boy into the Army to-day.

They all come to us in the same way. They simply make the application to me and I see that the blanks are properly filled, and when possible I examine the cases. Very many of the children come from the homes of the parents. Those who come from the public schools are a very low grade, I have yet to see a high grade case from the public schools.

The high grade cases are very troublesome; the nearer they approach the normal, the worse they are.

Most of the parents of these children are feeble-minded. We keep an account of the families. The proportion of idiot or imbecile parents is larger than I have in my books. I studied and set forth 3,500 cases, and I have recently studied 3,000 more, and should say that at least 60 per cent. are cases of parental idiocy and imbecility.

The mixed lunatics I put under a separate head. I found that 64 per cent. of those were children whose parents, one or both, were mentally defective.

We have quite a few cases of a third generation of defectives, nearly 100.

We get cases which should really be in the reformatory, a number of them, both girls and boys.

Philadelphia is a big city; among the lowest section of the city there are many Russian Jews and many among them are feeble-minded. The proportion is very large among the Italians, Jews, and mixed races.

Speaking of the Americans, in the rural districts when you get below Mason and Dixon's line, where the people have intermarried among their own kind, in Maryland, Virginia, and Delaware, you will find imbecility running rampant.

Our statistics are very defective.

Relative to the school work, Dr. Barr submitted the following data:—

There are some children who are able to go through the whole of the school. They go to fractions. They will learn to read in the third reader and to enjoy an ordinary book. Nine per cent. of them get as far as this. About two-thirds of the children we have in the institution come to the school.

It is impossible to teach the worst child anything like reading or writing, He can only have the very beginning of kindergarten work, the very simplest exercises. They sew cards in leather, with shoe strings.

We keep them in the school for a limited time, as long as there is any gain. Then we send them to the custodial buildings, and there they can perhaps help others.

They are not limited as to age. When the limit of educability is reached we send them to the custodial home. There is very little to be done after the fifteenth year.

The high grade children go out. The boys, 95 per cent. of them go to the bad, and the girls the same; I should be in favour of retaining them.

Many of the children are absolute criminals. Some are the victims of circumstances, but the absolutely bad children we cannot do anything with. We have fifty to seventy-five of them.

I think our Government should take up the question of these children. I should have these form a national colony on the bad lands of the West, to be taken care of under military discipline.

If they are kept here there must be a separate department, absolutely separate.

Of the 270 custodial cases about 100 are of the lowest grade, who are unable to feed themselves.

There are in the school twenty teachers; fifteen regular teachers, two visiting teachers, and three attendant teachers, the latter being employed in the custodial departments, but we were told that they really do a teacher's work.

We were informed by the matron that a few of the children go home for holidays in summer. The teachers have a vacation of two months, and during the absences the places are filled by substitutes. In summer the children are taught in outdoor classes, of which there are six or seven.

We visited many of the school rooms; first, a room containing sixteen of the high grade children, engaged in kindergarten work; a room for boys, twenty five present; one for girls, seventeen present. These rooms, we were told, are not classified as to ages.

In the schoolroom for the larger girls, containing twenty-five, were many high grade moral imbeciles. They were engaged in sewing. Dr. Barr stated that altogether £300 worth of work is produced yearly in the sewing room.

The oldest boys in the school we saw engaged in drawing and colouring designs. The teacher stated that these worked in fractions and read in the third reader.

There was a good exhibit of the children's work, including basket weaving, in Indian design. The lower grades are engaged in industrial work. We saw eighteen of them and were informed that they polish floors, and perform other simple duties about the institution. They had been given up as unteachable in the school, but are receiving the training of the hands, the folding of napkins, and the knitting and winding of cotton rags.

Some of the larger middle grade boys were cutting pasteboard picture frames, and other small articles. Dr. Barr stated that the paper is used instead of wood because of its cheapness.

Two of the low grade boys were weaving and neither of them could be taught to read or write; others were winding cotton rags in this room. An excellent quality of Norway mat, of which several hundred dollars' worth is sold, is made by the inmates.

There is a shoe shop, but not all the boots and shoes for the institution are produced there; Dr. Barr stated, however, that eventually this would be accomplished and that before a year was out they would do all their own tailoring.

The printing room contains two presses, and all the work of the institution, including the printing and binding of the Report, is done there. At the time of our visit we saw five boys engaged in the room.

In a sloyd room, where twelve boys were seen working, the children make small things for the institution.

The institution also has a large assembly room, where a dance for the children is arranged every Saturday night, stereopticon views on Wednesday and services on Sunday.

The school has a band and a large singing class, in which many of the lower grades, who are very talented in this respect, participate.

On the review grounds which are large, we witnessed a military drill of about 150 boys, some of them low grade cases. The military training is a great factor in the education at Elwyn. There are also football and baseball teams, and all those who are capable of receiving any training take part, the number being about 700.

One of the cottages seen, we were told, contained eighty girls. The teachers are housed in a separate cottage. There is also a hospital for non-contagious diseases, and an epileptic department, where we saw 120 boys in one of the cottages and were told that there was another building for the girls. Most of these were middle grade epileptic cases, superficial idiots, and idio-imbeciles. Mechanical restraint is used, but Dr. Barr stated that it is recorded in each case. We saw boys working among the low grade imbeciles, and these receive a remuneration of one cent per day for their work.

Forty-six of the low grade boys were seen in one room, with three attendants; in another room, where the cases were not quite so low, were only two attendants.

On the whole, it appeared to us that Elwyn, both in its excellences and in its defects resembled the Royal Albert Institution. There was the same elaborate and careful training and good order, the buildings, though not nearly so palatial, were adequate and healthy, and the children looked healthy, happy, and well cared for. On the other hand, there were the same difficulties and varieties of fortune in obtaining admission and the same want of power to detain even the cases most unfit to be at large unless they were paying patients. There was a large waiting list seeking admission. There was no systematic drafting of the uneducable cases to a colony or other custodial institution where they might be detained permanently under the sanction of the law. The good work done in both institutions appears to be often nullified by a like defect in the legal powers of the managers.

It will be seen later that this defect has been partly removed by the Legislature of Pennsylvania in respect of their more recent institution at Polk.

The State Institution for the Feeble-minded of Western Pennsylvania at Polk.

Visited by all the Commissioners on November 11th 1905.

This is a particularly interesting institution, being of quite recent design and scope. It was established under a special law of 1893 with the object that it should supplement the Elwyn Institution, and should provide for the requirements of Western Pennsylvania by methods which should reproduce all the good points of the older institution and substitute improved arrangements in matters in which Elwyn had been proved defective.

The Act empowered five Commissioners, nominated by the Governor, to buy an estate of over 800 acres of good land and to erect buildings thereon to be approved by the State Board of Charities; the initial

appropriation was £50,000. The buildings were to contain two groups; an educational and industrial department and a custodial or asylum department.

It was enacted :—

Sec. 10.—That this institution shall be entirely and specifically devoted to the reception, detention, care and training of idiotic and feeble-minded children and shall be so planned in the beginning and construction as shall provide separate classification of the numerous groups embraced under the terms idiotic and imbecile or feeble-minded. Cases afflicted with either epilepsy or paralysis shall have a due proportion of space and care in the custodial department. It is specifically determined that the processes of an agricultural training shall be primarily considered in the educational department, and that the employment of the inmates in the care and raising of stock and the cultivation of small fruits, vegetable, roots, et cetera, shall be made largely tributary to the maintenance of the institution.

Sec. 11.—There shall be received into the institution feeble-minded children under the age of twenty years, whose admission may be applied for as follows :—

First.—By the father, if father and mother are living together.

Second.—If father and mother are not living together, then by the one having custody of the child.

Third.—By the guardian, duly appointed.

Fourth.—By the superintendent of any county orphanage.

Fifth.—By the person having the management of any other institution or asylum where children are cared for.

Under items three, four and five, consent of parents, if living, is not required.

All inmates are subject to such rules and regulations as the board of trustees may adopt.

Sec. 13.—Any parent or guardian who may wish to enter a child into said institution for treatment, culture or improvement, and pay all expenses of such care, may do so under terms, rules and regulations prescribed by the superintendent and approved by the trustees.

Sec. 14. Said board shall receive as inmates of said institution feeble-minded children, residents of this State, under the age of twenty years, who shall be incapable of receiving instruction in the common schools of this State. Said board shall prescribe and cause to be printed instructions and forms of application for the admission of such and shall include therein interrogatories to which they shall require answers under oath, showing such facts as may be needed for the information of said trustees. Such printed instructions and forms shall be furnished to all applicants for the admission of any person or patient in whole or in part as a State beneficiary and shall be endorsed by the board of commissioners or the directors of the poor of the county in which he or she resides at the time of making the application.

Sec. 15.—Adults who may be determined to be feeble-minded, and who are of such inoffensive habits as to make them proper subjects for classification and discipline in an institution for the feeble-minded, can be admitted upon pursuing the same course of legal commitment as governs admission to the State Hospital for the Insane.

Sec. 16.—The board of commissioners or directors of the poor of a county, in approving the application for the admission of a person to said institution, shall state whether or not such child has an estate of sufficient value, or a parent or parents of sufficient financial ability to defray the expenses in whole or in part of supporting such child in said institution, and if there be such means of support, in part only, then the amount per month which the parents or parent or legal guardian of such child may be able to pay, and the person or persons who make the application for such admission shall therein make statement under oath as to such means of support. Said board of trustees, in accepting the application for the admission of any person shall fix the amount, if any, and shall require payment for such support, so far as there may be ability to pay, as a condition to the admission or retention of said person. Said amount may at any time be changed by said trustees, according to their information concerning the means of support. Where the indigence of the child or its family be such as to require its admission upon the full beneficiary fund of the State, the ascertainment of the facts shall be as hereinbefore stated, and the support at the institution shall be provided for by annual appropriations at such per capita rates as shall be appropriated by the Legislature on the application of the trustees, after submission and approval of the same by the State Board of Public Charities.

The forms now in use for the admission of patients are appended.

APPLICATION FOR THE ADMISSION OF A FEEBLE-MINDED PERSON OVER TWENTY YEARS OF AGE.

I, the undersigned, hereby request you to receive , a feeble-minded person, as an inmate into your Institution, believing that such detention is necessary for h benefit. Subjoined is a statement respecting the said

(*Signed*)
Occupation
Degree of relationship (if any), or other circumstance of connection with the feeble-minded person.
Dated this day of , one thousand nine hundred
To
Superintendent of State Institution for Feeble-minded of Western Pennsylvania, Polk, Pa.

PHYSICIANS' CERTIFICATE.

We, the undersigned, residents of Pennsylvania, hereby certify that we have within one week prior to the respective dates hereinafter mentioned, at in the county of separately examined of and do verily believe that the said is feeble-minded and of such inoffensive habits as to be a proper subject for classification and discipline in an institution for the feeble-minded.

We further certify that we have been actually in the practice of medicine for at least five years, and that we are not related by blood or marriage to the said nor in any way connected as a medical attendant or otherwise with the institution in which it is proposed to place the aforesaid.

(*Signed*) M.D.
Residence,
(*Signed*) M.D.
Residence,
Dated this day of , one thousand nine hundred

CERTIFICATE OF MAGISTRATE OR JUDICIAL OFFICER.

I, a
of County, of the State of Pennsylvania, do certify that the foregoing certificate was duly sworn or affirmed to before me by the above named and
on this day of 190 ; that the signatures thereto are genuine, and that the signers are physicians of good standing and repute.

[*Seal.*]

STATEMENT.

IF ANY PARTICULARS IN THIS STATEMENT BE NOT KNOWN, THE FACT TO BE SO STATED.

1. Name of feeble-minded person, with Christian name at length - - - -
2. Sex and Age - - - - - - -
3. Residence for the past year or so much thereof as is known - - - - -
4. Occupation, trade or employment - -
5. Parents, if living - - - - - -
6. Husband or wife - - - - - -
7. Children - - - - - - - -
8. Brothers and sisters, and the residence of each of these persons - - - -
9. If not more than one of these classes is known, the names and residences of such of the next degree of relations as are known - - - - - - - -
10. A statement of the time at which the mental enfeeblement was first noticed, and the circumstances that induced the belief of its existence - - - -
11. Name and address of all medical attendants during the last two years - - - -

(*Signed*) NAME

(When the person signing the statement is not the person who signs the order, the following particulars concerning the person signing the statement are to be added, viz. :)

Occupation (if any) - - - - - -
Residence - - - - - - - -
Degree of relationship (if any) or other circumstances of connection with the feeble-minded person - - - - - -

LUNACY LAW OF 1883.

Note.—The certificate must be signed by at least two physicians and made within one week of the examination of the patient, and within two weeks of the time of the admission of the patient, and shall be duly sworn to or affirmed before a judge or magistrate of the Commonwealth of Pennsylvania, and of the county where such person has been examined, who shall certify to the genuineness of the signatures and to the standing and good repute of the signers.

And any person falsely certifying as aforesaid shall be guilty of a misdemeanour and also be liable civilly to the party aggrieved.

Act of Assembly No. 256, passed at the Session of 1893. Extract relating to the Admission of Adults to the State Institution for Feeble-Minded of Western Pennsylvania.

SECTION 15.—Adults who may be determined to be feeble-minded, and who are of such inoffensive habits as to make them proper subjects for classification and discipline in an institution for the feeble-minded, can be admitted on pursuing the same course of legal commitment as govern admission to the State Hospital for the Insane.

CERTIFICATE OF DIRECTORS OR OVERSEERS OF THE POOR.

We, the undersigned, of the Poor, for the Poor District of hereby certify that we have examined the circumstances of the above-named feeble-minded person and of h parents, and find that the said feeble-minded person has the following property and estate, to wit :

and that h parents have the following property and estate, to wit :

and we further certify that the said feeble-minded person has an estate of sufficient value to defray the expense in* of h maintenance in the State Institution for Feeble-Minded of Western Pennsylvania, and that the parents of the said feeble-minded person are of sufficient financial ability to defray such expense in*
and that the of the said feeble-minded person is able to pay dollars per month towards such expense. And we further certify that the legal settlement of the said feeble-minded person is in the said district.

Witness our hands the day of 190 .
(*Signed*)

* Here insert "whole" or "part."

This application when properly filled out, is to be mailed to
J. MOORHEAD MURDOCH, M.D., *Superintendent*,
Polk, Penn'a.

APPLICATION FOR THE ADMISSION OF A CHILD UNDER TWENTY YEARS OF AGE.

190

To the Board of Trustees of the State Institution for Feeble-Minded of Western Pennsylvania :

I the undersigned resident of County of State of Pennsylvania, respectfully request that my* aged years be named admitted to the State Institution for Feeble-Minded of Western Pennsylvania.
(*Signed*)

* Insert son, daughter or ward unless application is made by the Superintendent of a County Orphanage or a person having the management of any other Institution or Asylum where children are cared for, when this space shall be left blank.

NOTE.—The above declaration is to be signed by either the parent or guardian or the superintendent of the County Orphanage, or the person having the management of the Institution or Asylum where the child is at present cared for. Said person shall also, with the assistance of the physician, answer under oath the following questions.

[Here follow ninety-seven searching enquiries].

CERTIFICATE OF MAGISTRATE OR JUDICIAL OFFICER.

I , a
of County, of the State of Pennsylvania, do certify that the foregoing answers were duly sworn or affirmed and subscribed to before me by the above named on this day of 190 .

(*Signed*)

CERTIFICATE OF PHYSICIAN.

I, the undersigned, certify that I have examined the above named and find that he is by reason of being feeble-minded, incapable of receiving instruction in the common schools of this state. has bodily health and no *contagious disorder.*

(*Signed*) M.D.

Date, 190 . Residence

NOTE.—The above certificate is to be signed by the family physician or a medical practitioner who is earnestly requested to aid in the answering of the foregoing questions. Any thoughts or suggestions about the case or facts not set forth above, if sent direct to the superintendent will be considered confidential.

CERTIFICATE OF DIRECTORS OR OVERSEERS OF THE POOR.

We, the undersigned of the Poor, for the Poor District of hereby certify that we have examined the circumstances of the above named child and of h parents, and find that the said child has the following property and estate, to wit :

and that h parents have the following property and estate, to wit :

And we further certify that the said child has an estate of sufficient value to defray the expenses in* of h maintenance in the State Institution for Feeble-Minded of Western Pennsylvania, and the parents of the said child are of sufficient financial ability to defray such expense* and that the of the said child is able to pay dollars per month towards such expense. And we further certify that the legal settlement of said child is in the said district.

Witness our hands the day of 190 .

(*Signed*)

* Here insert "whole" or "part."

This application, when properly filled out, is to be mailed to

J. MOORHEAD MURDOCH, M.D.
Superintendent.
Polk, Penn'a.

The inmates in the State Institution for the Feeble-minded of Western Pennsylvania at the time of our visit numbered 1 166, of whom 669 were males and 497 females. 350 are taught in the school, and of the total number 20 to 30 per cent. are of very low grade.

With regard to the school work, Dr. Murdoch, the superintendent, stated it was the idea to give every child who is capable of learning, the opportunity attaining some knowledge of reading and figures; but the work is not carried very far beyond the primary stage, the aim rather being to develop the industrial work as more useful. Some of the children work in fractions, but those are the exceptions, the greater number of them only getting up to addition and subtraction. In reading, they reach the third reader at the best. Each child who seems capable of learning is given a fair trial of some months, but if after that time no results are apparent, the principal teacher takes it away for solely industrial training. Dr. Murdoch stated it was surprising how well such a child sometimes progressed in the industrial work. Of course, jointly with the school work, every child receives industrial training.

The total cost of the institution buildings was $750,000, viz. £125 per head: the cost of maintenance is 14s. 6d. a week. A separate building for the lower grade, custodial cases, cost £30,000. This latter building is complete in itself having a separate kitchen and separate administration, but it is heated from the central plant. There are in the building 250 inmates, making the cost per bed £120. The grounds about the institution cover nearly 1,000 acres and most of the buildings were erected eight years ago. There is a separate and well-equipped hospital building, with two large wards, in which at the time of our visit we saw only three patients, an operating room, and upstairs a ward for contagious diseases. The total staff of the institution consists of three medical men and 116 employees, which number includes the teachers.

The buildings, though erected at such moderate cost, were of substantial construction and pleasing appearance, and so arranged as to secure free ventilation and ample means of classification.

The large hall, or assembly room, which was used for many purposes, appeared to us a most valuable adjunct to the institution and served very efficiently in lieu of a number of buildings which, if separately provided, would have cost large sums.

In a remote and picturesque part of the estate, we were informed that there was a summer camp with simple inexpensive shelters and dormitories, where the inmates spent a week or more in the fine weather in batches, to their great advantage and pleasure.

The Children present September 30th, 1904, were thus Classified:

Classification.	Boys.	Girls.	Total.
School Department—			
In class room	146	93	239
In training classes	36	29	65
Manual Department—			
In grading, road making, etc.	40	—	40
In shops	48	—	48
In garden and farm	48	—	48
In laundry	3	25	28
In domestic duties	59	154	213
Custodial Department—			
In asylum	132	93	225
In nursery	53	49	102
	565	413	1,008

Number Employed in Industrial Branches:

Branches.	Boys.	Girls.	Total.
Bake shop	3	—	3
Blacksmith shop	1	—	1
Carpenter shop	6	—	6
Domestic duties	59	154	213
Farm	48	—	48
Grading	40	—	40
Laundry	3	25	28
Manual room	14	—	14
Painting	2	—	2
Power house	—	—	—
Sewing rooms	—	24	24
Shoe shop	6	—	6
Tailor shop	15	—	15
Henneries	6	—	6
Mattress shop	12	—	12
	215	203	418

The proportions at the date of our visit were much the same.

Outline of School Work.

Kindergartens.

Kindergarten D.—Consists of quite small children.

Kindergarten C,—Consists of boys.

Kindergarten B.—Consists of small boys and girls, who have primer and blackboard reading with kindergarten occupations.

Kindergarten A.—Consists of larger boys and girls, having primer and blackboard reading, number work, slate writing, with kindergarten occupations.

Class E.

Boys and Girls.

Primer, First Reader, blackboard reading, simple number work, letter writing with pencil, time telling, nature study, basketry, bead work.

Class D.

Boys.

First and Second Readers, simple addition and subtraction, letter writing, copy books, weights and measures, toy money, time telling, basketry, nature study.

Class C.

Boys and Girls.

Second, Third and Fourth Readers, simple operations in the first rules of Arithmetic, weights and measures, toy money, time telling, nature study, basketry, bead work, fancy work.

Class B.

Boys.

Third and Fourth Readers, compound numbers, letter writting in ink, Geography with maps and globe.

Class A.

Boys and Girls.

Third and Fourth Readers, decimals, letter writing in ink, Geography with maps and globe, basketry, bead work, fancy work.

Going through the institution, Dr. Murdoch conducted us first into his office, to which is attached a small dispensary and examining room, where slight ailments are treated. We were told that a dentist comes from Franklin, Pa., a near-by town, once a week.

We saw two dormitories of twelve beds each, occupied by girls who attend the school. Dr. Murdoch stated that the system of grading was a practical one, those who were congenial being put together. The girls assist in the care of the dormitories, in bed-making, sweeping, etc.

In a day-room were fifty-six girls, with two attendants. Each of these day rooms had a smaller one opening from it, in which children were also assembled.

On the same floor is a large dining room for girls, with a kitchen, where the cooking is done by natural gas, and a bakery.

Upstairs was a tailor shop containing five machines. Here all the clothing for the institution is made, including girls' cloaks, jackets, trousers, etc. About twenty-five boys work in the shop half a day, which Dr. Murdoch thought was better than a whole day's work, although he stated that occasionally when the need was pressing, the boys did work for a full day.

In the shoe shop all the repairing is done, and 75 per cent. of the new boots are manufactured.

A large amount of raffia work is done in the institution. We were told that last summer nearly every girl had a raffia hat which had been made by the inmates, and some of them were sold. Some of the low grade children were employed in braiding rope, making hammocks, mats, etc.

About fifty of the boys are employed in the sloyd room, where some practical work is accomplished. There were nine large benches.

We passed through the rooms of the higher grade boys, who were playing cards and checkers, others were listening to a phonograph. In this room we saw a crippled boy, who having been taken away from the institution by his mother, came to grief on the rail-road, losing both legs; after the accident he returned to the institution. All these boys were attending school

a part of the day and were engaged in industrial work for the remainder In another room we saw lower grades, who were doing farm work. We saw some of the lower grades attending the school; these go into the manual training classes, but are not taught reading or writing. Most of them were defective in speech. Dr. Murdoch stated that many of the children received a leave of absence occasionally to visit their parents.

One of the cottages for the low grade cases contained 214 inmates, some of these being middle grade imbeciles. These, however, have separate quarters from the low grades. We were informed that many of the patients in this cottage had been there since the institution opened, having then come from the almshouses. Many of the middle grade children assist in caring for the lower grade there being one aid for five or six children. A ward of fifty-four low grade cases was in sole charge of a man and his wife, aided by a supplementary, who goes from department to department. The attendants live in this building. In the court there was a stone pile for the lowest grades. The cottage for low grades contained both boys and girls, the boys being on the one side and the girls on the other. Upon being asked if any work was done by the low grade boys, Dr. Murdoch stated that they assisted in making their beds, and in shovelling dirt and in grading; but he stated that they had to be guarded because they attempt to escape. They also help in the sewing room.

In this cottage there was a division for the girls acting as aids in taking care of the lower grade cases. They live there without the supervision of an attendant, have their own rooms and a sitting room.

We also saw the low grade females assembled in a room with bars at the windows.

The power house of the institution was very interesting, being heated entirely by natural gas derived from the wells of Western Pennsylvania; but there is also a provision for coal heating, should the gas supply fail. Therefore, a supply of coal is constantly kept on hand. The cost of the natural gas is $12\frac{1}{2}$ cents.

Most of the washing in the laundry is done by machinery. There are seven employees and sixty patients employed there, the work being carried on daily, some of the patients working in the morning and others in the afternoon.

For convalescents who are unable to walk the institution provides a pony cart. This we saw driving about, with four children in it; they seemed to be enjoying the exercise greatly.

In the well-kept barn we saw a herd of 100 Holstein cows, whose milk is all used by the institution; no butter is made. A record is made of the quantity of milk from each cow. We were told that the institution also has a poultry farm.

Dr. Murdoch stated that many of the boys working on the farm did so without supervision, some of them driving all the way to Franklin, the nearest town, and back to the institution.

Much attention is paid to Nature study and recreation in the woods, in the school gardens, and the farm. On the latter, a very large amount of useful and remunerative work is done by the boys.

Dr. Murdoch informed us that more than 60 per cent. of the inmates were received at ages between eight and twenty-one and 20 per cent. were adults. The adults were certified and detained compulsorily; they had never had any difficulty in keeping the children. They had at least 100 girls (more than 20 per cent.) who had been on the streets or had got into trouble. He was opposed to the boarding out of feeble-minded children, especially

females above the age of childhood. Kentucky is the only State in which this is done and the results are unhappy. Epileptics and the few dements whom he has, get on quite well with the others.

He uses mechanical restraint (the camisole) once or twice a day to prevent self-injury.

NEW JERSEY.

The comparatively small State of New Jersey contains, in addition to the usual asylums for the insane, prisons, and juvenile reformatories and industrial schools, three State institutions of special interest to the Commission, viz., an institution for defective women, a training school for imbecile boys and girls, and an epileptic colony.

Speaking generally, its laws relating to the insane and the poor are much the same as in New York State, but it has two laws relating to the feeble-minded which are of special interest.

Chapter 137 of the laws of the session of 1904 reads as follows:

"It shall be unlawful hereafter for any person who has been confined in any public asylum or institution as an epileptic or insane or feeble-minded patient, to inter-marry in this State, without a certificate from two regularly licensed physicians of this State that such person has been completely cured of such insanity, epilepsy or feeble-mind, and that there is no probability that such person will transmit any of said defects or disabilities to the issue of such marriage; any person of sound mind who shall inter-marry with any such epileptic, insane or feeble-minded person, with knowledge of his or her disability, or who shall advise, aid or abet, cause or assist in procuring any marriage contrary to the provisions of this Act, shall be guilty of a misdemeanor."

Chapter 134 is a supplement to the Act for the instruction and maintenance of indigent, deaf and dumb, blind and feeble-minded persons, inhabitants of this State.

It reads:

"That any parent, parents, guardian, or custodian who shall make application to have any person admitted to any of the institutions coming under the provisions of this Act, shall in such application, waive all right to remove such inmate, either permanently or for a limited time; provided that any inmate may be discharged upon request of the governor or person administering the government of this State, on the recommendation of the principal superintendent or person at the head of such institution; and provided further that the person at the head of such institution may grant a leave of absence to any inmate for a limited time."

The exact number of feeble-minded persons in the United States is not known. Accurate returns are so hard to get that in the census of 1900 no attempt was made to record them. The latest official returns are therefore found in the census of 1890, which gives 95,571 as the number. Because many parents either do not recognise this condition in their children or resent being questioned about it, there are without a doubt many cases not reported.

However, assuming that the above figures are correct, there are 1,526 feeble-minded for every one million of the population (or one for every 655). Making an estimate upon this basis, there are now in New Jersey over 2,500 feeble-minded persons.

The Training School for Girls and Boys, the State Home for Feeble-minded Women, and the two or three private institutions are caring for about 500 of these.

Many others are in the Hospitals for the Insane, Epileptic Village, the Almshouses, and other institutions. A few are in good homes where (providing the children are easily managed), they may, perhaps, safely remain throughout their lives. By far the greater number, however, are in places entirely unsuited to their needs.

The institutions specially designed for the feeble-minded date from the passing of a law in 1888, which provided an appropriation for the maintenance under the direction of the governor, of indigent, deaf, etc., and "feeble-minded persons," in suitable aslyums, the large sum of £60 per annum for maintenance, and £6 for clothing being granted for this purpose. Special mention was made of feeble-minded females over twelve years of age, who were to receive industrial training and moral and physical care.

It was not until 1904 that provision was made by the Act already mentioned, for the compulsory detention of such persons. Originally the period of training was to be from three to eight years, after which it was hoped that the inmates could be returned safely to their homes.

New Jersey State Home for the Care and Control of Feeble-minded Women, Vineland, N.J.

Visited by all the Commissioners on November 9th, 1905.

View of Institution from the South-West.

The Home at the time of our visit had 160 inmates. The grounds about the institution cover 35 acres.

We were conducted through the buildings by Dr. Dunlap. In the central block we were shown first a large reception room, comfortably and prettily furnished, where patients may receive their friends and relatives. On the same floor is a schoolroom for the younger children, where the usual kindergarten work, modelling in clay, etc., is carried on, a dining-room for the attendants and teachers, and a large dining-room for the patients, seating 124. The latter is furnished with small round tables accommodating four people, and the tables are covered with white cloths.

Upstairs were two large dormitories. Each bed had a white pillow sham embroidered in red, this being the work of the inmates. Leading off from these dormitories there were two open-air sleeping apartments on the verandahs, one holding ten beds and the other seven. These are used for tubercular cases. Attached to each dormitory is a nurse's room, and also a washroom for the patients. There was furthermore a small dormitory, with barred windows, for excitable cases. One patient was seen in this room.

In the attic is the dressmaking establishment, where the garments for the patients are made. These consist of combination suits, *i.e.*, skirt and waist attached, reaching to the ankles. They are usually made of white Canton flannel. The dressmaker is assisted in her work by four or five girls, and fully a dozen patients are able to cut out and make dresses. In another room were girls working upon bed coverings, tufting the quilts, etc. These, we were told, last about a year, when they are renewed. They also do some carpet weaving, enough to supply the institution. There was quite a display of work done in knitting, crocheting, Mexican drawn work, etc. In another room, the clothes of the inmates are kept, each patient having a separate box for her belongings, trinkets, etc., while the dresses are hung in closets; in this room a class is held for mending and darning.

In the assembly hall, which was well equipped with all gymnastic appliances, we witnessed a drill in which about 35 girls dressed in very pretty gymnasium costumes took part; none of these girls was under fourteen years of age, and some were quite middle-aged. They also went through various interesting exercises, one of which consisted in balancing themselves on narrow wooden rails, resembling a railroad track. Dr. Dunlap stated that the girls receive a daily training of one hour in this physical work, on the utility of which she laid great stress, and an hour for reading and writing, the periods being of twenty minutes duration; no classes are for a longer time. Much attention is also given to the musical training; many of the girls sing, and there is a stringed band of nine, which played wonderfully well.

The per capita cost of maintenance is 18s. per week. Up to the present the cost of land, buildings, etc., amounts to $70,000.00, which for the 160 inmates is at the rate of £90 per head. The superintendent stated that this capital expenditure would have been at least four times as much if the work had been carried out by the city council or other local authorities, who invariably paid more than is necessary. The small figure was due to unwearying personal attention and to the trustees dealing with the finances as if they were using their own money.

The teaching staff consists of two trained teachers, for physical culture music and English, two sewing teachers, and two for washing and ironing.

Exercises in Gymnasium.

The institution is heated by a power house, which also does all the laundry work. The attendants sleep in the power house.

In the ironing room we saw thirty-six girls at work, some of them the lowest grades. Each was supplied with an individual stationary ironing-board, and the iron was heated by gas. In the wash room individual white porcelain tubs were used, twelve girls being at work there. Both the washing and ironing rooms were large and cheerful, with benches for recreation. The girls work here daily, ceasing at about four in the afternoon.

The worst cases were placed in a separate cottage. Many of these were epileptics, but no mechanical restraint of any sort is used in the institution, and there were no dark cells. In this department about twenty were of the lowest grade. In this, as in all other parts of the institution, the inmates were treated with affectionate gentleness, as if they were children.

In the basement of the central block we saw a recreation room where the patients were enjoying themselves; one was playing the piano and many were dancing.

There were in the institution two patients advanced in years, one seventy and the other eighty-nine.

The following is a concise record of our conversations with Dr. Mary Dunlap, the superintendent and sole director, a lady obviously of great capacity and influence both over her charges personally, and over the aims and management of a very interesting institution.

Dr. D.: The cases are committed here for one year. There is a provision also, that if they are not suitable cases, we can return them. The commitments are renewed every year. This is done on my own responsibility. Being a physician as well as superintendent, I can do that without protest. A great many of the women here have had children. We have one case of a mother and daughter here; one woman had four before she came.

I should say that fully one-third have had illegitimate children, in some cases more than one.

Our law provides only for childbearing women, but I think they ought to stay here for life; but some, of course, could be cared for in our almshouses quite well.

The women discharged often relapse, and we don't let them out unless it is impossible to keep them.

We get cases from twelve to thirty-eight, but we keep them for life if we can manage to do so.

They are not committed by the courts, but come through the Governor of the State. He receives the application, he sends for the clinical history and sees that it is a proper case, and if it is, he issues a warrant for one year. The papers are renewed after one year. If, however, this is not a proper place for them, we can dismiss them. We have some few patients who cannot do anything. We have about eighteen or twenty idiots. In the laundry work we can employ the lower grades, but the idiots are a trouble.

The following is the form of commitment to the institution:—

EXECUTIVE DEPARTMENT.

To the Principal of the New Jersey Training School:

SIR,—You will please admit ———— for the county of ———— of the age of ———— into your institution for instruction and support at the expense of the State of New Jersey, and for the term of one year from ———— at the yearly sum of $230.00 and $30.00 for clothing; and you are hereby authorised to draw from the Treasury of the State semi-annually ———— and the Treasurer is hereby authorised to pay the same. Make semi-annual report, giving admission, progress of learning, state of health and remarks.

Given under my hand at Trenton, N. J.,

(*Signed*)

Governor.

An elaborate paper of questions as to the history of the patient has also to be filled up.

THE NEW JERSEY TRAINING SCHOOL FOR FEEBLE-MINDED BOYS AND GIRLS.

Visited by all the Commissioners Nov. 9th, 1905.

This was built and partially endowed by a private chartered association, but is almost entirely supported by State contributions towards the maintenance of the inmates, which has varied from £66 and £55 per annum as a maximum down to considerably smaller sums or even nothing, together with—in all cases—£6 per annum for clothing. On the whole the State contribution has been about £41 per head, sufficient to allow of savings devoted to additional buildings, farm, etc.

The admissions take place on the order of the Governor, practically in the same way as in Dr. Dunlap's institution.

The numbers at the time of our visit were about 350, about one-sixth paying a substantial proportion of their keep and one-third paying something.

The age limits were practically five to twelve for girls and five to twenty-one for boys. The Governor was generally set in motion by the parents or by Charity organisations.

Speaking generally, the institution was an idiot asylum and training school for imbeciles of the type familiar in England. There was perhaps more useful employment in the farm and in the workshops than in our country, and less attention was devoted to education in the sense of literary or other accomplishment.

Professor Johnstone, the superintendent, was not only an enthusiast but an accomplished exponent of his system of sympathetic and personal attention to the individual needs of his pupils, and loving care for them in their defects and weaknesses; and the good results of his personal devotion were manifest even on our short visit.

He accompanied us through the institution and over the grounds.

The North Group.

The Administrative Cottage—Maxha

In the assembly room we saw the 350 inmates, who sang several songs with spirit and enjoyment; there was also a recitation. This assembly is held every morning for twenty minutes. Fifteen minutes of this time are spent in singing and five are devoted to the telling of a story by the superintendent. All the training in music, exercises and so forth is in mass.

We were told that about half of the patients are engaged in some industrial work, coming to the limit of the school education at about fourteen or fifteen, after which they are given manual work. From 100 to 150 are employed in the garden and do nothing else; practically 200 are undergoing some training, mentally or physically. Gymnastics are part of the regular daily training and there is a gymnasium in the basement. Out of the whole number, they are attempting to teach English, that is, reading and writing, to not more than ninety; fifty only out of this number reach the third reader and can do simple division. The average number of children in a class two years ago was nine, but this has now been increased to thirteen, owing to the larger population. The superintendent contemplates engaging a domestic science teacher to train the children on scientific principles. We saw an "unpractical" sewing class, from which, when they become proficient, the girls are graduated into the dressmaking department and the mending room. In the kindergarten two of the older girls are trained to help the teacher, and we were told that last summer, when the teacher was absent on her vacation, one of these high grade girls took entire charge of the kindergarten. In the sloyd room we saw some of the older girls at work and were informed that they came there at four or five in the afternoon when they have finished their work in the kitchen and other departments of industrial work, for training and recreation in the sloyd work. Altogether forty-four children are taught in the sloyd department, there being classes of seven each. Fifty children were in the basket class and fifty in the sewing room.

In regard to the industrial classes, Professor Johnstone stated that in the spring the greater number of them are put to work on the farm. There are 280 acres of ground, and part of this land is devoted to an orchard. The girls pick the fruit and assist in canning. The institution also has a garden, in which the children work, each bed being allotted to a child or to a class of children for caretaking.

In the shoe shop eighty pairs of shoes had been manufactured last year, and all the repairing for the institution is done there. In the tailoring department we saw five machines worked by patients, and we were told that two-thirds of the clothing for the institution is made there. There is, furthermore, a shop for making hammocks, mats, and brooms, but many of these workers had not as yet returned from the farm.

In the storeroom we saw a good supply of canned fruits and vegetables, these being derived from the farm. The peas and corn were put into small cans, but everything else into gallon receptacles; fifteen various kinds of fruits and vegetables were canned. We were informed that the canning process is not expensive, the original apparatus costing only $55.00 and the soldering being very simply done. Both boys and girls work at the canning. In the winter the canning room is used for pickling.

The institution buildings number a total of twenty-one, including a good steam laundry, horse stable, and barn for the cows. The cost of the stable was $2175.00 and the barn $4293.00. The daily milk supply is 60 gallons On the farm most of the work is done by the patients, there being only one paid farmer, one florist, and four paid assistants. Professor Johnstone stated that some of the boys were practically self-supporting. Five were capable of delivering coal from the railroad, without supervision.

An interesting feature of the institution was the privilege allowed to the children to purchase articles at the general shop. Each child has a certain weekly allowance, varying from one cent to seven cents, and upon producing good reports from his teachers, he is granted this credit. For this amount he

can purchase candy, fruit, and small trinkets. Almost everyone in the institution is interested in this department, which, as Professor Johnstone stated, is a stimulus to good conduct.

For the instruction and interest of the children, a board of lady visitors contributed to the institution a number of animals, consisting of three deer, some coyotes, prairie wolves, a coon, rabbits, doves, canaries, monkeys, etc.; and a carousel [*Anglicè*, a roundabout] operated by steam, with a hand organ, is another great source of enjoyment to the children.

A lady presented the institution with a car line and car. On holidays and special occasions the car is produced harnessed with donkeys and the inmates drive about, which gives them great pleasure.

The institution also has a conservatory and some greenhouses, which are in charge of a florist.

For the recreation of the employees a club has been organised. Once a month the employees are called to a meeting at which the work of the institution is discussed. A bulletin on the wall of the main building furnishes suggestions to the employees.

The hospital consists of about four small wards, two of them with verandahs and four single rooms for purposes of isolation. There were about twelve patients altogether in the hospital. There were three cottages for low grade cases, one for females, another for the younger males, and one for the older males. Those for the males only were visited; the one for older men contained seven. These were left in charge of one man attendant, and the inmates did not appear to be well cared for. The rooms were smelly, the patients not very clean, and one at the time of the visit was in restraint. In the department for the younger degraded cases, on the ground floor, there were about seventeen idiots and on the upper floor about a dozen low-grade epileptics. The care and treatment of this block was not such as might be desired for the class of cases. They were not over clean, they were untidy, and the wards were smelly. The mattresses in this department were very hard and lumpy, being stuffed with corn husks.

As a means of punishment in the institution there existed two cells known as "quiet," one being in one of the female cottages and the other in the male. These were semi-dark cells, lined throughout with wood, and contained nothing but a bedstead. The officer showing these rooms explained that they were not used for more than an hour or two at a time, but afterwards stated that the cries coming out of them were sometimes hideous and kept the attendants who sleep on the same flat awake all night. Mechanical restraint, consisting of muffs and camisoles, seemed to be very freely used among the degraded cases and were put on by the attendants or matron without the permission of either the superintendent or the medical officer. One case seen had been in cuffs for a year, and another case was pointed out that had a camisole on every night for over a year.

It is, unfortunately, impossible for us to give any reliable information as to the capital cost of the training school, on account of the gradual way in which it has been expanded and improved, as legacies, donations, and savings on the maintenance fund enabled the managers to carry out their successive improvements.

The New Jersey State Village for Epileptics at Skillman, New Jersey.

Visited by Dr. Dunlop and Mr. Byrne on November 23rd, 1905.

It is a very interesting example of an epileptic colony in an early stage of development. There is a very large farm, old farm buildings re-adapted for the new purposes at a slight cost and supplemented by new buildings, comprising hospital, cottages, children's department, etc., economically built, but perfectly adequate and suitable for their purposes. It is regulated by private Acts of the Legislature, and bye-laws made in pursuance of the powers given by those Acts.

Dr. Weekes, the superintendent, who received the Commissioners, gave them full information as to the history and position of the Colony. It was established for epileptics who were not insane, nor idiotic. We found, however, some low grade imbeciles and idiots. The bye-laws also exclude paralytics, bed-ridden, violent, dangerous and destructive persons requiring mechanical restraint or personal attendance ; also all under five years of age.

Both paupers and non-paupers are admitted. Of the latter there are scarcely any. The process by which they are admitted consists of :—

(*a*) A written request by relatives and an undertaking to pay the charges.

(*b*) A certificate of epilepsy by two doctors and a bond with sureties to pay for the maintenance of the patient.

In the case of paupers, admission requires :—

(*a*) A written request.

(*b*) Evidence before a Judge of Common Pleas of the epilepsy and indigency of the patient, and of the consent of the Poor Law authority of his township, viz., the " chosen freeholder."

(*c*) An order of the judge " to detain him until he shall be restored to health, or removed or discharged from the village according to law."

Discharges take place by the Board of Management on the advice of the superintendent, and also theoretically, by the Court of Common Pleas. Most of the patients remain willingly in the institution, there being very few escapes.

It is the duty of the overseers of the poor to send to the village by the procedure set out above all chargeable epileptics, and also to take action when relatives apply to them and produce suitable cases. Moreover, all officers of asylums or State or county institutions must send their epileptics who are not insane or idiotic to the village. We were informed the State of New Jersey proposes to develop the institution so as to meet the full requirements of the State.

The present cost of maintenance is naturally high—about 25s. a week—the number of patients being small. The charge of maintenance is borne partly by the State and partly by the Poor Law authorities. The county collectors have to pay two dollars a week, and thirty dollars per annum for clothing for each patient, and it is their duty to recover from the relatives such sums as they are able to pay.

The total *per capita* cost of the land, buildings, etc., amounts to £263 for each of the 300 inmates, whose immediate reception is contemplated; but the site, the farm of 890 acres, the water supply, and other provisions, are adequate for at least four times that number.

At the present time, farm and garden work together with levelling, road-making, cementing, etc., form the bulk of the men's work throughout the year, and of many of the women's for seven months of the finer weather. The fine

range of workshops including carpenters, smiths, boot-makers, and three others, large enough to employ 75 or 100 men, have just been built for £2,400 ; but at the date of our visit they had scarcely been brought into use.

There is a fine laundry in which we observed that for the safety of the epileptics working there, the power for each machine was provided by a separate motor in order to avoid belting and other gearing.

A cottage for eighteen of the women of the highest mental grade and two paid servants attracted our attention. It was entirely complete in itself except that it had no laundry and provided separate bedroom accommodation for each inmate. The cost of this had been £3,000.

A particularly fine building had been erected and was ready for 100 children, with rooms for an assistant doctor, the chief matron, and two teachers. This building was entirely complete in itself and cost £900.

Another well designed house, complete in itself, save laundry, provided, in separate bedrooms measuring 12 feet by 10 feet, for forty women of low mental grade and six paid servants at a cost of £100 per head.

Two smaller cottages for twenty-eight middle and low grade men cost £95 per head. The inmates here slept in dormitories and were looked after by an attendant and wife in each cottage. We observed several lunatics and idiots among these.

Dr. Weekes spoke with enthusiasm of the good work which he believed would be done in the institution at Skillman. He strongly recommended large colonies, and regarded extensive farms with good land for gardens as essential.

An interesting remark made by Dr. Weekes as showing the value of the labour of epileptics was noted. Among work under way at the time of the visit was a ditch about 3 or 4 feet deep to connect the drain of one of the new houses with the main sewer. Dr. Weekes was asked whether this ditching was being done by inmate labour, and his answer was to the effect that he could not afford to let the inmates do the work for it was cheaper to contract for the digging of the drain than to pay for the supervision of the inmates when doing it.

The buildings, he thought, should consist of separate blocks of a cheap character for the different grades, with a central laundry, power-house, and workshops. He was also in favour of the use of inmates of the higher mental grades as servants and attendants on the lower grades.

Such an institution, he thought, should, when in full swing, maintain its inmates at a cost not exceeding 8s. a week. He was in favour of classification by mental capacity and not at all by the degree of epilepsy. And he saw no reason why feeble-minded persons not suffering from epilepsy but requiring institution care, should not live and work on separate portions of the same estate under the same superintendent.

OHIO.

In this State the insane and the feeble-minded, *i.e.*, idiots and imbeciles, are dealt with, as in New York and most of the other States we visited, under separate laws and in entirely separate institutions.

The State has recognised the desirability, and undertaken the burden of dealing both with all the feeble-minded and with all epileptics requiring institution treatment, and the large institutions which we are about to

describe have gone some way towards and are intended eventually to attain, these objects.

We were informed—but were unable from lack of time to verify by personal investigation—that there were fewer lunatics and mental defectives left in the almshouses of this State than elsewhere, but that there were no doubt considerable numbers of both maintained in the homes of parents and relatives. This would seem to be *à priori* probable in an enormous agricultural State with a scattered population, however willing the State authorities might be to provide more suitable educational and custodial treatment.

Columbus State Institution for the Feeble-minded.

Visited by all the Commissioners November 13th, 1905.

The Ohio Institution for Feeble Minded Youth was established in the year 1857, and its benefits restricted to children of the class described by law; in 1898 its benefits were extended by law to adults of the same class, thus practically dividing it into two departments, the training and educational department for children, and the custodial, training and industrial department for adults.

Objects.

The object of the institution is best stated by quoting the language of the two statutes, establishing it in its present form, and prescribing its general object and purpose.

Section 674. (Training and Education of Inmates.) The object aimed at in the institution is to train and educate those received, so as to render them more comfortable, happy, and better fitted to care for and support themselves; to this end the trustees shall furnish to them such agricultural and mechanical education as they are capable of receiving, and as the facilities furnished by the State will allow, including shops and employment of teachers of trades.

Section 674A. (Custodial Department at Institution.) There shall be a custodial department established in connection with the Ohio Institution for Feeble-Minded Youth. That said department shall be entirely and especially devoted to the reception, detention, care and training of idiotic and feeble-minded children and adults, regardless of sex or color, and shall be so planned in the beginning, and constructed, as shall provide separate classifications of the numerous groups embraced under the terms idiotic and imbecile or feeble-minded. Cases afflicted with paralysis shall have a due proportion of space and care in the custodial department. It is specifically determined that the processes of an agricultural training shall be primarily considered in this department, and that the employment of the inmates in the care and raising of stock and the cultivation of small fruit, vegetables, roots, etc., shall be made largely tributary to the maintenance of the institution. Such other industries as the board of trustees and the superintendent may deem necessary and useful for the welfare of the inmates, and as tending to their proper employment, or as contributing to their development, discipline, and support, may, from time to time be added.

General Provisions Governing Admission.

Section 671. (Admission of pupils, and their expenses.) The Trustees of the Institution for Feeble-Minded Youth are authorised to admit into the institution all youth of this class who have been residents of the State for one year, and are not over fifteen years of age, and who are incapable of receiving instruction in the common schools.

Admission of Children to Educational Department.

Children between the ages of six and fifteen who are "idiotic" or so peculiar or deficient in intellect as to be incapable of being educated at an ordinary school, and who are not epileptic, helplessly crippled or deformed, may be admitted by the superintendent. Application on behalf of others not embraced in this general description, shall be especially referred to the action of the board of trustees. The parents or next friends to those on whose behalf applications are made for admission as pupils, are expected to make answers in writing to such interrogatories as are provided in Sec. 672. All pupils will be expected to come provided with a supply of neat and substantial clothing. There will be a vacation during the months of July and August, unless otherwise directed by the board, at which period all pupils must be removed by the parents or guardians, unless otherwise directed by the superintendent.

Admission of Adults to the Custodial Department.

Section 674F. (Admission of Adults.) Adults who may be determined to be feeble-minded, and who are of such inoffensive habits as to make them proper subjects for classification and discipline in an institution for the feeble-minded, can be admitted, on pursuing the same course of legal commitment as governs admission to the State hospitals for the insane.

Children may also be admitted to the department under Section 674E.

Epileptics, insane, the vicious, helplessly paralysed, hopelessly crippled or deformed, the blind, the senile, and dements from causes occurring after puberty, cannot be received under the law governing this Institution. Since the enactment of the law creating the custodial department all commitments must be made through due process in the Probate Courts, after the fitness of the applicant, under Section 674E and compliance with the instructions prescribed by the trustees and superintendent of the institution, has been fully made and shown to the Court. Commitment is then made as provided in Section 705, Bates' Statutes.

Farm or Custodial and Industrial Department for Males.

This is located at Morgans, about twelve miles south west of the original or central institution in Columbus, and is intended for the custodial care and industrial training and employment of adult males of the feeble-minded class; the Columbus buildings being devoted to the educational department for children and the custodial care and industrial training of adult females who are supposed to be improvable. With both departments it is hoped will be gradually realised—as rapidly as the buildings and other appliances for their care may be provided by the Legislature—all the aims for which the institution was originally founded; the principal among which was to make this class less a burden to themselves and society, and by so doing prevent the increase of their kind, which experience has shown results from neglect or lack of far-seeing guardianship; and with

this care and guardianship they will be trained to compensate, at least in part, for their custody, by such self-supporting labour as they are capable of rendering in the simpler occupations of agricultural labor and farm life.

The administration and policy of this institution therefore, is to make the parent institution the teaching and training department of imbecile children of teachable age, and the farm the working or industrial department, where all who are capable of any sort of useful physical exertion or industrial training will be finally and fully cared for, guarded and protected, and under humane direction made as self-sustaining as possible, whether they remain in charge of the State or are recommitted to their families and friends.

The institution benefited for many years by the enthusiastic energy and great capacity of a superintendent—Dr. Doren—whose name is well known to all interested in the treatment of the feeble-minded.

His recently appointed successor, Dr. Rorich, received the Commissioners with marked friendliness and spared no pains in assisting them in their work. The information which he gave both as to his own institutions and as to the general condition of the State in regard to the matters in which we were interested was of great interest and value.

The present friendly attitude of the legislature was due, he told us, in large measure to the indefatigable efforts of Dr. Doren extending over many years. There was no accurate knowledge as to the number of feeble-minded in the State, but a general apprehension that they were numerous and a source of great public evils. Private provision was practically non-existent. Epileptics were numerous in the insane asylums and the feeble-minded institution, notwithstanding the existence of the large state Institution for Epileptics at Gallipolis.

The excellent State Reformatory for boys at Lancaster no doubt contained many youths suitable for a feeble-minded institution, but they were well cared for there, well educated, and their disposal carefully thought out.

As regards girls, the State institution did in fact receive many who were immoral—even prostitutes—because of their mental defect. Magistrates used it for that purpose, but this class was very numerous, and at present the State institution failed to meet the whole difficulty, though it hoped eventually to do so. The State was liberal, and in ten years there would be 1,000 of this class under care, where now there were a few score.

The drunkard, as such, is not dealt with by the State in the absence of visible insanity, feeble-mindedness, moral insanity, prostitution or criminality

Admission to the State Institution.

The forms in use are as follows, non-essentials being omitted.

Affidavit Applications for Commitment to the Ohio Institution for Feeble-minded Youth.

Ohio, ———— County, SS.

————————, the undersigned, a citizen of said County, makes application for the commitment of ———————— to the Ohio Institution for Feeble-Minded Youth, and being sworn, says that —he believes said ———————— is a feeble-minded person incapable of receiving instruction in the common schools of the State; —h— has a legal settlement in ———————— Township, in this County, and is a proper subject for classification and discipline at an Institution for the Feeble-Minded.

The said feeble-minded person has * ———— an estate of sufficient value to defray the expense in † ———— of supporting h—— in said institution ‡ ————

Dated this ———— day of ———— 190 .

Sworn and signed in my presence,

Probate Judge.

Relatives of said ————

Revised Statutes, Secs. 710, 674f.

Names of Nearest Relatives.	Kinship.	P. O. Address.
.....	.....	.....
.....	.....	.....

* If the person has no such estate, then insert the word "not," and in the blank space following, add, if such is the fact, "but has a parent or parents or legal guardian ———— (giving the name) of sufficient financial ability."

† Here say "whole" or "part" as the case may be.

‡ If in part only, here say, "and may be able to pay $———— per month" (giving the amount).

WARRANT TO ARREST—FEEBLE-MINDED.

Probate Court, ————County, Ohio.

In the matter of

Inquest—feeble-minded.

The State of Ohio,
———— County, SS

To —————— of said County, Greeting:

Whereas, ———— a resident citizen of the county of ———— and State aforesaid, has filed with the Probate Judge of the said County an affidavit alleging that ———— is a feeble-minded person, incapable of receiving instruction in the common schools of the State; —he has a legal settlement in ————Township in this county, and is a proper subject for classification and discipline at an institution for the feeble-minded.

You are, therefore, commanded to arrest the said———— and bring h—— before me at my office in ———— in said county on the ————day of ————A.D. 190 , at ———— o'clock ————M., then and there to abide the order of this Court in the premises. Herein fail not and of this writ make legal service and due return.

Probate Judge.

PRECIPE FOR SUBPŒNA.

INQUEST—FEEBLE-MINDED.

Probate Court, ———— County, Ohio.

In the Matter of ————190 .

No. ————

Inquest—Feeble-Minded.

To the Judge and *Ex-Officio* Clerk of said Court.

Issue Subpœna, directed to the Sheriff of said County for the following witnesses in the above entitled case.

_____ _____

Physician.

_____ _____

_____ _____

_____ _____

Returnable on the _____ day of _____ 190

_____

_____

SUBPŒNA INQUEST—FEEBLE-MINDED.

The State of Ohio,

Probate Court.

_____ County, SS.

To _____

_____

_____ _____

Your are hereby required to be and appear before the Probate Court at the Court House, in _____, in said County, on the _____day of _____ 190 , at _____o'clock _____M., then and there to testify and the truth to speak as to all and singular such matters and things as you may know in the matter of_____ Inquest—Feeble-Minded, pending in said Court, and not depart the Court without leave. Herein fail not, under penalty of the law.

Witness my hand and the seal of said Court, at _____, Ohio,

this _____ day of _____ 190 .

_____

Probate Judge.

By _____

Deputy Clerk.

JOURNAL ENTRY—ORDERS ON HEARING, ETC.

FEEBLE-MINDED.

Probate Court _____ County, Ohio.

_____ 190 .

In the Matter of

_____

Inquest—Feeble-Minded
Orders on Hearing, etc.,

This day this cause came on to be heard,* and the said———————————————
———————————was brought before the Court———————————————
———————————————————————————————————
———————————————————————————————————
———————————————————————————————————
———————————————————————————————————
———————————————————————————————————

Thereupon the Judge proceeded with the examination; and having heard the testimony of ———————————————the medical witness, and of ———————————————and being satisfied that said ——————————————————————————————— is a feeble-minded person, incapable of receiving instruction in the common schools of the State, that —he has a legal settlement in ———————————Township, in this County; that —he has been an inhabitant of the State of Ohio for one year next preceding this date; that h—— feeble-mindedness has occurred during the time —he has resided in this State, and that —he is a proper subject for classification and discipline at the Ohio Institution for Feeble-Minded Youth.

It is therefore ordered that ——————————————————————————— the medical witness in attendance make out a certificate, setting forth the facts as is provided by law.

The Court further finds that said feeble-minded person has † ———— an estate of sufficient value ——————————————————————————————— ——————————————————————————————— to defray the expense in ‡ ———————————of supporting h—— in said institution. ———————————————————————————————

And it is further ordered that an application be made to the Superintendent of said Institution for the admission of said ——————————————————— and that a certified copy under seal, of the certificate of said medical witness and of the findings in this case be transmitted to said superintendent; and it is further ordered that said ——————————— be committed to the custody of ——————————————————— until otherwise ordered, and this cause is continued.

———————————

Probate Judge.

* Instead of the remainder of this sentence, insert the following, in cases where such proceedings are had: "And as it was deemed unsuitable or improper to bring said person into Court, by reason of the character of h—— affliction, the Judge personally visited h—— and hereby certifies that he has ascertained the condition of said person by actual inspection."

† If the person has no such estate, then insert the word "not," and in the blank space following, add, if such is the fact, "but has a parent or parents or legal guardian ———— ———————— (giving the name) of sufficient financial ability. "

‡ Here say "whole" or "part" as the case may be.

§ If in part only, here say, "and may be able to pay $———— per month" (giving the amount)

MEDICAL CERTIFICATE

FEEBLE-MINDED.

The State of Ohio, ———————— County, SS.

I, ——————————————— being duly sworn and examined as the medical witness in the matter of ———————————————————————

alleged to be feeble-minded, do hereby certify that I have this day carefully examined the said ——————————and find in reference to——————— case as follows:

1. Name of patient in full———————————————

2. Sex ——————— Age ——————— Married, single, widowed

3. Condition of life and previous occupation, if any ———————————

4. Religious persuasion so far as known ———————————

5. Previous place of abode ———————————

6. Whether first attack ———————————

7. Age (if known) on first attack ———————————

8. When and where previously under treatment ———————————

9. Duration of existing attack ———————————

10. Supposed cause ———————————

11. Whether subject to Epilepsy ———————————

12. Whether suicidal ———————————

13. Whether dangerous to others ———————————

14. Facts or symptoms indicating feeble-mindedness observed by examining physician

15. Physical causes ———————————

16. Moral causes ———————————

17. Predisposing causes ———————————

18. Habits of patient ———————————

19. Habits of parents ———————————

20. Hereditary or not ———————————

21. Whether patient is free from any infectious disease ———————————

22. After having given the answers to the questions prescribed above by the statute governing these proceedings, please read the answers given by the parents, guardian or next friend, of the person named in the proceedings, to the interrogatories prescribed by the Board of Trustees of the Institution for Feeble-minded Youth, and authorized by the law establishing that institution, and state whether, from these answers and your own examination, the origin or cause of h—— present condition is congenital or otherwise; and especially whether you have observed or would suspect any symptoms of existing or oncoming insanity of epilepsy. Also, whether you consider h—— a proper case, from a medical standpoint, for commitment to the custody of the Institution for Feeble-Minded.

[The "Interrogatories" consist of some sixty searching questions as to mental condition, habits, parentage, etc.]

Dated ——————— 190 .

———————————
Physician.

APPLICATION FOR ADMISSION.

FEEBLE-MINDED.

Probate Court —— ——————County, Ohio.

In the Matter of

No. ————.

Inquest—Feeble-Minde
Application.

To the Superintendent of the Ohio Institution for Feeble-Minded Youth, Greeting :

Whereas, all the proceedings necessary to entitle ——————— to be admitted into the Ohio Institution for Feeble-Minded Youth, having been had according to law, as will appear by the certified copies of said proceedings hereto attached, application is hereby made for the admission of said ——— ——————— into said instiuttion.

This ——— day of ——————— A.D. 190 .

Probate Judge.

The total number of inmates is 1,350, of whom 150 boys are employed in outdoor work. The grounds about the institution cover 187½ acres. The staff consists of the superintendent, matron, 200 employees, one physician, the total number of employees including twenty-five to thirty teachers: this excludes the Farm Colony, which will be dealt with later.

The schools contained 500 to 600 children, with twenty-five teachers.

The children on reception were put into "beginners' classes" divided into brighter and more backward; and the processes of training were as usual. In Mrs. Pinsent's opinion the mental condition of the children in the lowest classes was much the same as would be found in a London special school.

The brighter beginners advanced to the work of a First Standard in a normal school.

From the beginners several graduations led up to the most advanced grade who were capable of instruction in music, geography, reading above the Third Standard, and (in a few cases) fractions. Many of these bright-looking girls were described as of bad habits, requiring strict discipline. About half of the small number who reach the highest class would be thought fit to go out to their families, or to recommended situations; the general training aims at this, though it is rarely possible. After the school curriculum, work at sewing, the laundry, etc., is provided for the bulk of the girls.

The boys' classes corresponded very closely with the girls' in the matter of mental condition and attainments. Drill and gymnasium is given daily to all; and there was a fair orchestra and a singing class of nearly 100.

The custodial building for children lay beyond a large playground. It was an attractive building floored everywhere with small white tiles inserted by the inmates under an expert's direction.

A noticeable feature here was the employment of a large number of the higher grade inmates to look after the more helpless, not only in the infirmary, but in the whole department. For example fifty-one of the very lowest girls were looked after by three attendants and ten inmate "helpers."

Another matter we noticed was the large number of "cage" beds for the troublesome and noctambulant patients—camisoles and other physical restraints were rarely used.

About thirty-five inmates work in the laundry under two attendants; fifteen of these were boys.

The sewing, tailoring, and mending rooms were good; some fifteen motors (electric) being employed, and the whole clothing of the establishment being made by the inmates.

The institution also has a large carpenter's shop, a machine shop, a plant to pump the sewage to the river, and a storehouse where the supplies are kept. A storekeeper presides over this department. There are sixteen horses in the stable.

The nurseries, which are very extensive, are cared for by one florist and the inmates. Many varieties of roses, chrysanthemums, carnations, violets, etc., are raised, as well as radishes and lettuce.

The bakery contains a large oven heated by natural gas, which is used throughout for the boilers. Two inmates, who have been trained for the work, do the baking for the establishment, which requires a large supply. Eleven hundred loaves were the result of one baking.

A few of the workers in this department were now and then discharged; few could get on in the world. In Dr. Rorich's opinion, this was less from want of intellect than from lack of control, resolution, and other good moral habits.

The Farm Colony, an Extension of the Institution for the Feeble-minded, Columbus, O.

Visited by Mr. Byrne, Mr. Dickinson, and Dr. Dunlop on November 13th, 1905.

This Colony is situated about fourteen miles out of Columbus, and consists of a tract of farm land of 1800 acres. At present there are only about fifty adult imbeciles living and working on this farm, but it is in early contemplation to increase the accommodation until adults will be housed there to the number of 1,500 or 2,000, the scheme being to keep the permanently feeble-minded in the Columbus Institution until they are fit for regular and profitable work, and then to remove them to the Colony.

The present accommodation consists of a roomy old farmhouse occupied by the officer in charge and his wife, a temporary dormitory building for the boys, a large barn and stable accommodation, and a large handsome block of asylum buildings which at present* is unused. The future buildings are to be erected so as to form a semi-circle, a considerable distance away from the present Colony. These were not sufficiently advanced to give much idea of their ultimate appearance.

The Colony is in an inchoate condition. At present it is under the charge of an efficient subordinate officer, who was the principal attendant at the Columbus Institution. His wife acts as matron. He has eleven employees under him. On the day of our visit, twenty-seven boys were doing agricultural labour on a field about a mile distant from the farmhouse. A few boys were working in the barn and in carting manure,

* In August, 1906, Dr. Rorich informed me that this building was now occupied with working inmates.—W. P. B.

and a few were occupied in doing the house-work of the residential block. Paid labourers were laying the foundations of the future main blocks.

The majority of the boys seen were middle grade imbeciles. They all looked to be in good health, happy and contented. The steward who showed us around informed us that until recently they were extremely troubled with attempts to escape, and that that was so he ascribed to the fact that a fairly generous reward was paid for returning the boys to the institution. The abolition of that reward has been followed by a very marked diminution in the number of escapes. The officer in charge informed us that, roughly speaking, it took four boys such as they had to do the work of one agricultural labourer. The impression given to us was that the development of the Colony side of this institution had either not been thought out in detail, or that funds for its completion had not been provided by the Legislature. We felt that we should be glad to have been able to have seen its eventual growth and working under Dr. Rorich's management.

The State Hospital for Epileptics: Gallipolis, Ohio.

To our great regret time did not allow as to see this important institution, but we append a few notes of the information respecting it which we received from Dr. Rorich and other sources.

It has been established for fifteen years and has gradually developed to its present dimensions—five doctors and 1,200 inmates—in pursuance of the policy of the State to deal with all epileptics requiring institution treatment. The weekly cost of maintenance has been gradually reduced from a high figure to a little over 13s. a head, including ordinary repairs and small improvements. It is furnished with elaborate hospitals, laboratories, etc., and carries on much valuable scientific work extending in many directions far beyond the care and treatment of epileptics.

The number of salaried officers, attendants, workmen, etc., is 215; but of these some twenty or more are merely temporary.

Nine-tenths of the cost of maintenance is received from the Treasury—there being but few paying patients; and the only expense regularly falling on the county or other poor law authorities being the clothing of the patients, not exceeding 30s. a year.

Ages of those admitted since opening of the Hospital, November 30, 1893.

——	M.	W.	T.
Under 10 years	86	55	141
Between 10 and 20 years	544	334	878
Between 20 and 30 years	464	340	804
Between 30 and 40 years	230	160	390
Between 40 and 50 years	140	94	234
Between 50 and 60 years	59	33	92
Over 60 years	30	15	45
Totals	1,553	1,031	2,584

DURATION OF DISEASE OF THOSE ADMITTED SINCE NOVEMBER 30, 1893.

	M.	W.	T.
Under 1 year	64	28	92
Over 1 and under 2 years	79	40	119
Over 2 and under 5 years	277	165	442
Over 5 and under 10 years	357	238	595
Over 10 and under 15 years	299	169	468
Over 15 and under 20 years	182	126	308
Over 20 and under 30 years	147	137	284
Over 30 years	84	77	161
Unknown	64	51	115
Totals	1,553	1,031	2,584

Total Admissions since 1893 to end of 1904	2,584
Number of known epileptic heredity	445
Number of known insane heredity	239

The trustees complain that they have not sufficient acreage to provide the outdoor labour and employment which they consider eminently desirable for both sexes, and are pressing for appropriations sufficient to provide enough land for the inauguration of the colony system to supplement the existing "hospital" system. They point out the great advantages which have already arisen from the partial development of the original block hospital for epileptics into a collection of cottages, etc., with hospital and administrative centre.

They receive—as might be expected—a considerable number of ordinary feeble-minded cases in which the epilepsy, which is the nominal cause of admission, is either non-existent or temporary (alcoholic or hysterical and feigned pseudo-epilepsy).

The admissions are by order of the Governor, as at the State feeble-minded institution.

There is no power of detention beyond persuasion. The annual discharges amount to nearly 10 per cent., of whom 1 per cent. are recovered, and perhaps 7 per cent. "improved."

ILLINOIS.

The State of Illinois, including Cook County, of which the great city of Chicago is the most populous and important part, has laws of a very modern type respecting most classes of delinquents and defectives.

It has reformatory schools or juvenile prisons for young criminals of both sexes up to the age of twenty-one, that at Pontiac for males is famous; it has a separate prison discipline for nearly all offenders between sixteen and eighteen years of age; sentences on juveniles are indeterminate within the maximum allowed by law; the system of release on parole is well established. A register of juvenile offenders exists admirable in all respects, save that for lack of some such infallible test, as that of finger-prints, it does not in practice bring about the identification of persons

previously convicted; the "mark" system by which earlier release may be obtained by good behaviour and industry obtains in all juvenile penal establishments; probation and supervising officers may be appointed; the adoption, apprenticeship, guardianship or boarding-out of young male and female offenders is provided for. All penal and reformatory institutions are supervised and inspected by a State Board of charities; there must be in every county with 500,000 inhabitants, and there are in fact in smaller places, "Juvenile Courts," with special magistrates and special courthouses, before whom children may be brought to the exclusion of other jurisdictions; no child under twelve can be sent to any gaol or penitentiary.

The laws as to the certification and detention of the insane are much the same as in New York.

Special classes for defective children have been established in small numbers in Chicago, and a system to provide for the periodical examination of all children in elementary schools in respect of their mental condition has been inaugurated.

On the other hand there are several striking lacunæ in the laws dealing with the criminal and defective classes.

There are no special laws dealing with inebriates as such; the care and control of idiots, imbeciles and other persons of defective mind, but not certifiably insane, rests practically on a voluntary basis; and hitherto no special provision has been made for epileptics.

The existing state of affairs can best be showed by a relation of our interviews with officials, of our visits to certain institutions of a miscellaneous character, and of our interesting and instructive inspection of the great asylum for feeble-minded children at Lincoln.

On November 15, 1905, Dr. Donkin and Mrs. Pinsent had an interview with Dr. McMillan, Superintendent of the Child's Study Department, Board of Education, Chicago, Ill.

Chicago has four special schools for defectives, containing 200 children. These classes are not in special buildings, but are held in separate classrooms in the ordinary public schools. The defectives are allowed to use the same playgrounds with the normal children, and no trouble has been incurred with regard to this. Dr. McMillan expressed his opinion that this was better for the children than to be kept entirely isolated.

Dr. McMillan stated that he is just concluding an investigation as to the numbers of defective children in Chicago. He could give no exact figures, but estimated that there were 900 who should be sent to special classes. With careful individual attention and schooling he thought that 25 to 30 per cent. would probably be completely self-supporting, making good citizens. Ten to 15 per cent. were only fit for institution life and permanent detention; and the remainder might get along fairly well, being able to support themselves with careful supervision.

The Secretary of the Board of Education told the Commissioners that it was their policy to deal with the whole number of defectives, increasing the accommodation so far as necessary in day classes and in separate institutions, but Dr. McMillan stated he was afraid that this would never be completed. He said that there was in Illinois no law for the permanent detention of feeble-minded such as exists in other States, and no great public interest in the matter.

A circular has been issued to the teachers requesting that every child who is two years behind the grade proper for its age should be reported to Dr. McMillan, who then arranges for its examination. He refuses to send idiots, or imbeciles, or low-grade cases to special classes. Of these

there is a waiting list of 750 in the State, and great difficulty is experienced in getting them into the institution at Lincoln. He submitted all children where there was a question of permanent detention to an examination of at least three-quarters of an hour's duration.

The cost of educating a child in the special schools is three times as much as that of a child in the ordinary school. In the future special class teachers are to be required to devote a year to the study of medicine and psychology, after which they will receive a larger salary. Women only are employed as special teachers.

Subsequently Mrs. Pinsent visited the Marquette School, which has a special class for defective children. There were fifteen children present who appeared to be of the same type as children admitted to London special schools. Three of the girls were so mentally defective as to make institution care extremely desirable. The usual difficulties were felt, both in obtaining the parents' consent on behalf of the child and also in obtaining a vacancy for the child in Lincoln if the parents' consent to prolonged detention were granted.

The class-room contained some excellent sloyd benches, but these had been contributed by private charity, and the principal stated that great difficulty had been experienced in getting the necessary materials for adequate manual training. He had hopes, however, that the question would receive more attention from the Board of Education in the future.

On November 15th, 1905, Mr. Byrne and Dr. Dunlop had an interview with Mr. Edward J. Brundage, President of the Board of Commissioners, Cook County, Illinois.

Mr. Brundage explained that the ideal of the State was ultimately to take charge of all lunatics, imbeciles and other degenerates; but that at the present time the State Institutions are not large enough to do so, and that consequently a large number of such persons are still cared for by the counties, or are imperfectly cared for in their homes.

Cook County is a large and important county, containing the city of Chicago, and to take care of these individuals the county supports large institutions at Dunning. These institutions are first, a hospital for consumptives with a population of about 120; second, a hospital for the insane with a population of about 1,800; third, a county infirmary or poorhouse with a population of about 3,000. Beyond these there are the local almshouses and an elaborate system of outdoor relief, boarding-out and guardianship.

In the insane hospital and in the county infirmary imbeciles are received and detained. Those admitted to the insane hospital are certified and dealt with similarly to lunatics. Mr. Brundage presented the Commission with a series of Annual Reports and other data, copies of rules, etc. The Annual Reports show among other information that the Cook County Commissioners support a detention hospital for the diagnosis of insanity; this is situated in a special block of the county hospital. This detention hospital is, however, for diagnosis only, and makes no pretence whatever of treating or curing "incipient insanity" patients. The Report for 1904 shows that the yearly admissions to this detention hospital numbered 1,630, and that these were disposed of as follows:—

To the insane asylum at Dunning	805
To other insane asylums	391
Deaths	23
Discharged, "recovered," or to friends	400

The Dunning Institution.

Visited by Mr. Dickinson and Dr. Donkin on November 16th, 1905.

This is one of the large institutions supported by the Cook County Board of Charities. It consists of three parts: a lunatic asylum, a poorhouse, and a hospital for consumptives. The asylum, which contains about 1,800 patients, consists of the following:—

First, an old central block, constructed about fifty years ago on the cellular plan. In it there was nothing instructive.

Second, a series of modern cottages built within the last few years. These were exceedingly well adapted for the purpose, and cheap, being erected at a cost of about £80 per bed. Each cottage held from thirty to forty patients. In close proximity to these cottages there was a common dining room and recreation room for the use of the cottage inmates.

Third, a farm of about 160 acres with a cottage to hold 50 male inmates. This cottage was also very well adapted for its purpose, and as a complete establishment, supplying its own heating and cooking and everything else, it cost less than £100 per bed for construction. The inmates of this cottage not only farm the 160 acres with very little paid assistance, but also do much valuable work about the institution. They were seen in small gangs, busily engaged in various occupations.

Fourth, an asylum hospital in which the decrepit, bedridden patients and acute cases were kept. This was well adapted for its purpose. A noticeable feature was that it was entirely nursed by females, both in the male and in the female side. The per capita cost of this insane asylum was only £22 10s. per annum. The medical superintendent informed us that this sum was inadequate, and that owing to want of funds the nursing staff was too small. The want of a sufficient nursing staff entailed locked doors and the use of some physical restraint.

Among the asylum patients there were very few imbeciles. The medical superintendent reported that a considerable number of imbeciles were annually received with attacks of acute insanity, but on recovery, provided arrangements can be made for their proper care at home or elsewhere, they are discharged. What few remain are only those for whom no care outside can be found. The law of the State prohibits idiots or imbeciles being certified or dealt with as lunatics.

Fifth, the poorhouse. This consists of a radiating block, antiquated and with no points of structural interest. Visiting the male side we were shown one ward containing about sixty defectives, some being imbecile and idiot, and others dements. These were cared for by one female employee, who was an elderly woman, and who was assisted by several of the sane poorhouse inmates. The medical superintendent informed us that imbeciles, and especially the higher grade ones, were transferred from this institution to the State School for Feeble-minded at Lincoln, but that sometimes they are detained for a long period, the waiting list for Lincoln being a long one, over 700, and the vacancies comparatively few. We did not visit the corresponding ward for female imbeciles, but were informed that their numbers were much smaller but the conditions similar.

The Cook County Hospital, Chicago, Illinois.

Visited by Mrs. Pinsent and Dr. Dunlop on November 17th, 1905.

This is a large general hospital, holding about 1,100 beds. The only department of special interest to us was a wing used as a detention hospital. This contained four wards, two male and two female, where alleged lunatics were taken and detained for observation. It also contained a small court room for the trial of the alleged lunatic. This court room was about twenty feet square, with a bench for the presiding judge, seats for the six jurymen, a witness box, a special seat for the clerk of court, and accommodation for the witnesses, the Press and the public. The ordinary procedure is to report lunatics to the police. The police sergeant issues a warrant for the reception of the lunatics into these wards, where they are detained until the following Thursday, that being the day on which trials take place. The trial is presided over by a judge and a jury of six, one of whom must be a medical man. They are open and public, and are always attended by representatives of the Press, the principal witness at the trial being, of course, the medical officer in charge of the wards. The judge has discretion in ordering the committed cases either to a State hospital or to Dunning, but in most cases he orders the commitment to Dunning.

The wards were in all ways suitable for the temporary detention of lunatics. There was no attempt at curative treatment, the wards are intended simply for the purpose of reception and observation. About 1,500 cases per year, or thirty per week, pass through the detention wards. There were only five cases in at the time of our visit, which was made on a Friday. Among them was one man remitted for wife killing, who was remitted from the county jail for observation.

The Bridewell Prison, a few miles distant from Chicago, Ill.,

Visited by Mr. Byrne and Dr. Donkin on November 18th, 1905.

This is an institution which receives from 1,400 to 1,500 male prisoners, with sentences of six months and under, a few State prisoners and some federal prisoners. There are also about 120 women.

The prison appeared to be a good example of the American plan of central cells and to be well ordered. Its size was inadequate. We were told that it was always necessary to put two men into many of the cells. They occasionally had a population of over 2,000.

We were struck by the large number of good workshops and by the number of men who, as we were told, were employed in quarrying within the prison grounds. The prison lines extended over about 70 acres. The chief officer who took us around stated that in one or two recent years the prison had come near to being self-supporting. There was no contract work. The prisoners were not given any money for their labour.

On inquiring of this officer as to whether they recognised any feeble-minded men among their number, he informed us that there were many, the present number being sixty-four, who were considered unfit for the ordinary

prison discipline and were given easy work which was not tasked, were located from the rest of the prisoners as far as possible, and were called by the name of "cranks." He considered that all of these men were not responsible. He stated that this classification had been in existence for some time and had not been initiated by higher authorities, but was suggested by one of the warders who had taken a considerable interest in this matter, having been himself previously an attendant in a lunatic asylum. The medical officer of the prison, he stated, was aware of the mental defects of these inmates, but always declined to certify any of these men as insane. This segregation appeared to us to be a remarkable fact, as this was the first prison which we had seen or heard of in the States where any kind of recognition of weak-minded prisoners took place. The whole appearance of this large gaol, as far as we could judge, rendered it much more comparable to a long sentence convict prison than to any other gaol of its class in the United States visited by us. The officer who gave us this information expressed his opinion very strongly that it was entirely useless to deal with the majority of the prisoners who came to this prison under short sentences repeated over and over again in the manner at present in vogue. He thought that they should be made to work for a term of years in a reformatory, with a view to their being trained to greater efficiency and self-control.

Within the grounds of the prison and under the same superintendent there is a large and well-equipped reformatory for boys, under the name of "The John Worthy School," to which juveniles are committed and to which young prisoners committed to the gaol are frequently transferred in pursuance of a recent and very useful law. The average daily population of this school was 380.

Illinois Asylum for Feeble-minded Children, Lincoln, Illinois,

Visited by Dr. Donkin, Mrs. Pinsent, and Mr. Byrne, on November 16, 1905.

This is a large institution, with four doctors, and a large staff, containing 1,400 inmates, including idiots and all grades of feeble-minded in the main buildings and seventy-five custodial cases of various degrees of imbecility on a large farm of 880 acres, two and a half miles away. The main institution, which is some forty years old, and of modern gothic, seemed economically built, well ventilated, well equipped and very fairly suitable for its purpose. It was well provided with workshops situated in a separate industrial building of a very suitable character. There was a brush-maker's shop, where one paid man supervised the work of from twelve to twenty inmates; a carpenter's shop, where we were told there were generally twelve; a hair mattress shop; boot and shoe-making and repairing shop, and two large establishments for sewing and tailoring respectively. In most of these shops very few were working when we were there, and we were told that this was usually the case, the bulk of the inmates who were able to work being employed on the more necessary work of the establishment. Nearly all the clothing and boots and shoes for the inmates were provided from these workshops. The brushes and other products from that shop were unusually well constructed, and they were sold to the public at a profit, the usual objection to the sale of institution goods not applying in this case, as these were claimed to be made for the instruction of the inmates, and the Labour Unions had as yet not objected.

There was the usual complete apparatus for the instruction of the younger inmates, kindergarten, sloyd exercises, etc., precisely similar to that seen in other institutions. A very large number of the inmates were

still in school. Attempts were made to teach many of them reading and writing who would, as we were assured by the doctors, never acquire these accomplishments, but in spite of the hopelessness of the task they were being educated because their parents liked it. Physical exercises and training were much relied on.

The laundry was large and well equipped, a number of men doing the washing without any supervision beyond that of the matron, and some twenty to thirty women were doing the ironing without direction.

None of the inmates were committed to the institution by legal process, but were received there on the request of their parents or of the poor law authorities. No power existed to detain them, but practical difficulties were rarely found to arise, the usual course of putting every obstacle in the way of discharge of undesirable people being successfully adopted. There were, however, a considerable number of discharges from the establishment, some thirty a year, and some of those discharged were in the opinion of the doctors people of a sort who would be likely to get into trouble. Only about two per year were discharged with the full approval of the superintendent, as being fit to take their places in the world.

We were informed that there was no particular pressure on the accommodation of the establishment, so far as this was indicated by applications, the Superintendent's waiting list not exceeding twenty-eight. This was contrary to what we had been informed by the Secretary of the Charity Board, who told us that there were seven hundred cases waiting to come into the institution. Many imbeciles, we were informed, were still at home and in poorhouses all over the State, but no particular evil was considered to arise from this, and there was no general outcry, either from experts or from the public, to put an end to this state of affairs. It was, however, the intention of the legislature, so far as could be judged, gradually to provide accommodation, until all those who required it were provided for.

The lower grade, the idiots, who were in separate departments for men and women, numbering in each case seventy-five, were well cared for, the rooms being of adequate size and in good sanitary condition. There was but one attendant on duty for each department containing seventy-five, who was assisted by a second attendant for a certain part of the day when the latter had completed making up the beds, etc., in the dormitories; and he was replaced by a watchman at night, who was not in any sense an attendant on the patients, but was more of a guard or fireman. The good order and cleanliness which we observed and the economy in service were highly creditable to the management.

There were two cottages of precisely similar construction, one containing 175 boys and the other 175 girls. These buildings appeared well suited for their purposes. They had separate kitchens, dining rooms, dormitories, day rooms, and residences for the officers in charge; but everything else was provided from a central power-house, laundry, etc. There was a large infirmary which, we were assured, provided all that was necessary. In addition an old infirmary of inadequate size was now used as a place for the detention of those idiots who were cripples and delicate. There were thirty-two of this class who were looked after by three paid attendants with some of the middle grade imbeciles to help. The cost of the cottages, we were informed, was high, but need not have been so if needlessly extravagant estimates had not been accepted by the authorities.

The seventy-five boys on the farm resided in a two storey building, containing simply a kitchen, dormitory, dining-room, and sanitary accommodation. There were no day-rooms as the inmates were working all day. This building for seventy-five boys was provided for £600 and was precisely the same as one of the wings of the cottages.

The general opinions of the doctors were the same as those expressed to us by other institution authorities They had a large number of epileptics.

exceeding 300. These were not separated from the others on account of their epilepsy, the classification being by mental condition. They considered that it would be very desirable to have an epileptic colony with buildings of a simple character, entirely in the country, so that epileptics capable of work could lead a simple country life and help to maintain themselves

The per capita cost of this well-managed institution is only 11s. per week. A running money account is not kept with regard to the farm, but we were informed that it contributed substantially to the economical maintenance of the inmates; and this was corroborated by the fact that the legislature had recently completed the leasing of another 480 acres of land, to still further reduce the expenditure by supplying as much as possible for the institution. The probable reduction in the maintenance cost was estimated to be from 11s. to less than 8s. a week.

The death rate was from 5 to 6 per cent., consumption and pneumonia being, as usual, the chief ailments.

The cost of maintenance is entirely by the State, but parents and relations who can afford to pay the whole or part of their children's support have to do so. Even those who are poor have to contribute towards the transportation and clothing of their children who are received in the asylum.

The following forms are in use:—

Dr. C. B. Taylor, Superintendent.

ILLINOIS ASYLUM FOR FEEBLE-MINDED CHILDREN.

SIR,

In the matter of ———— a feeble-minded child residing in the County of ————

I, ———— Clerk of the Court of ————County, do certify that ———— Judge of the County Court of ————County, has issued his order to the effect that ———— a feeble-minded child residing in said ———— County, is a proper subject for the care of the Illinois Asylum for Feeble-Minded Children, too poor to furnish ——self with sufficient clothing and pay the expenses of transportation to and from the Asylum, and authorising the Superintendent of said Asylum to receive and provide clothing and transportation for ———— in accordance with the provisions of Section 27 of "An Act to Regulate the State Charitable Institutions and the Reform School, and to improve their organization and increase their efficiency," approved April 15th, 1875.

Given under my hand, this ———— day of ———— 190

Clerk ———— County

Know all men by these presents, That we————

as principal, and ————

————as security, are held and firmly bound unto the Board of Trustees of the Illinois Asylum for Feeble-Minded Children in the penal sum of Three Hundred Dollars, for the true payment whereof we bind ourselves, our heirs, executors, administrators or assigns, jointly and severally, firmly by these presents.

Sealed with our seals, and dated this ———— day of ———— 190 , at ———— Illinois.

The conditions of the above obligations are such, that whereas, the said ———— has placed in charge of the said obligees ———— an imbecile child for the purpose of being trained and instructed, as provided for by an Act of the General Assembly of the State of Illinois, entitled "An Act to Regulate the State Charitable Institutions, etc.," approved the 15th of April, 1875, and has agreed to furnish the said child with comfortable and suitable clothing and all travelling expenses for and on account of said child, or pay for such as may be furnished during ———— continuance in the school, and also to remove the said child from the asylum whenever required, without charge to the Asylum or any of its officers or agents.

Now if the said _____ shall well and truly perform the conditions aforesaid, then this obligation to be void; otherwise to remain in full force and effect.

_____

_____

_____

State of Illinois,

County of _____ SS. I, _____

County Judge of the County of _____, hereby certify that I am acquainted with _____ and _____ the persons who have signed the foregoing bond, and from my own knowledge state that they own property in their own right to the amount of _____ Dollars above exemption, and that their credit to that extent is good.

_____

County Judge.

INDIANA.

In the State of Indiana the feeble-minded have been specially dealt with for the last quarter of a century independently of the insane.

The population of the State is 2,500,000; there are over 6,000 insane in asylums and infirmaries and a considerable additional number in their own homes. The number of the mentally defective—not insane—is estimated at 7.000 or 8,000; 1,040 of these are in the great "Indiana School for the Feeble-minded" at Fort Wayne. There are no "Special Schools" for defective children.

There is the usual nominated "Board of State Charities" sitting in the State House and having full powers of inspection over all State Institutions.

The Law as to the Feeble-Minded.

Sec. 3105. That there shall be established and maintained in this State at or near the city of Fort Wayne, Allen county, Indiana, an institution to be known as the "Indiana School for Feeble-Minded Youth." The general charge and management of said institution shall be intrusted to a board of trustees consisting of three members, who shall be appointed by the governor of this State. * * *

Sec. 3107. The purposes of this institution shall be to care for, support, train and instruct feeble-minded children, the term feeble-minded to include idiotic, epileptic and paralytic children.

Sec. 3108. The institution is to be divided into two distinct departments, one industrial, the other custodial. The industrial department is to be a department for culture, in which shall be placed such feeble-minded children who are actually in a practical sense capable of improvement, in which the rudiments of a common school education are to be taught in connection with, and subordinate to, culture in manual and industrial occupations. The objective point to be attained in this department is future usefulness, self-care and self-support. The custodial department shall be an asylum for low-grade, feeble-minded, idiotic epileptic children. In this department special attention shall be paid to mental, physical and hygienic treatment.

Sec. 3136. The superintendent acting under the control and supervision of the trustees of said institution, is hereby authorised and required to provide for appropriate industrial education of the pupils.

Sec. 3137. The industrial education of the said pupils shall, as far as possible, be conducted in such manner as to make said pupils fit and able to earn their own support when they shall have been graduated or otherwise discharged, and not chiefly or mainly so as to make any profit or revenue.

Care and Control of Children.

Sec. 3172. The boards of directors, trustees or managers of any orphans' home, or of any home for orphan and destitute children, shall have the care, custody, control and guardianship of any and all children living in such homes and for the time agreed upon in such written agreement, and may, when it may seem proper and best, place them in suitable homes, having regard for the moral and religious character of the persons with whom such children are placed, in order to secure to them the benefits of good example and wholesome instruction and the opportunity of becoming intelligent and useful men and women.

The method of admission is different in the case of a child and an adult: the former being on voluntary application, the latter in the nature of a commitment.

Form of application for a child :—

The following application must be duly signed by the father, if father and mother are living together ; if father and mother are not living together, then by one having custody of the child or by the guardian duly appointed ; or by the Superintendent of any county infirmary, or matron of any county orphanage, or by the person having the management of any other institution or asylum where children are cared for.

APPLICATION.

I hereby request, That ———————————— of ————————————
————————————County, may be admitted as a pupil to the Indiana School for Feeble-Minded Youth, and herewith forward to you answers to all the interrogatories propounded to applicants, and those answered by the Physician, and I agree to remove ———————— promptly when required by the Superintendent, without any expense whatever to said Institution.

————————————

* *To be signed by some one of the parties above stated.*

The application is accompanied by the following documents:—

I. AUDITOR'S CERTIFICATE.

State of Indiana, ———————— County.

I, ————————————, Auditor within and for the County and State aforesaid, hereby certify that the Board of Commissioners of the aforesaid County, on application to them made, have determined that ———————————— has for one year prior to the making of the aforesaid application, been a bona fide resident of the state of Indiana, and that ———————— is a feeble-minded child, now residing in said county, and is a proper subject for admission into said school and that applicant has made a a sworn affidavit as to his or her financial ability before said Commissioners.

Witness my hand and seal of said County, this ———————— day of ————————

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II. Etiological History.

[Here follow fifty searching questions as to heredity and condition of child.]

III. Physician's Confidential Report.

Please state fully any facts concerning this case, which, in your judgment, may have a bearing on the subject of causation, etc.

..... (*Signed*)———— ———M.D.
.....

Date, ———— 190

Note.—Physician's fee for services in this case will be paid by person making the application.

IV. Physician's Affidavit.

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I, ———— M.D., resident of ———— do hereby certify that I have examined ———— and believe h—— to be a proper person for admission to the Indiana School for Feeble-Minded Youth; that —he is not insane, and that —he is not afflicted with any chronic or contagious disease, nor has —he been exposed to any of the acute contagious diseases within a period of three weeks prior to this date. I further certify that —he has been successfully vaccinated within one year previous to this date.

(*Signed*) ————M.D

Subscribed and sworn to before me ————

this ———— day of ———— 190 .

————

Notary Public.

Form of Admission of Adult Females to the Custodial Department.

Rules adopted by the Board of Trustees.

Section 1.—The Superintendent will admit all adult females for whom there is room in the Custodial Department and who are committed by the Courts, and whose condition and commitments are in accordance with the regulations hereafter written.

Section 2.—The Superintendent on request shall forward to each person wishing to secure the commitment of an adult female idiot or imbecile, a personal descriptive blank,* and ask that it be completely filled and returned to him. On receiving such personal descriptive blank properly filled, the Superintendent shall add thereto such remarks concerning the case as he may think appropriate, and shall also add a statement as to whether or not there is room in the appropriate part of the Custodial Department of the Institution, for the adult person in question. The Superintendent shall then return to the person sending the blank, a copy of the same with his remarks and statements as to room, and shall also send a Commitment blank in duplicate.

When the petition is thereafter presented to the Circuit Court there shall be submitted at the same time the personal descriptive blank with the Superintendent's comments thereon as above described, in order that the Court may be advised as to the condition of the Institution in regard to room for more inmates and so forth.

Section 4.—No person shall be admitted to the Custodial Department for adult females who is entirely helpless, or who is unable to walk, or who cannot feed, clothe or wash herself.

* This blank contains forty-five searching questions.

Petition to the Circuit Court.

In the

——————————Circuit Court.

The undersigned, ——————————— a resident of ——————————— County, State of Indiana, upon oath says that he, the affiant, is acquainted with ——————————————, now residing at ——————————— County of ——————, State of Indiana, that said ——————————— is not and cannot be properly maintained or cared for by those who have her in charge; that she is (feeble-minded) (idiotic), and is over sixteen years of age and under forty-five years of age, and is not insane or pregnant; that she is in good bodily health and is not afflicted with any chronic or contagious disease; that she is a legal resident of said State and County aforesaid, and is a proper person to be admitted to the Custodial Department for Adult Females of the Indiana School for Feeble-Minded Youth, and that her admission thereto would be in conformity to the rules and regulations established by the Board of Trustees of said Institution for the admission and care of such a person.

Affiant further says that he has known said ——————————— for year ——————; that affiant is ——————— related to her as ——————— that her legal residence is ——————————— Township, ——————— County, State of Indiana; that her age is ——————— years and her birthplace is ——————————; that she is (married) (single); that she has had ——————— children, with names and ages as follows:———————

———————————————————————

———————————————————————

———————————————————————

that she was married to ——————————— in the year ————, her husband now being (dead) (alive); that she is to the following extent:

Noisy? Ans.——————————— Destructive? etc., etc. (fifteen answers).

That the following of her relatives within three generations have been:

Intemperate? Ans.:——————————————Idiotic? etc., etc. (ten answers).

That the following names and addresses of persons have knowledge of the foregoing statements: ———————————————————————

———————————————————————

———————————————————————

———————————————————————

That ——————————————— is a reputable physician and acquainted with said ———————————————

The undersigned, ——————————————, a citizen of said County and State upon oath, declares that the foregoing allegations and statements of facts are true as he verily believes.

———————————————

Subscribed and sworn to before me, this ——————— day of ——————190

———————————————

Notary Public.

Order of Commitment.

In the

——————————— Circuit Court.

Comes now, ——————————————, a resident of said County and State, and presents for hearing and order his petition heretofore filed herein, in which petition ——————————— a resident of said County and State is charged with being (idiotic) (feeble-minded); and the said petition now comes on to be heard before the said Court (or the undersigned Judge of said Circuit Court in Chambers); and, it appearing that notice of the filing of said petition has been duly served upon said ———————————, by summons read to her, which summons and proof of service thereof are in the words and figures following, to wit:

———————————————————————

———————————————————————

———————————————————————

———————————————————————

———————————————————————

———————————————————————

And the Court, having examined said petition, and being fully advised in the premises, finds that said ——————————————— has been duly served

with notice of the filing thereof, and that she is present in Court (or is unable to attend the hearing of said matter), and having examined witnesses adduced, one of whom (————————————) is a reputable physician, and finds that the facts contained in the petition are true, and that said ———————————— is a proper person to be cared for in the Custodial Department for Adult Females of the Indiana School for Feeble-Minded Youth at Fort Wayne, and that she can be cared for therein, and that she is ———— years of age.

Now, therefore is is ordered that said ————————————— be committed to the Custodial Department for Adult Females of the Indiana School for Feeble-Minded Youth at Fort Wayne, and that she shall be received therein immediately, or as soon as there shall be room to receive any more inmates in said Custodial Department, and shall be retained there at the discretion of the Board of Trustees of said Institution.

————————————— *Judge.*

The inmates of the School may be roughly classified as —

Girls in training	300
Girls in custodial cottage	150
Adult females	120
Boys in training	275
Boys on farm	200
Boys in nursery	20

About 300 are epileptics.

There is at present no State Epileptic Institution, but a site of 1,000 acres for one is about to be acquired by the State. It is understood that this is to be an epileptic hospital on the same lines as the Ohio Institution at Gallipolis, but the superior advantages of the colony system are being urged on the Legislature.

It is evident from the above figures that the State of Indiana is still far from dealing adequately and comprehensively with all its mental defectives. There were few adult males in the school, and we were informed that large numbers of male idiots and imbeciles were to be found in the hospitals for the insane, in the poorhouses, and in their own homes, which in most cases were very unsuitable places for them. We were told that serious public dangers and inconveniences arose from this. Mrs. Harper, one of the trustees, feared that it would be a long time before the whole needs of the State were met; the burden would be very heavy.

The Indiana School for Feeble-Minded Youth.

Visited by all the Commissioners on November 14th, 1905.

We were conducted over this Institution by Mr. Albert Carroll, the superintendent, who spared no pains to inform us as to its working, and as to the general condition of the feeble-minded in the State.

It is a fine and well equipped institution, which cost £120,000, less than £120 per head. The yearly cost of maintenance has been gradually reduced to the very satisfactory figure of £24 per annum, excluding repairs, 9s. 4d. a week. This economy appeared to have been attained without any sacrifice of comfort, efficiency, or skilled teaching and nursing. The dietary contains much less meat than is usual, not oftener than three times a week; the health and appearance of the inmates was normal.

Tuberculosis was the most serious ailment, and much attention was devoted to keeping it down. All inmates were tested with tuberculin on admission (except mongolians), and in tuberculous cases much care was taken in respect of nutrition and the testing of it by frequent weighing. The death rate was 3 per cent.

The staff appeared to be of the usual strength and efficiency. We were unable to procure the exact numbers.

The few parents who can afford to contribute to the cost of the maintenance of their children have to do so; the State provides the rest.

The main building of the institution was constructed of brick throughout, and the walls inside were painted white, the paint being applied immediately on the surface. This, Mr. Carroll stated, was entirely sanitary, and answered the purpose admirably.

In this building we visited the custodial departments for boys and girls, the boys being on one side and the girls on the other. The word "custodial" we were told is applied to those who are receiving care, and who are not doing any school or industrial work. There were 130 patients in the custodial department, which did not, however, include the low grade idiots; these are kept in a separate custodial house. The ages of those in the custodial department ranged up to forty, and they were of all classes of imbecility except the very low grade.

We visited three of the dormitories on the girls' side, where we saw sixteen beds in each room. All the windows throughout this department were fitted with iron bars. A number of the inmates were engaged in polishing the floors. We saw a large day room where a number were assembled. Mr. Carroll stated that great stress was laid upon open-air exercises for these inmates; they were sent out daily, and on a fine Sunday afternoon they would be out for hours, and the usual chapel services were then omitted.

Through the school department we were conducted by the principal, Mr. Cyrus D. Mead, who stated that the children are divided into two classes, the lower grade children being taught in the morning, while the higher grade received instruction in the afternoon. We were shown a class of seventeen girls, and it being in the morning, they were of the lower grade. Regarding them Mr. Mead gave information as follows:

Last year these girls did kindergarten work entirely; now they are promoted to primary work. They only trace letters after the teacher's writing. Some of them have been in the school four or five years, and some cannot accomplish primary work, others are in the first reader. In the afternoon we have a primary class of brighter children here who read in the first and second readers. These girls here are doing work which the ordinary child would do at five or six years old. Their ages average thirteen and fourteen.

The principal stated that throughout the institution, in all classes for beginners, sound work was taught, *i.e.*, teaching the children to spell according to the sounds of the letters.

We saw another class of twenty-eight smaller, but higher grade girls, who were engaged upon needlework and sewing. They are there taught to hemstitch, to make many beautiful designs in torchon lace, and the Norwegian embroidery. The lacemaking was especially interesting, some of the work being of a fine quality, and there was also much done in raffia, such as the making of hats; we saw fancy pillows made of this material. All such work is sold, and the proceeds are sent to the State Treasury. The useful work done in this Department and its good results on the girls contrasted with the slow and laboured work in the primary class.

All these girls read and write, and every girl but one attends the school.

In a class of sixteen, the girls were beginning kindergarten and primary work. These were a very low grade of children, mentally as low as any in the school. We were told that the previous year they had done kindergarten work almost entirely, and had been at that for several years, but now they were actually accomplishing some primary work in recognising sight words and in reading simple sentences. There was in this class a fourteen year old deaf and dumb child, who had been sent to the institution from the deaf and dumb asylum. She also could recognise objects by the written word and readily distinguish colours.

The school also has an art class for the brightest pupils, and we saw some good work in charcoal drawing, water-colouring and modelling in clay. The drawings were made from plaster casts and from the natural objects about the room. We saw a cast of a child's head, made by one of the girls who could not do much in the school work, and this was so well done that it could hardly be distinguished from the original model. Mr. Mead stated that the girls receive instruction for one term in this art class; then they are sent out. The sloyd work done in this department was equally interesting. The art class is usually composed of about ten students, who are picked individuals. They are mostly children who advance to the literature class, where they read and appreciate such poems as "Evangeline," "Snow Bound," Gray's "Elegy." They do not memorise, but are required to comment upon selections read.

We next visited a class of eighteen boys, who ranged from those beginning the primary work to those reading in the second reader. They were the highest class of boys in the morning session.

They would average fourteen years of age: and some had been at this elementary work for years.

It was the opinion of the teacher that some out of her class would be sent to the custodial department; but teaching was given wherever even the slightest improvement seemed probable.

In the afternoon we visited the classrooms of the brighter children, who were considerably in advance of those in the morning session. We saw the most advanced class of girls, consisting of about twenty. They were doing seventh and eighth class work, and they read and appreciated literature, such poems as "Evangeline." They were a very high grade. However, practically none of them were going out into the world, that would be exceptional. The school was mostly a home for them for life, because of their unstable character and to avoid propagation of the unfit; their detention is because of their defective self-control and their moral character. The family history is bad in most cases.

Clearly the work they did calls for a fair grade of intellect, but we were told the failing was in their moral character; it was not intellect that was so much at fault, as other parts of the mind; and none were fit for freedom.

They use the fourth reader. In arithmetic they work in fractions, mensuration, weights and measures, and discount.

In an upper kindergarten class there were fifteen boys. We were told there had been twenty in the class, but the other five had been taken out for primary work.

Other departments of the institution were equally interesting as the school rooms. We visited the laundry, which was equipped with the usual machinery, but very few of the inmates were employed there. The wash-room was

presided over by two employees, a woman and a man. The work is carried on five days in the week, and from 19,000 to 20,000 pieces of clothing pass through the laundry. Upon inquiring as to the cause for so small a number of inmate workers, we were told that the girls had been distributed in the other departments, in the sewing and mending rooms; and we were also told that sometimes they did not have enough girls for the work in the laundry.

About twenty-five girls were working in the ironing room, and we were told that the regular number varied in proportion to the work to be done and the number of girls available. No outside work is done in the institution, the labour of the inmates being required for their own benefit. In the ironing room there were four hired employees.

In the building for practical work, we visited the tailors' shop, where on an average ten boys daily are employed, five in the morning and five others in the afternoon. Here is made all that the boys wear, all the outer garments, and they also make night-clothes. The only things purchased were knitted underclothing and stockings.

In the shoe shop we were told three boys work all day long. Not a pair of shoes is bought, everything being made in the shop; the sole leather is bought by the roll and the uppers by the hide. At the time of our visit there were about a dozen boys engaged in the shop, but these do not work the entire day.

Abouts 900 pairs were made last year; and about 1,200 pairs this year, with about 6,000 minor repairs.

On an average seven or eight boys will turn out 1,200 pairs of boots.

We were told that with the machines one of the boys can accomplish as much as six pairs of boots per day.

The same building also contained a carpenter shop for the boys.

The storeroom contained a quantity of clothing ready to wear, such as overcoats, etc., and blankets. The price of the latter, we were told, varied from $2.00 to $2.50.

We next inspected the custodial building for girls, where the low-grade cases are housed. The building was unsatisfactory, as the superintendent stated, being plastered throughout and wainscotted with wood, which he thought very undesirable for such classes of patients. The construction of the building was attributable to a desire for cheapness.

In one of the rooms we saw twenty-eight patients and in another thirty-one, who were cared for by an attendant in each room and about four inmate helpers. The dormitories varied in size, one containing thirty-four, one forty, and another twenty-four beds. There are 100 inmates in the custodial department.

The cottage for adults contained those inmates who had been committed by the courts, and the superintendent spoke of it as being one of the most satisfactory buildings, being completely equipped and a small institution in itself, very well arranged. The building contains a separate kitchen, dining room, day rooms and dormitories. It is heated from the central plant, this being more economical than an individual heating plant. The matron and attendants are housed in the same building. The cost of the building was £8,000 and it affords room for 130 patients, £62 a head; the inmates at the time of our visit numbered 110.

This building was especially cheap because the bricks were made on the farm, and plans had been laid very carefully with a view to economy.

Returning to the main building, we saw the girls assembled in the dining room, there being 260 to 270 present. They were served at tables seating eight and twelve, and spread with white cloths. One girl at each table served the dinner, consisting of beans, cabbage, potatoes and bread. We were informed that about twenty-five of the girls have an earlier dinner, in order that they may assist in serving later. The arrangement of the girls in the room was according to the grading in the school.

For supper and breakfast coffee and milk are served, but milk only for the epileptics.

The boys' dining room, also in the main building, was similar to that of the girls. It contained about 275, who were eating dinner at the time of our visit. The superintendent stated that three of the important items in the dietary were potatoes, beans, and bread. The inmates receive meat twice and three times per week, but they get the extract of meat in the form of soups and broths on other days. The rule is: a veal dinner on Sunday, pork on Saturday, and beef once or twice per week.

We also visited some of the boys' dormitories. One of these contained thirty-one beds for the middle grades, most of whom were in the school.

The orchestra of the institution is well trained; eight girls were playing stringed instruments and one was at the piano.

We also witnessed a drill in the assembly room and were informed that each room in the institution receives thirty minutes' training there each week, besides a daily drill of ten minutes in the various rooms.

Mr. Carroll stated that the discharges from the institution were now few, amounting to not more than two or three, while the withdrawals were fifteen to eighteen.

Withdrawals of children from the school by parents and friends used to be more common and led to bad results; the superintendent had no legal power of detaining cases not committed, but where in his judgment release was inexpedient he opposed good advice, persuasion, and every form of passive resistance to the parents' selfish wishes, and had never yet been taken to task by the Law Courts.

With regard to the farm work, Mr. Carroll made the following statements:—

"The farm is not a paying investment. It gives us an outlet for the labour of the children and it gives us supplies of which we know the quality. But with the same staff that we have we could farm about 500 more acres, and consequently make just that much more. We are not losing money, but it is not a big thing as an investment. If we can make £250 per year from our farm, we are doing good, but that is nothing when you consider what we have invested there. Our farm buildings cost about £7,000."

In the farm building we were shown in to a large assembly hall, where plays are sometimes acted.

A day room contained thirty boys of the low-grade type. The superintendent stated it was the intention to place these in a new building, to replace them with boys who can work on the farm, the lower grades being able to perform small duties indoors, but no outside work.

The dining room of the farm contained twelve tables seating fourteen each. The tables were spread with oilcloth. There is a kitchen and also a scullery in the building.

The staff of this part of the institution consists of a farmer, an experienced man who has charge of the house and twenty-five employees. There are 180 inmates.

The farm has a herd of 45 cows, a flock of sheep, and about 150 pigs, which stock is in charge of the inmates.

Of the 180 inmates on the farm, half are custodial cases of no industrial value and half working men.

There is need of 500 acres more, on which none but workers might live.

About the farm grounds we saw some of the men in-raking and gathering leaves, and divisions of them were seen marching to distant fields, but we did not witness much actual work.

CONCLUSIONS.

We may now summarise the conclusions which our visit to the United States has enabled us to arrive at.

1. In America, as in England, feeble-minded* persons are to be found in the almshouses (*Anglicè* workhouses), in the reformatories, in the prisons, and under temporary charitable care, and at large throughout the country in such numbers as to constitute a danger to the well-being of the nation.

2. The result of this is that in America, as in England, the problem of how to deal comprehensively with the feeble-minded is agitating the thoughts of those who are concerned with the social conditions of the people, especially of those who are engaged in the administration of Poor Law, criminal jurisdiction, lunacy, and vagrancy.

3. The necessity for action in the matter is accentuated by the fact that in most of the States the feeble-minded, even those of the lowest grade of idiocy, are not dealt with as lunatics. They are not certifiable as insane, nor are they eligible for admission into lunatic asylums or insane hospitals.

4. In most of the States which we visited the practical measures which have been adopted for solving this problem (except in connection with elementary schools) have been longer in action and are of a more advanced and more successful character than anything that has been attempted in our own country.

5. These measures, though now forming part of the State administration, owe their inception to the able and persistent efforts of a few individuals who, having established on a voluntary basis institutions for imbeciles, were enabled, when the State came to their assistance, to so enlarge and develop those institutions as to render them suitable for providing for all grades of the feeble-minded upon a rational system.

6. The American institutions are thus the result of the practical experience of men who have made it their life's work to study this particular problem, and these institutions appear to us, in their methods of treatment, administration, and finance, to be examples that, in many respects, may be imitated in our own country with great advantage.

* The word "Feeble-minded" is used in America to denote all grades of mental defect except acquired insanity. It includes idiots and imbeciles. It is used in this sense throughout this report.

7. We do not, however, wish to say that we think American institutions sufficient for all the requirements of the case. Their own administrators would be the first to admit, not only that their present organisation is incapable of providing for more than a fraction of those who require care, but that they themselves are still working out improved methods by the light of past experience.

8. The principle which underlies American practice in this matter is that no person who is mentally deficient should be left without care and supervision. If such care cannot be provided by the family the State undertakes the duty. This is justified on the grounds, firstly, that the community owes protection to its weakest members, and, secondly, that the community itself suffers by the irresponsible actions of the feeble-minded, who fall into dependence, destitution and crime, particularly in the case of women who are unable to defend themselves from the sexual dangers which beset them.

9. This particular phase of the problem, namely, the control of feeble-minded women of child-bearing age, has received much attention in the United States. We found this dealt with in two ways, by the provision of special institutions and by enactments prohibiting marriage. Of such institutions we visited two, the one at Newark in New York State, the other at Vineland in New Jersey. We found detained in them many women whose mental defect was slight, and were struck by the fact that these women were detained with ease and readily settled down to the institution life. At Newark, 25 per cent. of the inmates were women who had been brought before a magistrate on some charge and without being convicted by him had been committed to this institution as a proper place for their detention.

10. Most of the American institutions were started as schools for feeble-minded children under the idea which prevailed that a large number of these could be educated so as to be able to take their place in the world alongside of their normal brothers and sisters.

11. This idea has been modified by experience, and now it is the opinion of those whom we consulted that it is only a very small fraction of the feeble-minded who can stand alone, however excellent their education may have been.

12. Two results flow from this. Firstly, although in some places the system of education still follows on the lines of that given in schools for normal children, in those institutions which appeared to us to be the most scientifically organised there is now a tendency to limit the instruction to such manual work as the feeble-minded are found able to perform, and as will afford them occupation and happiness as inmates of permanent working homes.

13. Secondly, the opinion has now become general that the provision of schools for feeble-minded children must be accompanied by permanent homes for adults. The present schools have become congested with adults who have grown up in the school and whom the managers have felt constrained to retain there for fear of the disasters which would have fallen upon the adolescent if turned adrift into the world.

14. Hence, those interested in the American institutions have induced the State Legislatures to allow of the establishment of departments or branches for adults into which they can draft the children who have passed school age, and also admit from outside feeble-minded adult men and women whom the Poor Law or other public authority may think require the protection of a home. Expert opinion condemns as ineffective and wasteful an institution which lacks a custodial department or colony or other annexe for adults.

15. Contemporaneously with this movement the Americans have had to consider the question as to what powers of compulsory detention should be given to the managers of these institutions. On this subject we naturally discovered considerable difference of opinion. Some of the managers whom we interviewed were adverse to any such power being bestowed upon them. They argued—especially in regard to schools for the feeble-minded—that it is desirable there should be nothing to hinder parents from allowing their children to profit by the special education offered to them, and if they knew there was a possibility of their child being compulsorily detained parents would hesitate to run this risk and would hold aloof from the institution.

16. On the other hand, most managers had had experience of cases in which it would have been of benefit to a child if there had been legal power to resist the demand for freedom made by it or on its behalf. We had instances mentioned to us in which the managers had been so convinced of this as to feel justified in defending actions of *habeas corpus*, and in one or two cases the Courts of Law had on grounds of public policy actually upheld the managers' decision to detain a feeble-minded person against his own or his family's wishes.

17. It is to be noted that as the inmates of feeble-minded institutions are paid for almost entirely by the State there is no inducement operating upon the Poor Law authorities to withdraw those whom they send there in order to relieve the local rates.

18. The preponderance of opinion was in favour of such power of detention being conferred on the managers, and in some States this view has already been embodied in a Statute by the Legislature giving authority to a Judge to order the detention of a feeble minded person under certain circumstances.

19. It should be noticed that so far as we have ascertained, the State Legislatures have only conferred these specific powers of detention in respect to institutions which are supported by the State and controlled by managers appointed by the State, and in which therefore there is no risk of such powers being used for improper purposes.

20. We must, however, add that the general opinion of the American manager is that in homes for the feeble-minded power of detention is only needed on very rare occasions. The great majority of defectives have no desire to leave the protection and kindly care which are afforded to them in these institutions. Even in the case of Newark, the inmates of which are mostly women who have been led astray but whose mental deficiency in many cases was very slight, the attempts to escape are exceedingly rare, and this notwithstanding the fact that the grounds are unenclosed and there is therefore no physical difficulty in the way of an inmate leaving the premises.

21. In the State of Massachusetts the Legislature does not appear to have made any special enactments with reference to the detention of the feeble-minded. In this State, however, it is possible to take advantage of the ordinary law for seclusion of lunatics, inasmuch as there is no distinction in law made between lunatics, idiots, and imbeciles. In Massachusetts a person of defective intellect can be certified as insane and committed to an institution for the feeble-minded under the same procedure as that adopted in lunacy.

22. Massachusetts differs from most of the States we visited in having adopted one system of State organisation for all kinds of mental disorder. It has a State Board of Insanity which is charged with the control of all institutions for lunatics, feeble-minded, epileptics, and inebriates, and which exercises extensive power of removing patients from one institution to another.

23. We mention this fact because in most of the States the control of lunatics is kept distinct from that of other defectives, and great importance appears to be attached to this distinction. For example, in New York State there are two distinct Government departments, the State Commission in Lunacy and the State Board of Charities. The former has the care of the Lunatic Asylums whilst the latter control the Institutions for the Feeble-minded and the Epileptic. It may be advisable in practice to maintain a wide separation between persons suffering from curable lunacy and congenital idiocy; but the union of organisation as followed in Massachusetts and also in Pennsylvania appears to us to possess merit, as it facilitates governmental action and encourages scientific administration and classification. Indeed, we doubt whether in the States where there are duplicate departments there is in effect any greater separation of these classes than there is under the direction of the single Board of Insanity in Massachusetts. In New York State we visited three ordinary Lunatic Asylums and one Criminal Lunatic Asylum. In the former, cases of congenital mental defect were comparatively few: but in the latter we noted their presence in considerable numbers. This fact indicates the difficulty of separating congenital from acquired mental defect when dealing with prison cases.

24. The method of treatment followed by all the most successful of the American institutions, whether for lunatics or for feeble-minded, consists chiefly in developing to the utmost extent whatever faculty for working an inmate possesses, and it is remarkable how much labour the mentally afflicted are able to perform when wisely directed and constantly supervised. It is work alone which make an institution for feeble-minded hopeful or indeed bearable either for the attendants or the patients. There are not, however, many branches of labour which the feeble-minded can perform. In the American institutions we found the inmates generally engaged in the trades of making or mending boots, tailoring and dress-making, rough painting and carpentering, baking, washing, and farming. Of these the two last-named industries are those to which most importance is attached. The laundry gives occupation to large numbers of the women, whilst the advantages of agricultural occupations for the men is so generally recognised that public money has been readily granted to the institutions we visited for the purchase of land and the extension of farming operations on a considerable scale. The cleaning, scrubbing, cooking, and indeed all the domestic duties in the homes were entrusted almost entirely to the inmates. In some cases the higher grade inmates attended to and looked after those of low grade with much care and assiduity. In short, occupation of some sort was provided for all, even if it were only training in balancing and walking, in tactual discrimination and other elements of self-help and usefulness.

25. Since the institutions have been placed under State management great efforts have been made to administer them on economical lines. Under the American system the managers and the superintendents are appointed by the State and are entrusted with the expenditure of a grant of money made annually by the State Legislature upon a Budget presented by the managers and strictly checked by the financial department of the State. It is not usual to allow any expenditure by the managers to be met by borrowed money, and thus the cost of new buildings and enlargements has to be provided for out of the annual grant.

26. The result of this is that the managers do their utmost to make the money granted to them go as far as possible, and we found that in many instances they have succeeded in providing accommodation for the feeble-minded of a satisfactory character at a cost below anything we have known in our own country.

27. The total cost of land and buildings in the institutions for feeble-minded which we inspected varied from £90 per bed to £160. The cost of additional blocks or cottages was from £50 to £75 per bed. The weekly maintenance per inmate varied considerably. The lowest figure was 9s. 4d. In some instances the State allow as much as 18s. or 22s. for maintenance, but in these cases the managers have been able, out of savings in

current expenditure, to add to the building or equipment of the institution. Taking into consideration the fact that prices in America exceed those in England the foregoing figures may be regarded as satisfactory.

28. The low cost of erection of buildings in recent years is due to the opinion now held by the American managers that the feeble-minded do not require and are not benefited by anything like the elaborate accommodation provided for lunatics, and even in the lunatic asylums which we visited opinion was evidently ripening in favour of simpler and less costly arrangements. In the Farm Colony at Templeton, Massachusetts, the inmates were housed almost as modestly as the ordinary labourer would be on an ordinary farm, and the men and boys there seemed to be as contented and as healthy as any we had seen elsewhere, and to be doing remunerative work to an extent which having regard to their low mental condition was unique in the experience of any of us.

29. The cost of maintenance depends largely upon the number of attendants, and this must necessarily be considerable in all establishments for persons who cannot look after themselves. In the institutions which we saw the proportion between attendants and inmates varied between 1 to 7 and 1 to 10.

30. In most of the institutions the attempt is made to add to the financial resources by the product of the inmates' labour. There is no doubt that material assistance is afforded by this means, but, of course, as a large proportion of the feeble-minded can do but little effective work, in no case have we found that the aggregate returns have been suffcient to make the institution self-supporting.

31. Most of the institutions which we visited are what may be termed large institutions containing from 500 to 2,000 inmates. Notwithstanding this fact, we were favourably impressed with their suitability for the purposes for which they are established. In the best of the institutions, however, the present tendency is to house the inmates in separate cottages or blocks having accommodation or varying numbers. In some cases it is found best to erect a building for 25 inmates and two or three attendants. In others the distinct blocks contained 100 or 200 persons. By this means suitable accommodation could be given to suitable cases, and great scope for classification was afforded whilst preserving the advantages and economies secured by having one central administration for a large community.

32. The foregoing observations have reference solely to the homes for feeble-minded, as it is these that was our prime duty to report upon. We visited, however, a large number of other institutions, such as lunatic asylums, prisons, reformatories, labour colonies, homes for epileptics, workhouses or almshouses, and residential and day schools, and with respect to some of these we may add the following observations.

33. As regards the lunatic asylums our general impression is that in America these are as a rule better designed, more cheaply built, and more successfully managed than are the majority of asylums in England.

34. It is noticeable that in America the word "asylum" is avoided. These institutions are termed "State Hospitals for the Insane," and the spirit which has prompted this nomenclature governs both the design and the administration. The best asylums which we visited partake more of the nature of a curative home than of a prison. They are not enclosed by walls or railings. A large proportion of the patients are allowed absolute freedom, and every attempt is made by providing recreation and useful employment to relieve or cure the patient. In some States the providing of work has been hampered by a prejudice that exists amongst the working-classes against permitting inmates of institutions to compete with outside labour, but, fortunately for these afflicted creatures, a wider and more generous view now appears to be obtaining, and under certain conditions the State Legislatures encourage this necessary development of the work.

35. In American asylums the proportion of medical men to the rest of the staff is generally higher than it is in the United Kingdom, and the scientific treatment of the insane is thus facilitated. The superintendent is usually a member of the medical profession, and he has very extensive powers entrusted to him. The asylums are administered by a committee of managers nominated by the Governor of the State and resident within reasonable distance of the asylum. The superintendent is responsible to this committee, but in practice he has a very large degree of personal authority in the establishment. The superintendents whom we saw gave us the impression of being men of high standing in their profession and possessing great knowledge of, and showing great devotion to, their work.

36. One fact which calls for remark in the organisation of the State institutions in America is the share taken by women in the management of those institutions which receive women inmates. At Newark, the regulations laid down by the State of New York stipulated that the board of management should consist of nine persons, three of whom must be women The resident medical officer in this institution was a woman. In several of the institutions for women we found a lady doctor on the medical staff, whilst the institution for Feeble-minded Women at Vineland, New Jersey, had a medical woman as superintendent, and three women on the board of management. Women superintendents and medical officers were also found in the State reformatories for women at Sherborne, Bedford, Albion and Hudson, and the superintendent of the City Schools for Feeble-minded and Idiot Children, New York, is a woman. We were told that public opinion in New York State was so pronounced on this subject that a law had been passed making it obligatory to have a woman medical officer on the staff of any State institution in which women lunatics were received.

37. We have already explained the financial system which regulates the State institutions, and have shown how the result has been to make managers and superintendents take every means to ensure economy in building and administration. We may mention, as an example of this, that the Legislature of the State of New York has in recent years laid it down that no building in an asylum is to cost more than £100 per bed. We did not find that this had been proved to be actually feasible, but it has undoubtedly effected a very considerable curtailment in the estimates.

38. In connection with the subject of Lunacy administration we must not omit to mention that in New York, Brooklyn, Albany and Chicago, we visited the pavilions or wards which have been erected for the reception of persons suffering from mental disturbance for the purpose of observation prior to committing them to an asylum. We were much impressed with the usefulness of these wards, which offer great facilities for the diagnosis of doubtful cases of insanity and feeble-mindedness and thus simplify certification The wards in New York, Albany, and Chicago were for observation only, the patients not being detained sufficiently long for curative purposes, but those in Albany were for curative as well as diagnostic purposes, and the patients in them were detained longer.

39. We visited three institutions specialised for the detention and treatment of epileptics. The most noteworthy fact we observed in them was the marked degree of mental enfeeblement of the majority of the inmates, in fact it may be said that the inmates of these epileptic institutions are as feeble-minded as those in the feeble-minded institutions proper. In New York State the separation of epileptics from the feeble-minded and the insane is carried to an extreme. There, if a feeble-minded or even an insane person is epileptic he technically ceases to be considered feeble-minded or insane but only epileptic. The Craig Epileptic Colony is an instance of what a so-called colony for sane epileptics may develop into. It was started as a working colony for the sane, but has now become an asylum housing helpless low-grade imbeciles and idiots.

40. In almost all the almshouses which we visited we found mentally defective persons present. In some they were comparatively few, but in others

they were to be seen in large numbers. When this was so the conclusion was forced upon us that the detention of such persons in such institutions is a cause of great discomfort to the sane inmates.

41. In the prisons we visited, and especially in the short sentence prisons, we came across mentally defective persons in considerable numbers. In one prison only did we see any special provision made for the prisoners of this class; it consisted in segregation in one part of the prison and untasked labour. Our general observation in the prisons was that little official cognisance is taken of the existence of such a class of person. We did not find that much provision is made for the care or supervision of feeble-minded persons after the expiry of their sentence; but prisoners with marked insanity in the State Prisons of New York are certified and transferred to the Criminal Lunatic Asylum, where they are kept permanently or until cured irrespectively of the expiry of their sentences.

42. In the criminal reformatories also we saw numbers of the feeble-minded, and ascertained that in the reformatories, as in the prisons, little or no provision is made for them, the one exception being that in the case of women there exists a power of transferring them from the reformatories to custodial homes for the feeble-minded. For example, in the Newark State Custodial Asylum for Feeble-minded Women we met with some who had been transferred from the Hudson Reformatory for Women. The detention of these women at Newark was not limited to the length of their sentences. In the reformatories we were impressed by the prevalence of mental defect among the inmates of the lowest disciplinary grade. In one reformatory we found the third disciplinary class to consist almost entirely of feeble-minded, and were informed that the percentage of feeble-minded in the total population of that reformatory amounted to about 20 per cent. We were told that in a particular reformatory to which the more refractory cases are sent, the percentage of feeble-mindedness is still larger.

43. As regards the elementary schools, we visited several of these in New York City, Boston, Philadelphia, Albany, Chicago, and other towns, with the view of ascertaining whether there was anything we could learn from the American methods of dealing with the feeble-minded children attending for daily instruction. Some attempt has been made to provide special classes, particularly in New York and Boston. In the former city the educational authorities seem to be fully alive to the problem, and to be providing gradually classes of the kind with which we are acquainted in England. Considerable interest is shown in this subject, but those concerned in it stated that they had been inspired and guided by their knowledge of what has taken place in England, and we cannot say that we obtained any new ideas or more useful experiences than those which have presented themselves to us in our own country.

44. We trust that our experiences in the United States will be of value to the Royal Commission as undoubtedly they have been to us, and we take this opportunity again of expressing our grateful acknowledgments to those kind and hospitable friends in America who gave us ungrudgingly that assistance and advice without which our journey would have been fruitless.

(Signed) W. P. BYRNE.

W. H. DICKINSON.

H. B. DONKIN.

JAMES C. DUNLOP.

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April 30th, 1907.

ROYAL COMMISSION ON THE CARE AND CONTROL OF THE FEEBLE-MINDED.

PARTICULARS REGARDING INSTITUTIONS VISITED BY THE COMMISSIONERS WHICH WERE OF MOST INTEREST FOR THE PURPOSES OF THE INQUIRY.

Name of Institution.	No of Inmates.	Acreage.	Staff.	Cost per Bed.	Cost of Maintenance.	Nature of Institution.
I.—NEW YORK STATE :						
(1) Hudson River State Hospital, Poughkeepsie (*see* p. 7 *ante*).	2,300	1,000	152 (11 medical men).	£200.	14s. 8d. per week.	Asylum for insane.
(2) Buffalo State Hospital, Buffalo (*see* p. 7 *ante*).	1,671	In town, small farm and garden.	350 (10 medical men).	—	14s. 7d. per week.	Asylum for insane, 60 per cent employed.
(3) State Hospital for Criminal Insane, Matteawan (*see* p. 8 *ante*).	650	250	118 (4 medical men).	—	14s. 7d. per week.	20 per cent of inmates convicted of murder or manslaughter. Majority convicted of felony, but many for petty charges.
(4) Special Classes in New York City (*see* p. 13 *ante*.)	400 defective children.	—	—	—	—	No Special Schools, but a score or more classes for defective children. There are also classes for dull and backward children which afford means for testing mental calibre of children.
(5) Syracuse State Institution for Feeble-minded Children (*see* p. 16 *ante*).	550	274	115 (Medical superintendent).	Value of land and buildings £80,000. Equipment £9,000.	16s. per week (less 2s. 6d. earnings).	Somewhat similar to Royal Albert Asylum.
(6) Rome State Custodial Asylum (*see* p. 19 *ante*).	750	400	— (Medical superintendent).	£160.	12s. per week (less 1s. earnings).	Untrainable idiots and custodial feeble-minded cases from almshouses, and homes in the State.
(7) Newark State Custodial Asylum for Feeble-minded Women, Wayne (*see* p. 26 *ante*).	600	42	75 (Lay superintendent assisted by medical man).	£53.	9s. 6d. per week (less 6d. earnings).	Feeble-minded women of child-bearing age. Board of managers nine in number, including three women.
(8) Craig Colony for Epileptics, Sonyea (*see* p. 32 *ante*).	850 (open to almost indefinite increase).	1,900	165 (Medical superintendent, 7 assistant doctors, including a lady doctor).	—	14s. per week (less 2s. 6d. earnings).	State, and paying patients.
(9) Houses of Refuge and Reformatories for Women at Albion and Bedford (*see* p. 40 *ante*).	Albion House, 140	97	— (Lady superintendent.)	—	20s. 6d. per week (less 6d. earnings).	Reformable women between 15 and 30 convicted of prostitution, inebriety and petty offences on indeterminate sentences not beyond 3 years.
	Bedford House, 227	107	— (Lady superintendent.)	—	18s. 6d. per week (less 6d. earnings).	
(10) The Hudson State Training School for Girls (*see* p. 41 *ante*).	238	—	— (Superintendent and resident medical officer both lady doctors.)	—	23s. 6d. per week	Training school for girls not over 16 committed as vagrants, disorderly or criminal, on indeterminate sentences. Inmates cannot be kept after 18.

Name of Institution.	Number of Inmates.	Acreage.	Staff.	Cost per Bed.	Cost of Maintenance.	Nature of Institution.
I. New York State—*cont.*						
(11) New York City School for Feeble-minded and Custodial Asylum, Randalls Island (*see* p 43 *ante*).	733	—	— (Lady Superintendent. Work done by inmates, if done by paid helpers would cost, it is said, over £4,000 a year.)	—	Probably 18s. per week.	General system somewhat similar to the English special schools, but children are boarded.
(12) Almshouse, Blackwells Island (*see* p. 44 *ante*).	—	—	Very small, 1 day and 1 night nurse for 60 patients, assisted by 2 inmates.	—	—	Similar to English workhouses, but conditions unsatisfactory.
(13) Almshouse, Albany (*see* p. 45 *ante*).	500 could be accommodated; actually in residence. 246	—	10 (including superintendent at £500 a year, and deputy at £300)	—	—	Workhouse, sane and insane inmates not separated; one-third of inmates said to be feeble-minded.
(14) Good Shepherd Institution, and Reformatory, Buffalo (*see* p. 45 *ante*).	(1) 50 (2) 36 148 (3) 62	—	57 sisters	—	—	(1) Home for rescue work. (2) Reformatory for girls between 15 and 30, committed for living in disorderly houses. (3) Home for young girls not charged requiring custodial treatment.
II. Massachusetts:						
(15) Almshouse, Long Island (*see* p. 49 *ante*).	800 to 1,000	—	—	—	—	Workhouse. According to the Report insane and feeble-minded persons had been almost entirely removed, only 36 being left. But in the opinion of the assistant medical officer one-third to one-half of the inmates had some mental defect.
(16) Special Classes Boston (*see* p. 50 *ante*).	105 (seven classes of fifteen).	—	—	—	—	No special schools, and these classes are only in the experimental stage.
(17) School for the Feeble-minded, Boston, and Templeton Colony (*see* p. 51 *ante*).	School at Boston, 1,000	150	—	—	About 14s. per week, including cost of repairs and improvements.	School for the Feeble-minded.
(*see* p. 60 *ante*).	Colony at Templeton. 150 to 200 at present.	2,000	(No resident medical superintendent; local doctor comes when required.)	£40 to £50.	—	Custodial cases, idiots or marked imbeciles; all doing manual work.
(18) State Hospital at Tewkesbury (*see* p. 62 *ante*).	1,300 to 1,800.	600	—	£100	13s. 9d. per week (less 1s. 3d.) earnings.	Sick, insane or indigent paupers; entire maintenance provided by the State.

Name of Institution.	Number of Inmates.	Acreage.	Staff.	Cost per Bed.	Cost of Maintenance.	Nature of Institution.
II.—Massachusetts—*cont.*						
(19) Hospital for Epileptics at Palmer (*see* p. 64 *ante*).	460	Several hundred.	1 attendant to 4 patients (4 medical men).	£156	18s. per week.	Many insane and feeble-minded; costs defrayed by State, Poor Law authorities and private individuals.
(20) Hospital Cottages for Children, Baldwinville (*see* p. 66 *ante*).	140	—	—	—	Patients pay from 13s. to 20s. per week.	Private philanthropic institution for epileptic, nervous, and deformed children up to 14.
(21) Hospital for Dipsomaniacs and Inebriates, Foxborough (*see* p. 67 *ante*).	224 (62 of whom are lunatics)	—	1 attendant to 5 patients (3 medical men).	£170	24s. per week.	Corresponds to a retreat in England.
(22) State Farm, Bridgwater (*see* p. 70 *ante*).	1,660	1,000	1 employee to 18 inmates (5 medical men).	£90	9s. per week	Criminal lunatic asylum, indeterminate sentence prison, and a workhouse on one site.
(23) Concord Reformatory, Concord (*see* p. 72 *ante*).	835	—	—	—	—	Industrial training for reformable criminals.
(24) Sherbourne Reformatory for Women, South Framingham (*see* p. 72 *ante*).	190 (accommodation for 600)	—	Female staff, including 2 medical women.	—	—	Industrial training for reformable criminals.
III.—Maryland:						
(25) Asylum and Training School for Feeble-minded, Owing Mills (*see* p. 77 *ante*).	200	—	37 (including a medical superintendent).	£70	£30 per annum.	Boys and girls admitted at 7, discharges very few. About half inmates are feeble-minded, but remainder lower grade imbeciles and idiots or epileptics.
IV.—Washington:						
(26) The "Workhouse" or Local Short-sentence Prison, District of Columbia (*see* p. 79 *ante*).	—	—	—	—	—	Inmates sentenced up to six months for drunkenness and a few for longer terms for vagrancy, etc. Many said not to be right in their heads.
V.—Pennsylvania:						
(27) Elwyn School for Feeble-minded Children (*see* p. 80 *ante*).	1,060	350	165	—	14s. per week	Primarily a training school, but with some buildings for asylum purposes.
(28) State Institution for Feeble-minded of Western Pennsylvania at Polk (*see* p. 86 *ante*).	1,166	1,000	119 (including 3 medical men).	£125	14s. 6d. per week	Intended to supplement Elwyn and provide for requirements of Western Pennsylvania.
VI.—New Jersey:						
(29) State Home for Care and Control of Feeble-minded Women, Vineland (*see* p. 96 *ante*).	160	35	Lady medical superintendent, 6 trained teachers.	£90	18s. per week	Women committed for one year of child-bearing age; committal renewable every year. Committal by Governor of State, not by Courts.
(30) Training School for Feeble-minded Boys and Girls (*see* p. 99 *ante*).	350	280	—	—	—	Committal by Governor. Age of boys, 5 to 21; age of girls, 5 to 12. Practically an idiot asylum and training school for imbeciles built and partially endowed privately but almost entirely supported by State.

Name of Institution.	Number of Inmates.	Acreage.	Staff.	Cost per Bed.	Cost of Maintenance.	Nature of Institution.
VI.—New Jersey—*cont.*						
(31) State Village for Epileptics, Skillman (*see* p. 103 *ante*).	300	890	—	£263	25s. per week	Epileptic colony supposed to be for epileptics neither sane nor idiotic, but containing some low grade imbeciles and idiots. Both paupers and non-paupers admitted.
VII.—Ohio:						
(32) Columbus State Institution for Feeble-minded Youths (*see* p. 105 *ante*).	1,350 (50 being on the farm colony).	Grounds, 187½ acres	200 (including 1 medical man and about 30 teachers).	—	—	Training and educational department for children and custodial training and industrial department for adults.
The Farm Colony, an extension of the Institution for the Feeble-minded, Columbus (*see* p. 113 *ante*).	50	Colony, 1,800 acres	Master and Matron and eleven employees.			The Colony only has 50 adult imbeciles at present, but it is intended to have 1,500 to 2,000 eventually.
(33) State Hospital for Epileptics, Gallipolis (*see* p. 114 *ante*).	1,200		215 (including 5 medical men).	—	13s. per week	Epileptics requiring institution treatment. Nine-tenths of cost paid by State, there being but few paying patients and the county and Poor Law authorities only contribute for clothing not exceeding 30s. per head per year.
VIII.—Illinois:						
(34) Marquette School, Chicago (*see* p. 117 *ante*).	15 in special class for defectives.	—	—	—	—	School contained special class for defective children of same type as admitted to London Special Schools. 200 such children are educated in special classes in Chicago.
(35) Dunning Institution (*see* p. 118 *ante*).	Asylum, 1,800	160	—	From £80 to £100 for the modern buildings.	£22 10s. per year	(1) Lunatic asylum. (2) Poor house. (3) Hospital for consumptives.
(36) Cook County Hospital, Chicago (*see* p. 119 *ante*).	1,100	—	—	—	—	General Hospital. New wing used as detention hospital for observation of alleged lunatics. About 30 cases per week pass through detention wards.
(37) Bridewell Prison (*see* p. 119 *ante*).	1,400 to 1,500	70	—	—	—	Chiefly for prisoners with sentences of six months and under. Sixty-four of the prisoners were considered as unfit for prison discipline and were known as "cranks."
John Worthy School	380	—	—	—	—	Reformatory for boys to which juveniles are committed and young prisoners committed to gaol are frequently transferred.

Name of Institution.	Number of Inmates.	Acreage.	Staff.	Cost per Bed.	Cost of Maintenance.	Nature of Institution.
VIII.—Illinois—*cont.*						
(38) Asylum for Feeble-minded Children, Lincoln (*see* p. 120 *ante*.)	1,400 (300 of whom were epileptic)	880	Numerous, including 4 medical men	—	11*s.* per week	Idiots and all grades of feeble-minded, and 75 custodial cases of imbecility on farm. Inmates received on request of relatives or Poor Law authorities. No power of detention. Cost of maintenance provided by State, with contributions from parents.
IX.—Indiana:						
(39) School for Feeble-minded, Fort Wayne (*see* p. 127 *ante*).	1,065 (300 of whom are epileptic)	—	—	£120	9*s.* 4*d.* per week	For training and instructing feeble-minded children. Containing two distinct departments, one industrial and the other custodial. The inmates included 120 adult females.

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ROYAL COMMISSION ON THE CARE AND CONTROL OF THE FEEBLE-MINDED.

REPORT

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ON THE

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Royal Warrant.

EDWARD R. and I.

Edward the Seventh, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, to—

Our right trusty and entirely beloved Cousin Thomas Henry, Marquess of Bath, Chairman; and

Our trusty and well-beloved:—

William Patrick Byrne, Esquire, Companion of Our Most Honourable Order of the Bath, Principal Clerk in the Office of Our Secretary of State for the Home Department;

Charles Edward Henry Hobhouse, Esquire;

Frederick Needham, Esquire, Doctor of Medicine, one of the Commissioners in Lunacy;

Henry David Greene, Esquire, one of Our Counsel learned in the Law;

Charles Edward Heley Chadwyck-Healey, Esquire, one of Our Counsel learned in the Law;

Harold Nelson Burden, Clerk, Manager of Brentry and other Certified Inebriate Reformatories;

Willoughby Hyett Dickinson, Esquire, Chairman of the National Association for promoting the welfare of the Feeble-Minded;

Charles Stewart Loch, Esquire, Secretary to the Council of the London Charity Organization Society; and

Ellen Frances Pinsent. Greeting!

Whereas We have deemed it expedient that a Commission should forthwith issue to consider the existing methods of dealing with idiots and epileptics, and with imbecile, feeble-minded, or defective persons not certified under the Lunacy Laws; and in view of the hardship or danger resulting to such persons and the community from insufficient provision for their care, training, and control, to report as to the amendments in the law or other measures which should be adopted in the matter, due regard being had to the expense involved in any such proposals and to the best means of securing economy therein;

Now know ye, that We, reposing great trust and confidence in your knowledge and ability, have authorized and appointed, and do by these presents authorize and appoint, you, the said Thomas Henry, Marquess of Bath; William Patrick Byrne; Charles Edward Henry Hobhouse;

Frederick Needham; Henry David Greene; Charles Edward Heley Chadwyck-Healey; Harold Nelson Burden; Willoughby Hyett Dickinson; Charles Stewart Loch; and Ellen Frances Pinsent to be Our Commissioners for the purposes of the said inquiry.

And for the better effecting the purposes of this Our Commission, We do by these presents give and grant unto you, or any three or more of you, full power to call before you such persons as you shall judge likely to afford you any information upon the subject of this Our Commission; and also to call for, have access to, and examine all such books, documents, registers and records as may afford you the fullest information on the subject, and to inquire of and concerning the premises by all other lawful ways and means whatsoever.

And We do by these presents authorize and empower you, or any of you, to visit and personally inspect such places as you may deem it expedient so to inspect for the more effectual carrying out of the purposes aforesaid.

And We do by these presents will and ordain that this Our Commission shall continue in full force and virtue, and that you Our said Commissioners, or any three or more of you, may from time to time proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment.

And We do further ordain that you, or any three or more of you, have liberty to report your proceedings under this Our Commission from time to time if you shall judge it expedient so to do.

And Our further will and pleasure is that you do, with as little delay as possible, report to Us under your hands and seals, or under the hands and seals of any three or more of you, your opinion upon the matters herein submitted for your consideration.

Given at Our Court at *St. James's*, the ninth day of *September*, one thousand nine hundred and four, in the fourth year of Our Reign.

By His Majesty's Command,

A. AKERS-DOUGLAS.

Royal Warrant.

EDWARD R. and I.

Horatio Bryan Donkin, Esquire, M.D., F.R.C.P.,
To be a member of the Royal Commission to consider the existing methods of dealing with idiots and epileptics, and with imbecile, feeble-minded, or defective persons.

Edward the Seventh, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, To our Trusty and Well-beloved Horatio Bryan Donkin, Esquire, Doctor of Medicine, one of the Commissioners under the provisions of the Prisons Act, 1877. Greeting!

Whereas by Warrant under our Royal Sign Manual bearing date the Ninth day of September One Thousand Nine Hundred and Four, We were pleased to appoint Commissioners to consider the existing methods of dealing with idiots and epileptics, and with imbecile, feeble-minded or defective persons.

Now Know ye, that We, reposing great trust and confidence in your knowledge and ability, have authorized and appointed, and do by these presents authorize and appoint you the said Horatio Bryan Donkin, to be One of Our Commissioners for the purpose aforesaid, in addition to and together with the Commissioners whom We have already appointed.

Given at Our Court at *Balmoral* the Seventh day of *October*, one thousand nine hundred and four, in the Fourth Year of Our Reign.

By His Majesty's Command,

A. Akers-Douglas.

Royal Warrant.

Edward the Seventh, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, to Our right trusty and right well-beloved Cousin Jacob, Earl of Radnor. Greeting!

Whereas the Office of Chairman of the Royal Commission on the Care and Control of the Feeble-Minded is now vacant by the resignation of our right trusty and entirely beloved cousin, Thomas Henry, Marquess of Bath.

Now know ye, that We, reposing great trust and confidence in your real discretion and ability, have authorized and appointed, and do by these presents authorize and appoint you, the said Jacob, Earl of Radnor, to be Chairman of the said Commission in the room of the said Thomas Henry, Marquess of Bath, resigned.

Given at Our Court at *St. James's*, the twenty-fifth day of *February*, nineteen hundred and five, in the fifth year of Our Reign.

By His Majesty's Command,

A. Akers-Douglas.

Royal Warrant.

EDWARD R. and I.

James Craufurd Dunlop, Esq., M.D., F.R.C.P. (Edin.), to be a Member of the Royal Commission on the Care and Control of the Feeble-Minded.

Edward the Seventh, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, to Our trusty and well-beloved James Craufurd Dunlop, Esquire, Doctor of Medicine, Fellow of the Royal College of Physicians (Edinburgh), Superintendent of Statistics in the Office of the Registrar General for Scotland, Inspector under the Inebriates Acts, Assistant to the Medical Adviser to the Prison Commissioners for Scotland. Greeting!

Whereas by Warrants under Our Royal Sign Manual bearing date respectively the Ninth Day of September and the Seventh Day of October, 1904, and the Twenty-fifth Day of February, 1905, We were pleased to appoint Commissioners to consider the existing methods of dealing with idiots and epileptics and with imbecile feeble-minded or defective persons.

Now know ye, that We, reposing great trust and confidence in your knowledge and ability, have authorized and appointed, and do by these presents authorize and appoint you, the said James Craufurd Dunlop, to be one of our Commissioners for the purpose aforesaid in addition to and together with the Commissioners whom we have already appointed.

Given at Our Court at *St. James's*, the sixth day of *March*, nineteen hundred and five, in the fifth year of Our Reign.

By His Majesty's Command,

A. Akers-Douglas.

Royal Warrant.

EDWARD R. and I.

Edward the Seventh, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, to—

Our right trusty and right well-beloved Cousin Jacob, Earl of Radnor; and

Our trusty and well-beloved:—

William Patrick Byrne, Esquire, Companion of Our Most Honourable Order of the Bath, Principal Clerk in the Office of Our Secretary of State for the Home Department;

Charles Edward Heley Chadwyck-Healey, Esquire, Companion of Our Most Honourable Order of the Bath, one of Our Counsel learned in the Law;

Charles Edward Henry Hobhouse, Esquire;

Frederick Needham, Esquire, Doctor of Medicine, one of the Commissioners in Lunacy;

Horatio Bryan Donkin, Esquire, Doctor of Medicine, one of the Commissioners under the provisions of the Prison Act, 1877;

James Craufurd Dunlop, Esquire, Doctor of Medicine, Fellow of the Royal College of Physicians (Edinburgh), Superintendent of Statistics in the Office of the Registrar-General for Scotland, Inspector under the Inebriates Acts, Assistant to the Medical Adviser to the Prison Commissioners for Scotland;

Henry David Greene, Esquire, one of Our Counsel learned in the Law;

Harold Nelson Burden, Clerk, Manager of Brentry and other Certified Inebriate Reformatories;

Willoughby Hyett Dickinson, Esquire, Chairman of the National Association for promoting the welfare of the Feeble-Minded;

Charles Stewart Loch, Esquire, Secretary to the Council of the London Charity Organization Society; and

Ellen Frances Pinsent. Greeting!

Whereas We did by Warrants under Our Royal Sign Manual, bearing date the ninth day of September and the seventh day of October, one thousand nine hundred and four, and the twenty-seventh day of February and the sixth day of March, one thousand nine hundred and five, authorise and appoint certain persons therein respectively named, or any three or more of them, to be Our Commissioners to consider the existing methods of dealing with idiots and epileptics, and with imbecile, feeble-minded, or defective persons not certified under the Lunacy Laws; and in view of the hardship or danger resulting to such persons and the community from insufficient provision for

their care, training, and control, to report as to the amendments in the law or other measures which should be adopted in the matter, due regard being had to the expense involved in any such proposals and to the best means of securing economy therein ;

And Whereas We have deemed it expedient that the scope of the said Commission should be enlarged, and that the Commissioners appointed for the purposes aforesaid should also be authorised to enquire into the constitution, jurisdiction, and working of the Commission in Lunacy and other Lunacy Authorities in England and Wales, and into the expediency of amending the same or adopting some other system of supervising the care of lunatics and mental defectives ; and to report as to any amendments in the law which should, in their opinion, be adopted :

Now know ye, that We, being advised that a new Commission should issue for this purpose, have revoked and determined, and do by these presents revoke and determine, the said several Warrants, and every matter and thing therein contained.

And We do by these presents nominate, constitute and appoint you the said Jacob, Earl of Radnor (Chairman) ; William Patrick Byrne ; Charles Edward Heley Chadwyck-Healey ; Charles Edward Henry Hobhouse ; Frederick Needham ; Horatio Bryan Donkin ; James Craufurd Dunlop ; Henry David Greene ; Harold Nelson Burden ; Willoughby Hyett Dickinson ; Charles Stewart Loch ; and Ellen Frances Pinsent to be Our Commissioners to consider the existing methods of dealing with idiots and epileptics, and with imbecile, feeble-minded or defective persons not certified under the Lunacy Laws ; and in view of the hardship or danger resulting to such persons and the community from insufficient provision for their care, training and control, to report as to the amendments in the law or other measures which should be adopted in the matter, due regard being had to the expense involved in any such proposals and to the best means of securing economy therein ; and also to enquire into the constitution, jurisdiction, and working of the Commission in Lunacy and of other Lunacy Authorities in England and Wales, and into the expediency of amending the same or adopting some other system of supervising the care of lunatics and mental defectives ; and to report as to any amendments in the law which should, in their opinion, be adopted.

And for the better effecting of this Our Commission, We do by these presents give and grant unto you, or any three or more of you, full power to call before you such persons as you shall judge likely to afford you any information upon the subject of this Our Commission ; and also to call for, have access to, and examine all such books, documents, registers and records as may afford you the fullest information on the subject, and to inquire of and concerning the premises by all other lawful ways and means whatsoever.

And We do by these presents authorize and empower you, or any of you, to visit and personally inspect such places as you may deem it expedient so to inspect for the more effectual carrying out of the purposes aforesaid.

And We do by these presents will and ordain that this Our Commission shall continue in full force and virtue, and that you Our said Commissioners, or any three or more of you, may from time to time proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment.

And We do further ordain that you, or any three or more of you, have liberty to report your proceedings under this Our Commission from time to time if you shall judge it expedient so to do.

And Our further will and pleasure is that you do, with as little delay as possible, report to Us under your hands and seals, or under the hands and seals of any three or more of you, your opinion upon the matters herein submitted for your consideration.

And for the purpose of aiding you in your enquiries We hereby appoint Our trusty and well-beloved Hartley Brinkley Newton Mothersole, Esquire, Barrister-at-Law, to be Secretary to this our Commission.

Given at Our Court at *St. James's*, the second day of *November*, one thousand nine hundred and six, in the sixth year of Our Reign.

By His Majesty's Command,

H. J. Gladstone.

REPORT.

To the King's most Excellent Majesty.

MAY IT PLEASE YOUR MAJESTY,

We, the undersigned Commissioners, appointed

> "to consider the existing methods of dealing with idiots and epileptics, "and with imbecile, feeble-minded or defective persons not certified "under the Lunacy Laws; and in view of the hardship or danger "resulting to such persons and the community from insufficient "provision for their care, training and control, to report as to the "amendments in the law or other measures which should be adopted "in the matter, due regard being had to the expense involved in "any such proposals and to the best means of securing economy therein";

and also

> "to enquire into the constitution, jurisdiction and working of the "Commission in Lunacy and of other Lunacy Authorities in England "and Wales, and into the expediency of amending the same or adopting "some other system of supervising the care of lunatics and mental "defectives; and to report as to any amendments in the law which "should, in our opinion, be adopted,"

have the honour to submit to your Majesty our Report.

Terms of the original reference.

1. The original Royal Warrant under which we were appointed, and which was dated September 9th, 1904, instructed us

> "to consider the existing methods of dealing with idiots and epileptics, "and with imbecile, feeble-minded or defective persons not certified "under the Lunacy Laws; and in view of the hardship or danger "resulting to such persons and the community from insufficient provision "for their care, training and control, to report as to the amendments "in the law or other measures which should be adopted in the matter, "due regard being had to the expense involved in any such proposals "and to the best means of securing economy therein."

According to our interpretation of this reference it became our duty to consider the existing methods of dealing with the following classes of persons, viz.:—

(i.) Idiots, whether certified or uncertified under the Lunacy Acts or the Idiots Act.

(ii.) Epileptics, whether certified or uncertified under the Lunacy Acts or the Idiots Act.

(iii.) Imbecile, feeble-minded or defective persons not certified under the Lunacy Acts.

Terms of the extended reference.

2. Our original reference was extended by Royal Warrant, dated November 2nd, 1906. It authorised us

> "to enquire into the constitution, jurisdiction and working of the "Commission in Lunacy and of other Lunacy Authorities in England "and Wales, and into the expediency of amending the same or "adopting some other system of supervising the care of lunatics and "mental defectives; and to report as to any amendments in the law which "should, in our opinion, be adopted."

According to our interpretation of the new reference, it became our duty to enquire into the constitution, jurisdiction and working of the Central Lunacy Authorities in England and Wales, viz. :—

(i.) The Lunacy Commission.

(ii.) The Judge and Masters in Lunacy, and

(iii.) The Lord Chancellor's Visitors in Lunacy.

Evidence heard by the Commission.

3. We commenced hearing evidence on November 14th, 1904, and our sittings have been open both to the Press and the public.

We have had evidence from representatives of all classes of persons who could give information on the subject of our enquiry, and have examined 248 witnesses. The taking of evidence and its consideration occupied 68 days, in addition to the time expended in visiting Institutions and in preparing the Report.

Our original reference covered the United Kingdom of Great Britain and Ireland. Under it, we heard 162 witnesses from England and Wales, twenty-seven witnesses from Scotland, and twelve witnesses from Ireland.

Some Scottish and Irish witnesses were heard by the Commission in London, and others at special sittings in Edinburgh and Dublin respectively.

Our extended reference only related to England and Wales, and on this we heard forty-seven witnesses.

Evidence given before previous Royal Commissions and Committees, etc., considered.

4. We have considered the evidence given before previous Royal Commissions and Committees touching the subject of our reference as a whole, and the recommendations made by them, and we have also obtained, through the Foreign Office and Colonial Office, full particulars of the manner in which foreign countries and the colonies are dealing with the questions submitted to us in our original reference.

Personal investigations by the Commissioners. Vol. VII.

5. Five of the members of the Commission visited the United States of America in October, 1905, and their Report is issued in a separate volume.

In addition, various members of the Commission have, from time to time, visited numerous institutions in which provision is made for the classes of persons named in our reference, in England and Wales, Scotland and Ireland and on the Continent.

Appointment of Honorary Assistant Commissioners for Ireland.

6. In connection with our investigations in Ireland, the Secretary of State for the Home Department, at the request of our Chairman, and with the assent of the Lords' Commissioners of His Majesty's Treasury, on July 17th, 1906, appointed Sir George Plunkett O'Farrell, M.D., Inspector of Lunatics in Ireland, and Mr. Joseph Mooney, J.P., to be Honorary Assistant Commissioners.

Appointment of Medical Investigators.

7. Almost at the outset of our enquiry, we found that there were no available statistics from which any trustworthy estimate could be made as to the number of persons who might be said to fall within one or other of the categories named in our reference. We decided, therefore, that an expert investigation of the question was indispensable, and having obtained the authority of the Treasury for the expenditure, which was necessarily considerable, we appointed medical investigators to make a thorough inquiry in regard to the number of mentally defective persons (including "epileptics") in sixteen separate typical districts, both urban and rural, in England and Wales, Scotland and Ireland, in the hope that from the particulars thus ascertained we might be able to form at least a rough estimate of the whole number, and of the provision that it would be necessary to make for their proper treatment.

INTRODUCTION.

Scope of the introduction.

8. We have "to consider the existing methods of dealing with idiots and epileptics and with imbecile, feeble-minded or defective persons not certified under the Lunacy laws," and we have to enquire into the expediency of amending "the constitution, jurisdiction and working of the Commission in Lunacy and of other Lunacy authorities in England and Wales, or adopting some other system of supervising the care of lunatics and mental defectives." In the course of investigating the problem which these words define, we have received evidence and suggestions from many quarters, and it is now our duty to endeavour to formulate what we hope may prove to be a consistent and practical scheme for solving it.

In this introduction, we propose to discuss shortly one or two preliminary questions, and to state, in outline, the plan of our Report and the general conclusions at which we have arrived.

The gravity of the present state of the mentally defective.

9. Of the gravity of the present state of things, there is no doubt. The mass of facts that we have collected, the statements of our witnesses, and our own personal visits and investigations compel the conclusion that there are numbers of mentally defective persons whose training is neglected, over whom no sufficient control is exercised, and whose wayward and irresponsible lives are productive of crime and misery, of much injury and mischief to themselves and to others, and of much continuous expenditure wasteful to the community and to individual families.

We find a local and "permissive" system of public education which is available, here and there, for a limited section of mentally defective children, and which, even if it be useful during the years of training, is supplemented by no subsequent supervision and control, and is in consequence often misdirected and unserviceable. We find large numbers of persons who are committed to prisons for repeated offences, which, being the manifestations of a permanent defect of mind, there is no hope of repressing, much less of stopping, by short punitive sentences. We find lunatic asylums crowded with patients who do not require the careful hospital treatment that well-equipped asylums now afford, and who might be treated in many other ways more economically, and as efficiently. We find, also, at large in the population many mentally defective persons, adults, young persons, and children, who are, some in one way, some in another, incapable of self-control, and who are therefore exposed to constant moral danger themselves, and become the source of lasting injury to the community.

The reports of the Medical Investigators.

10. This point may be illustrated by a reference to the reports of the Medical Investigators, whom we appointed to investigate some typical districts and to ascertain the extent and nature of the mental defect prevailing in them. They were instructed to examine certain groups of persons :—

Group A (Children in Public Elementary Schools).
Group B (Children and Adults in Poor Law Institutions).
Group C (Children and Adults in Receipt of Outdoor Relief).
Group D (Persons known to Sanitary Authorities).
Group E (Persons relieved by Medical Charities).
Group F (Persons known to General Practitioners).
Group G (Children and Adults in various Charitable Institutions and Common Lodging Houses, Training Homes, and Reformatories and Industrial Schools).
Group H (Persons to be heard of from other sources).
Group I (Known to the Police).
Group J (Idiots of the District in Idiot Asylums).
Group K (Inmates of Prisons).
Group L (Inmates of Inebriate Homes).

The reports of the Medical Investigators—*contd.*

Thus, in these districts, they made a census of various classes of mental defect, uncertified insane persons, idiots, imbeciles and "other feeble-minded," "defective" children and epileptics, in connection with the different institutions and authorities which ordinarily deal with them, institutions of the Poor Law schools, prisons, asylums and homes; and they noted also a large number who were living with their families or independently, under a great variety of conditions, altogether apart from the institutional establishments of the country.

We will take four of the reports of the Investigators, namely, those which relate to the crowded urban districts of Manchester, Chorlton and Prestwich, and to the less populous and chiefly rural unions selected for investigation in Somersetshire, Wiltshire and Nottingham, and we will refer especially to Group H., "other sources." In large towns there are usually many public and private institutions, and to these the mentally defective gravitate. In the country, apart from the workhouses and the county asylums, there are few institutions, and, relatively, a large number of mentally defective persons are to be found in the general population. On the other hand, in a town, there is such a constant movement of the population that those who at one time are known and cared for as mentally defective may quickly pass unrecognised to some other city or quarter.

Manchester, Chorlton and Prestwich, Vol. VI., p. 163.

11. Of a series of 500 cases of mentally defective children noted at Manchester some seven or eight years ago, Dr. Melland reports that the great majority have now been completely lost sight of. Of the rest, most have been found to be of the slighter degrees of defect, able to earn their living at home and fairly well looked after and controlled. "I feel quite sure that there are a large number of such slight cases absolutely undiscoverable so long as they are fairly effectively looked after by responsible parents and guardians." Hence, he concludes, that the number of which he makes a return in this class, under the heading "other sources," viz., 232, "falls far short of the total number which are actually present in the population."

Vol. VI., p. 6. (7).

In the Manchester district this class—"other sources"—contains mentally defective persons of every kind except senile dements. One section of it, the feeble-minded, may be taken as illustrative. The feeble-minded, according to the definition submitted to us by the Royal College of Physicians, are "persons who are capable of earning a living under favourable circumstances, but are incapable from mental defect existing from birth or from an early age (*a*) of competing on equal terms with their normal fellows; or (*b*) of managing themselves and their affairs with ordinary prudence." Of these, there were found, in this group, in the Manchester district 145; and of them, "twenty-four are in urgent need of provision. A further twenty-six should be cared for, though there is no great urgency. Of the remainder, thirty-six are working more or less regularly, and able to earn something towards their own support, and have more or less satisfactory home surroundings. The rest, fifty-nine in number, are not working, but are sufficiently well looked after at the moment, though one feels that at any time changes in their environment may make further provision for them urgently necessary. Some of them are able to give a little assistance in housework, and others of them are mothers of families, which they have reared with more or less success, mainly less. Many of them are made the pet of the family, being humoured and spoilt in every way by the other members."

Vol. VI., p. 164 & 165.

Somersetshire Unions, Vol. VI., p. 227.

12. In the Somersetshire Unions Dr. Tredgold found, from "other sources," 273 persons of all classes of defect, except certified lunatics and senile dements, among the general population.

One or two of these classes may be noted. "Out of the twelve idiots," he writes, "four are the children of fairly well-to-do parents, able to provide them with the necessary attention, and who would be very reluctant to part with them. In the remaining eight cases, I do not consider the present conditions to be at all satisfactory: several of these parents told me they would be only too thankful to get their charge into a suitable institution, could they do so; but others absolutely refused to part with them." As characteristic of some cases of this class, three instances are cited, of which the following is one :—

Vol. VI., p. 228.

"An idiot boy, sixteen years old, who is a repulsive object, subject to frequent fits, dressed in a girl's coarse petticoat. He is very destructive, and will smash anything he can lay hands on, and is generally tied up to the leg of the table to keep him out of mischief. The father is a labourer; the small cottage in which they live is filthy, in an inconceivable muddle, and contains eight other smaller children. In this case, the guardians were willing to take the child into the workhouse, but the parents flatly refused."

An analysis of this "feeble-minded" section—144 cases—of which information was obtained "from other sources," showed that out of 144, thirty-three males and five females were at present satisfactorily provided for. Of the rest this is the account:— Somersetshire Unions—*contd.*

"Persons in need of Provision:

"(a) *On Account of Personal Habits or Propensities.*—The total number of these is fifty-four (twenty-four males, thirty females). In fourteen, the feeble-mindedness is complicated by epilepsy. Three have been in asylums with attacks of insanity, whilst several others are so unstable, as well as defective, that insanity may almost certainly be looked for. Three have been imprisoned, and several others show definite criminal tendencies, which will inevitably bring them within the arm of the law before long. In this class there are also several loafers, capable of useful work under firm supervision; six married women with families (one of eight children); and seventeen feeble-minded women who have given birth to illegitimate children.

"(b) *On Account of Unsatisfactory Nature of Present Environment.*—The total number of these is fifty-two (twenty-seven males, twenty-five females). Nine of these have been inmates of the workhouse on several previous occasions; they belong to that class who manage in fair weather to obtain a living by begging, hawking, or odd jobs, but are driven to the house by stress of weather. Under proper care, they would be able to earn the greater portion of their keep. Two of the cases in this group are boarded-out under conditions which are not at all satisfactory; the majority of the others are at present leading an idle, listless existence, partly supported by friends, and partly by would-be philanthropists. They are quite capable of useful work under proper conditions."

13. Again, under Group H., "other sources," in Nottinghamshire, Dr. Gill found 267 cases, or practically one-third of his total. In it were persons suffering from defect of all kinds, excepting, as before, "certified lunatics." Of the 105 who were feeble-minded, he returns twenty-eight as requiring more suitable supervision, thirty-nine as efficiently looked after, but who would be better able to earn a living, or part of a living, if they worked under better regulated conditions; while the remainder have independent means, or are working with relatives who look after them carefully. Of thirty-five imbeciles, whom he found in this group, eleven are not under proper control. Nottinghamshire Unions. Vol. VI., p. 281.

"One of these, a girl of eight, an uneducable imbecile, calls for mention. On account of her filthy habits she is quite unfit for school and she is unmanageable at home. Her conduct has constituted a public scandal for the last two years, into the details of which it is impossible to enter; but, until lately, no attempt has been made to have her put under proper control."

14. In dealing with the different classes of the mentally defective in the general population in the selected Wiltshire unions, Dr. Pearse, writing of the imbeciles amongst them, says, though of a higher grade than the idiots, they are more capable of an independent existence, and, being often violent and excitable, more capable of mischief. The majority do no work, but wander aimlessly about the country-side. A few work in farms at a small wage, but they are quite incapable of anything beyond the simplest work, and that only under supervision. Of the male cases (thirty-five), only seven do any work which assists towards their livelihood. "Five of them are in receipt of relief; the remainder, the majority of whom are in poor circumstances, are dependent on their relatives, and when they can no longer maintain them, will become a burden on the public." "None of the female imbeciles (fifty-two) do any remunerative work: fourteen are in receipt of relief, some of the others are capable of doing a little housework, but cannot be relied upon for the simplest task. Three have given birth to children." Wiltshire Unions. Vol. VI., p. 262.

"Though there is no possibility of developing these imbeciles into satisfactory members of the community, their condition could be ameliorated and the danger to the public lessened were there some possibility of training them in discipline and in simple occupations. Their friends have often told me that they have endeavoured to train those under their care in manual work of various kinds, but have found it impossible. Such training cannot be done at home, but were there provision for treatment in an institution, though the low grade types would probably require permanent care, those of a higher type might have their faculties sufficiently developed to enable them to do simple work, to be less of a burden to the community and less a source of anxiety."

Wiltshire Unions—*contd.* Vol. VI., p. 262.

"Further, as there are so many of these cases under no kind of supervision, as a present measure all imbeciles should in my opinion be under inspection, and further methods should be devised of dealing with them in special wards of the workhouse or elsewhere, if occasion should demand, until some more satisfactory provision can be made."

Nottinghamshire. Vol. VI., p. 284.

15. Of this feeble-minded class in Nottinghamshire, Dr. Gill gives a similar account: "When one comes to the feeble-minded, what I have said gathers still greater force. One hundred and twenty of them are at present practically non-wage-earners, or what they earn comes so irregularly that they are practically earning nothing, but are dependent on the charity of their friends or the Lady Bountiful of the parish. They are the last to be taken on when work gets plentiful, and the first to be dismissed when it becomes slack. They are in a constant state of hand-to-mouth existence. I have talked it over with very many during the progress of my enquiry, and all agree that something in the way of organised work of a simple nature with intelligent and sympathetic oversight ought to be provided for them. Such a colony could probably be made largely, if not entirely, self-supporting."

The necessities of the case.

16. These extracts from the reports of the Medical Investigators are confirmed by much other evidence from both towns and rural districts. They indicate, we may repeat, evils of extreme gravity which require the speediest attention. They refer, as has been said, chiefly to feeble-minded persons connected with no institutions and living in the local conditions and surroundings in which they have been brought up. Many of them no doubt remain with their families and are kindly treated. But very many are untrained and uncared for. Leading irregular and purposeless lives, they become entirely undisciplined and fall into vice and crime. And, except so far as the special classes of the local education authorities may have, in a few places, met the need in some degree, there is no public organisation to train them according to their ability, and to control and supervise them, especially in the early years of life, when most can be done to aid them effectually.

This evidence suggests for our consideration as a main issue, how far it is possible to create a system by which these mentally defective persons could at an early age be brought into touch with some friendly authority, trained, and, as far as need be, supervised during their lives, in co-operation with their relations, when that is to their advantage, or, when it is desirable, detained and treated in some measure as the wards of the State. The evidence also suggests, that, as so many authorities are brought into contact with these persons,—the Poor Law, prisons, schools and the like,—in some way a settled plan of action should be established between the various agencies, so that some one supervising authority should see that they did not pass from one authority or institution to another, helped or detained a little at each, but permanently cared for by none. The reports of the medical investigators, indeed, raise in a few words some of the principal questions which we have to determine.

The number of mentally defective persons in England and Wales. Vol. VI., p. 52

17. With regard to the number of mentally defective persons, we may say that, if the figures of the census which we have made in the districts which have been investigated are applicable to England and Wales generally, there may be estimated to be in the whole population (32,527,843) 149,628 mentally defective persons or ·46 per cent., apart from certified lunatics. It may be estimated that of this total 66,509 or 44·45 per cent. require provision, that is, are estimated to be "at the present time urgently in need of provision, either: (1) in their own interest; or (2) for the public safety. It is recognised that there may be many others for whom the present accommodation is not ideal; these are not here included, but only such cases as are, in the opinion of the Investigator, improperly, unsuitably, or unkindly cared for, or who by reason of particular habits and characteristics are a source of danger to the community in which they live."

The total number of mentally defective persons, including certified lunatics, may be estimated to be 271,607 or ·83 per cent. of the population.

18. The words "mentally defective" are used in this Report to represent the whole group of cases that come within the scope of our investigation, whether at the present time they can or cannot be certified under the Lunacy and Idiots Acts. This group, "the mentally defective," divides itself into two classes. It consists, firstly, of those who from disorder of the mind, or through mental infirmity arising from age or from the decay of their faculties, have lost the power of managing themselves or their affairs. Secondly, it consists of those in whom the brain is in some degree undeveloped, and will remain undeveloped throughout life. Definition of "mentally defective." Recommendations III. and IV.

The former class consists of two sections. In the first of these are included, those who from disorder of the mind have lost the power of managing themselves or their affairs. To these, the name "lunatic" has hitherto been given by law and popular usage. Adopting a recognised alternative, we would substitute for that word the term "person of unsound mind." In the second of these sections come, those who through mental infirmity arising from age or from the decay of their faculties have lost the power of managing themselves or their affairs. To them, we would apply the term "mentally infirm." This is a term which is recognised in law, and, as both mental infirmity arising from age and that arising from the decay of faculties are included in it, it is more appropriate than the term "senile dement," which is very generally applied to this section. This whole class may be said to consist of persons who have at some time been normal in mind, but have become abnormal.

To the latter class, those in whom the brain is in some degree undeveloped and will remain undeveloped throughout life, such terms as idiot, imbecile, feeble-minded, moral imbecile have been generally and somewhat indiscriminately applied. These terms we have adopted, but we have endeavoured to give to them specific meanings, in order to facilitate the introduction of better and more discriminating methods of help and control in regard to those whom the terms represent.

Principles Adopted in Dealing with the Problem of the Mentally Defective.

19. Next, we would refer to the principles on which is based our suggested solution of the problem which has been submitted to us; and we would summarise the conclusions which we have adopted in the course of our Report. Principles adopted in dealing with the problem of the mentally defective.

(1) Our first principle is that persons who cannot take a part in the struggle of life owing to mental defect, whether they are described as lunatics or persons of unsound mind, idiots, imbeciles, feeble-minded or otherwise, should be afforded by the State such special protection as may be suited to their needs. Heretofore, lunatics, idiots and imbeciles have received the protection of the law. So also have persons who have property which is in the hands of the Court of Chancery, but who are not "found lunatic by inquisition," and persons who "through mental infirmity arising from disease or age are incapable of managing their affairs" or are "proved to be of unsound mind and incapable of managing their affairs." We propose that this principle of special protection should be extended to all mentally defective persons. This extension is new to English law. Chap. XXXVII.

(2) Our next principle is that the mental condition of these persons, and neither their poverty nor their crime, is the real ground of their claim for help from the State. It follows that their aid and supervision should be undertaken by some powerful local authority who can ensure that they will receive it from other quarters or, failing this, will provide it themselves. Hitherto a large number of adults, young persons, and children who cannot be certified under the Lunacy and Idiots Acts have been supported by public authorities as paupers, on the ground of destitution, or, as prisoners, on account of their crime, but they have not been dealt with primarily on the ground of their mental defect.

(3) Our third principle is that, if the mentally defective are to be properly considered and protected as such, it is necessary to ascertain who they are

Principles Adopted in Dealing with the Problem of the Mentally Defective—*continued.*

Principles adopted in dealing with the problem of the Mentally Defective—*contd.*

and where they are, and to bring them into relation with the local authority. This should, we think, be done chiefly through the agency of the education authority and other public or quasi-public authorities without any undue invasion of the privacy of the family. This suggestion for ascertaining who are mentally defective is also new.

(4) Next we adopt the principle that the protection of the mentally defective person, whatever form it takes, should be continued so long as it is necessary for his good. This we consider desirable, not only in his interest, but also in the interest of the community. It follows that the State should have authority to segregate and to detain mentally defective persons under proper conditions and limitations, and on their behalf to compel the payment of contributions from relations who are able to pay for their support; or should itself provide such care and accommodation as may be necessary, either directly or through the local authority. This, subject to many variations and adjustments, is an extension to the whole class of the mentally defective of advantages now given to lunatics and idiots only.

(5) Further, in order to supervise local administration of this nature a central authority is indispensable. This will not only tend to produce efficiency, economy, and uniformity, but it will also provide safeguards for the proper care of the mentally defective person. Thus, the central authority, which we would propose to call the Board of Control, becomes ultimately the general guardian of his person and is responsible for ensuring that his liberty is not unnecessarily curtailed by the local authority. The adoption of this principle also, in the case of the mentally defective generally, represents an extension to a new class of advantages now granted only to lunatics and idiots.

(6) Our next principle is that in regard to the protection of property all mentally defective persons should have like privileges. The protection of property now afforded to lunatics, idiots and mentally infirm persons should therefore, we think, be extended to all mentally defective persons, and further, as this duty of protection in the case of these persons is akin to the duty of protection in the affairs of infants and wards, the same judicial authority should in our judgment be in charge of both the one and the other. We are of opinion, therefore, that all this administration should be in the hands of the Chancery Division of the High Court instead of partly in their hands and partly, in the case of lunatics and mentally infirm persons, in the hands of the Judge and Masters in Lunacy. This is a reversion to a practice in vogue before the creation of the Judge and Masters in Lunacy. The extension of these privileges to all mentally defective persons is new.

(7) Lastly, it is in our opinion essential that there should be the closest co-operation between judicial and administrative authorities, in this case the Chancery Division of the High Court and the central authority. There would practically be a division of labour between the Court and the central authority, the Board of Control. In the case of a person who has property and is alleged to be suffering from mental defect, the inquiry in Jury cases, or where an issue was directed in the High Court, would be by the King's Bench Division, but in other cases by a legal Commissioner of the Board of Control.

The manner in which we have applied these principles in the course of our Report is indicated in the following summary of its arguments and conclusions.

Summary of the Report Showing briefly the Proposed Application of the above Principles.

Summary of the Report showing briefly the proposed application of the above principles.

20. In making this Report we have considered the position and needs of the mentally defective successively in relation to the several branches of administration with which they are chiefly brought into contact; and we have proceeded step by step in formulating the recommendations which we have made, as we have sifted and summarised the evidence which we have received in regard to each branch.

Summary of the Report Showing briefly the Proposed Application of the above Principles—*continued.*

21. We have taken first the administration of Poor Law relief in town and country, apart from the Metropolis, and have come to the conclusion that intervention in the case of mentally defective persons should be based as we have said, on the principle that such persons are suffering from mental incapacity rather than on the principle that they require aid as poor and destitute, and we have concluded that the provision made on their behalf should be organised on that understanding. And as we have recognised the fact that mentally defective persons are found who are being dealt with by several central authorities and at many administrative centres, we have argued that for their sufficient treatment and supervision there should be one central authority, a "Board of Control," for the general protection and supervision of all mentally defective persons and for the regulation of the provision made for their accommodation, and maintenance, care, treatment, education, training and control. We have further proposed that the local authority which should co-operate with this central authority should be a Statutory Committee of the Council of the County or County Borough for the Care of the Mentally Defective that should take over the duties of the Visiting Committee of Asylums of the Council. Part of the duties of the Education Committee of the Council would also be transferred. Subject to the approval of the Board of Control this authority would have power to contract for the accommodation of mentally defective persons with any Poor Law or other public authority, public or voluntary agency or private person.

The Poor Law and the central and local authority. Part I. below.. Recommendations I. and V. Recommendations XXVIII., XLII., LXXIV.

22. We have next dealt with the special conditions of the provision which has been made for the care and maintenance of the mentally defective in London, and have pointed out the necessity of establishing a united and self-consistent administration; and we have recommended that a Statutory Committee of the London County Council for the care of the mentally defective should be the Committee of administration for the Metropolis, and that the functions of the Metropolitan Asylums Board, so far as they refer to the mentally defective, should be transferred to this Committee.

The Metropolis. Part II. below, and Recommendation XCVI.

23. We have then discussed the education of the mentally defective in its chief bearings; and we have advocated a system of record and limited notification. We have also recommended that for the education and training of all mentally defective children the Board of Control, and the local authorities, represented by the Committees for the care of the mentally defective, should be responsible, subject to ample powers being given to these Committees to contract with the education authority for the supply of special schools and classes, or to take other suitable measures for their education. We have urged that the childhood and schooling of mentally defective children cannot rightly be treated apart from their after life, and that no age can be fixed in their case as separating school time from supervision and after-care. So far as it may be necessary, therefore, the supervision exercised over them by or on behalf of the local authority would be continuous; and both in the education and control of children it is proposed that many methods besides special classes or special homes should be adopted, such, for instance, as "colonies," family supervision and friendly guardianship and wardship till the age of twenty-one.

Education. Part III. below, and Recommendations I., LXXIV., LXXIX., LXXXI.

24. Passing to other administrative centres we have examined the state of the mentally defective who are in prisons, casual wards and common lodging houses, and we have considered much detailed evidence in regard to juvenile offenders and children in remand homes. We have shown how widespread and unanimous is the opinion that in many cases separation or detention is indispensable, if offences of certain kinds are not to be perpetually perpetrated by weak minded offenders, and perpetually punished without effect. We have recommended that feeble-minded juvenile offenders should be most carefully examined by medical officers and dealt with in various ways; and that the procedure for the commitment of feeble-minded prisoners, their treatment, and the arrangements for their discharge should be entirely reformed.

Prisons, casual wards, juvenile offenders, etc. Part IV. below, and Recommendations LXXXVII.–LXXXIX.

25. We have shown to how large an extent habitual inebriates are mentally defective, and we have recommended that the care and control of mentally defective inebriates should be placed in the hands of the Board of Control and of the local authorities which would hereafter be responsible for the care of mentally defective persons generally.

Habitual inebriates Part IV. below, and Recommendation XCI.

Summary of the Report Showing briefly the Proposed Application of the Principles Adopted—*continued.*

Mental defect and criminal responsibility. Part IV. below.

26. We have discussed the question of criminal responsibility in relation to mental defect and the methods of judicial procedure which are now in force in regard to lunatics, habitual drunkards and inebriates; and we have argued that in the case of persons who are charged with offences and are alleged to be mentally defective the principle should be adopted of keeping the question of the committal of the alleged offence separate from questions of the alleged mental defect, the relative irresponsibility of the offender and his appropriate treatment when charged with crime or convicted.,

Idiot asylums and voluntary homes for the feeble-minded. Part V. below. Recommendation LII.

27. The asylums for idiots and the voluntary homes for the mentally defective are next described by us, and we recommend that the procedure under the Idiots Act should be extended so that not only idiots who are under twenty-one years of age and whose parents or guardians desire to obtain for them admission to an idiot asylum, may be admitted on a single medical certificate, but also that feeble-minded persons, imbeciles, moral imbeciles, and such inebriates, epileptics, and blind or deaf and dumb persons as are mentally defective and less than twenty-one years of age may be admitted to suitable institutions in the same way. We have recommended also that the local authority should have power, subject to the approval of the Board of Control, "to contract with any Poor Law or other public authority, public or voluntary agency, or private person, under such conditions as they may deem advisable, for the care, education, training or maintenance of mentally defective persons, or of epileptics not mentally defective."

Recommendation XLII.

Causation of mental defect, definition and number of mentally defective persons. Part VI. below.

28. Before considering in detail the formation of the proposed central authority, we have discussed shortly the causation of mental defect and the number and the definition of the class of persons for whom provision should be made or over whom supervision in some form is required. Under the general title of mentally defective persons, besides those who are already recognised as such legally, we have placed the other groups of persons who have not hitherto been recognised as such in law or have only been recognised partially. These groups include imbeciles, feeble-minded persons, moral imbeciles, and such inebriates, epileptics, deaf and dumb, and blind persons as are also mentally defective. For practical and administrative purposes we have defined each of these groups.

The Lunacy Commission. Part VII. below. Recommendation XLIV.

29. We have next considered the constitution and the work of the Lunacy Commission in England and Wales, and have compared it with the General Board of Lunacy in Scotland; and we have discussed the system now in force in England for the examination of plans, contracts and estimates for the construction of asylums, and we have made recommendations for complete financial control. We have shown that at the present time the work of the Lunacy Commission is altogether beyond its numerical strength; and we have made suggestions for modifications in the present system of visitation and discharge.

Various ways of providing for the mentally defective: intermediate hospitals, observation and reception wards, boarding-out, etc. Part VII. below. Recommendations XI.-XIII., XXII., LX.-LXIII.

30. To increase the resources at the disposal of local authorities for dealing with cases of mental defect and for reducing the pressure upon asylums we have recommended the erection of intermediate hospitals, the institution of large farm colonies as in America, the general establishment of observation and reception wards, and the use and notification of private homes for the treatment of "unconfirmed" cases. We have proposed also the adoption of family care and guardianship, either on the plan of the family colony in force on the continent or on the plan of "boarding-out" in force in Scotland, organised in connection with the local authorities for the care of the mentally defective and under the inspection of the central authority. In cases in which persons ordered to be detained have to be removed to some temporary place of reception, we have recommended that reception houses or reception wards be used instead of the workhouses.

Recommendations LXIV. LXVI.

Recommendations LXXI. LXXV.

Summary of the Report Showing briefly the Proposed Application of the Principles Adopted.—*continued.*

31. With a view to a simplification of the system of certification and the promotion of uniformity, we have recommended various changes. At the request of the relatives or where no relatives are forthcoming, for the purposes of making an urgency order or of obtaining a reception order on petition, we would allow the Committee to authorise their medical officer or one of their medical officers to act on their behalf. We provide also for the appointment of certifying medical practitioners who, being specially acquainted with this branch of work, would be likely to act on uniform lines. Certification, etc. Recommendations LXVIII. to LXXI. XXXVI.

32. In order to ensure that there be continuous control in many cases in which, owing to the lack of any proper care or supervision, such a control could not otherwise be provided in a satisfactory manner, we recommend the introduction of a system of wardship, on the lines of the Poor Law Act of 1899, so that the Committees for the Care of the Mentally Defective may by resolution vest in themselves the rights and powers of the parent until the mentally defective young person reaches the age of twenty-one; and, after the age of twenty-one, we recommend further proposals for continuous care where it is necessary. Wardship. Part VII. below, and Recommendations XLIX.–LIV.

33. The privileges in regard to the protection and management of property which were allowed to lunatics and to mentally infirm persons under the Lunacy Act of 1890 should, we recommend, be extended to all classes of mentally defective persons. Guardianship of property. Recommendation X.

34. For the central administrative control of the work which we have now passed in review we have recommended that there be a Board of Control. This Board would be formed partly by a re-organisation, partly by an enlargement of the present Lunacy Commission. It would deal with the whole class of mental defectives and could not, therefore, be properly designated a Lunacy Commission. It would consist of a certain proportion of qualified medical men who had an expert knowledge of the various classes of mental defect, and a certain proportion of legal members; for under the proposed scheme, in cases in which inquisition without a jury has to be made, a legal member of the Commission, assisted, if necessary, by a medical member of the Commission as assessor would undertake it. Also, appointed for a term of years, there would be honorary Commissioners specially qualified to assist the Board; and there would be a paid Chairman. England and Wales would be divided into districts, and there would be at least eight Assistant District Commissioners. The Board of Control. Part VII. below, and Recommendations V.–IX. Recommendation XIX. Recommendations XV.–XVI.

35. The offices of the Judge and Masters in Lunacy should, in our opinion, be merged in the Chancery Division of the High Court, and the duties of the Lord Chancellor's visitors would be included in the duties of the Commissioners of the Board of Control. By these several changes there would, we believe, be a very advantageous concentration of responsibility combined with a control that would extend over the whole administration for the care of the mentally defective. The Judge and Masters in Lunacy and chancery visitors. Part VII. below, and Recommendations VII., XXIV., XXV

36. All these changes and proposals we have also considered from the point of view of economical management. We have submitted a rough estimate of the expenditure that may be incurred and we have suggested the apportionment of State aid by block grants on the lines proposed to the Royal Commission on Local Taxation by Lord Balfour of Burleigh, Sir Edward Hamilton and Sir George Murray; or, as an alternative, by grants-in-aid to the extent of half the cost of maintenance and management to be made to local authorities on revised conditions. We have proposed also that building grants should be made to local authorities, as suggested by the Royal Commission on Local Taxation in the case of lunatics. Finance and the apportionment of Grants. Part VIII. below and Recommendation XLI.

37. Finally, after referring not only to the limited and experimental efforts which have been made in our country, but also to the information collected by our Commissioners who visited the United States of America, we have dealt in Epileptics. Parts IX. and X. below.

SUMMARY OF THE REPORT SHOWING BRIEFLY THE PROPOSED APPLICATION OF THE PRINCIPLES ADOPTED.—*continued.*

Epileptics—*contd.*

Recommendation XC.

some detail with the needs of epileptics not mentally defective, and have recommended that the Board of Control be empowered to register, inspect and report on institutions or houses established for their care, and to regulate any institutions or houses in which accommodation may be provided partly for mentally defective persons and partly for epileptics not mentally defective, and that the committees for the care of the mentally defective be authorised to consider and deal with these cases, and to provide for them.

Utilisation and extension of existing agencies.

37a With regard to epileptics who are not mentally defective, we have given in Recommendation XC. a list of general recommendations relating to the mentally defective which we think should be applicable to these cases. We have also specifically referred to these cases in Preamble (1) and Recommendations XLI., XLII., LXXIII., XCII., XCIII. and XCVI.

Part XI. below.

38. Throughout, we should add, we have endeavoured to follow and to develop existing lines of administration, and to utilise and extend existing agencies, and though, no doubt, we have proposed some very large modifications and some far-reaching changes in certain directions, we have sought to revise and to extend methods of procedure already in operation rather than to initiate what is entirely new and to supplant what is relatively old. The series of recommendations in which our proposals are set out in detail conclude our Report as to England and Wales.

Scotland and Ireland. Parts XII. and XIII. below.

39. On Scotland and Ireland we have reported separately, in their case also concluding our statements with detailed recommendations.

Transitory Measures, Recommendations XXIV.—XXVII.

39a. As the suggestions for our new scheme may have to be considered in relation to the Poor Law and other matters which will involve delay, we have emphasised the importance of taking immediate steps to strengthen the present Lunacy Commission. We consider that in so far as it can be effected by the Lord Chancellor, acting under the various powers he now possesses, a reorganisation and enlargement of the present Lunacy Commission should be now made for the better administration of the Lunacy Laws. We think that the proposal in Paragraph 35 should, if possible, be carried out at once. If the Lunacy Department could be thus placed on a satisfactory footing, it would be easy, hereafter, to transform it into a Board of Control with the powers requisite for the Central Authority which we have recommended for the control of all mentally defective persons. The extended order of reference having imposed upon us the duty of investigating the functions and working of the Lunacy Commission and the Judge and Visitors in Lunacy, we are strongly of opinion that immediate reconstruction of the present system is urgently required, and that, as a preliminary step, even if it is only a temporary one, two additional Medical Commissioners should be appointed and the number of Honorary Commissioners should be filled up—the offices of the Chancery Visitors and the Lunacy Commissioners should be consolidated, and the work of the Judge in Lunacy should be performed, so far as possible, by the Judges of the Chancery Division.

PART I.

THE POOR LAW AND THE MENTALLY DEFECTIVE IN TOWN AND COUNTRY, APART FROM THE METROPOLIS.

CHAPTER I.

Forms of Poor Law Relief.

40. The Poor Law authorities deal with the greater number of "uncertified persons" who are mentally defective. Such persons are very often by reason of their infirmity in a state of destitution, and are unable to take proper care of themselves; and all uncertified persons, when through destitution they are in receipt or need of relief, in some way or other come under the jurisdiction of the Local Government Board. Also, to a limited degree, the branches of law with which the Local Government Board are concerned may have relation to some classes of uncertified persons, though they may not be in receipt of relief or in need of it.

Uncertified mentally defective persons.
Adrian, Vol. I, 5.

41. Thus, unless they are otherwise specified and dealt with, for instance, as prisoners or inebriates, all those mentally defective persons who are "not certified under the Lunacy Acts," are eligible for Poor Law relief if they are poor and destitute; and this relief may be given either in the form of indoor relief or in that of outdoor relief.

(i.) Indoor Relief and the Workhouse.

42. For indoor relief there is the "workhouse," a term which in Poor Law administration has a very wide signification. It is "construed to include any house in which the poor of any parish or union shall be lodged and maintained, or any house or building purchased, erected, hired, or used at the expense of the poor rate by any parish . . . for the reception, employment, classification or relief of any poor person therein, at the expense of such parish. The place may therefore be a building in which inmates of all sorts, whether sick, healthy, of both sexes, of all ages, may be housed, or a building for the accommodation of inmates of a special class." And, in effect, "every board of guardians in England and Wales may provide for the housing in a separate building or in separate wards attached to an existing building of any uncertified persons (of the pauper class)" "who may require indoor relief."

Definition of "workhouse."
Adrian, Vol. I., 7, 10.
Adrian, Vol. I., 15.

43. Boards of guardians have also powers under which they may form combinations for the provision of indoor relief and their powers are in this matter different in the Metropolis and in the country. Thus in the Metropolis suitable inmates from the workhouse of one union may be admitted to the workhouse of another union "where, in the opinion of the Local Government Board, the workhouse is adapted only for the reception of poor persons of a particular class or particular classes." Also in the Metropolis the guardians, with the approval of the Local Government Board, "may set apart any ward or portion of their workhouse for the reception of particular classes or descriptions of poor persons and provide separate maintenance and treatment for them therein." In London, too, the County Council are required to grant to Metropolitan Unions an amount equal to fourpence a day per head for every indoor pauper reckoned according to the average number of indoor paupers maintained during the five financial years ending 25th March, 1888; and the classes of indoor paupers are defined as "all paupers maintained in a workhouse and all paupers maintained in any district school, separate school, separate infirmary, sick asylum, hospital for infectious diseases, or institution for the deaf, dumb, blind or idiots, or in any certified school under 25 and 26 Vict., c. 43, and includes any children boarded out. . ." And, further, there is, in London, the Metropolitan Common Poor Fund to which boards of guardians pay their *quota* for certain purposes according to the rateable value of their unions, so that on the distribution of the fund to the unions, the unions which have a lower rateable value receive relatively the larger grants, and the unions which have a higher rateable value receive relatively lesser grants, or in some cases no grant from the fund at all. From this fund, subject to certain conditions, grants are made at the rate of fivepence a day, for each pauper above the age of sixteen.

Combinations for Indoor Relief in London.
Adrian, Vol. V. 16.
Adrian, Vol. I., 18.
Vol. I., p. 3.
Section 17, Metropolitan Poor Amendment Act, 1869.
Section 43, Local Government Act, 1888.
Metropolitan Common Poor Fund.
Adrian, 19, 55.

Metropolitan Asylums Board. Metropolitan Poor Act, 1867. Adrian, Vol. I., 59, 60.

44. Consistently with these exceptional financial arrangements, the Metropolis under the Metropolitan Poor Act, 1867, has a special organisation, the Metropolitan Asylums Board, which enables it to provide asylums for the reception and relief of the sick, insane, or infirm, or other class or classes of the poor, chargeable in its unions and parishes, with greater completeness than any other group of Poor Law unions in the country. For this purpose the Poor Law unions of London are combined in one district, under managers partly elective, that is, partly elected by boards of guardians, and partly nominated, that is, nominated by the Local Government Board. Subject to the control of the Local Government Board, the managers have the powers of guardians for the relief, maintenance, and management of inmates, and for the control and payment of officers of the asylums; and the word "asylum" in this reference has a wide meaning, for it may include a ship, vessel, hut, tent, or any other erection. And such an asylum is available for any class of poor. Hence, to take an example, provided they are housed, for "housing is the primary aim of all combinations," the term "asylum" might include such an institution as a labour colony for sane pauper epileptics.

Adrian, Vol. I., 63.

Adrian, Vol. I., 39, 71.

45. In the Metropolis under these statutes institutions are provided for "children, who, by reason of defect of intellect, or physical infirmity, cannot properly be trained in association with children in ordinary schools"; and there are also institutions for adult paupers who are chronic and harmless lunatics, idiots, or imbeciles, such as might be lawfully retained in a workhouse.

Distinctive features of the London system of Indoor Relief in relation to the afflicted classes.

46. Apart, then, from any details as to the nature of the special institutions available for London in connection with the Metropolitan Asylums Board—for to these matters reference will be made later on—the following points are distinctive of London, and suggestive in relation to any general organisation that may be proposed for the country at large:—

(i.) In London there is a single board, consisting of members who are partly representative of boards of guardians and partly nominated, instituted in order to provide separate establishments for the reception and relief of the sick, insane, or infirm, *or other class or classes of the poor*, who are chargeable. Thus in London, on behalf of the unions in the Metropolitan area, separate provision is, or may be, made for all the uncertified classes, included in the reference to the Commission, if they are poor and chargeable.

(ii.) The cost of the maintenance of the indoor poor, including these classes, is largely or entirely met: (1) by grants of 4d. a day from the county as a whole; and (2) by grants of 5d. a day from the Metropolitan Common Poor Fund, that is, in effect, by grants from the richer unions of London to the poorer unions. Indoor relief thus becomes in part a county charge, in part a charge equalised according to the rateable value of the unions; and it is thus only, in a minor degree, a charge imposed on the individual union.

Shadwell, 1490, Vol. I., p. 82 c. 2. Downes, Vol. I., 1787–1788.

(iii.) In London, under these special financial conditions, there is a large supply of institutional accommodation for the housing and maintenance of the chargeable poor, which supplements that of the institutions managed by the several boards of guardians themselves; and this supply is increased from time to time to meet new or greater demands.

The provision of indoor relief outside London.

47. In the country, apart from the powers of the guardians of each union to provide for the housing of destitute "uncertified persons," there are no county organisations similar to the Metropolitan Asylums Board, nor is there any similar financial method for the maintenance of inmates.

Combinations of Unions. Adrian, Vol. I., 21, 36. Section 8, Poor Law Act, 1879.

48. In the country it is possible—as set out in par. 59 below—for the workhouse of a union to be used for the reception of idiotic, imbecile and insane paupers from another union, and special provision is made by law whereby two or more unions may, with the consent of the guardians, be combined for any purpose connected with the administration of the relief of the poor, if the Local Government Board make an order to that effect. The combination may be effected on the ground that "it would tend to diminish expense," or on the ground that "it would otherwise be of public or local advantage." The management of the institution created by the combination is placed in the hands of a joint committee.

49. In 1897 a combination between the Chorlton and Manchester Boards of Guardians was approved by the Local Government Board for the establishment of an institution for "imbecile paupers, and persons who may be insane or suffering from epilepsy and might be relieved in the workhouses of Poor Law Unions." And later (1906), the Birmingham, Aston, and King's Norton Boards combined to provide a joint workhouse for:— Combinations of Unions—*cont.* *See* Part X. below. *See* Pars. 177–188 below. Adrian, Vol. I., 22. Adrian, Vol. I. 27.

(i) Epileptic persons who being chargeable to one of the combined unions have not been certified as lunatics; and (ii) Feeble-minded persons who being chargeable to one of the combined unions have not been certified as lunatics; and (*a*) who by reason of mental deficiency are incapable of receiving proper benefit from ordinary instruction, or are incapable of using ordinary means or precautions for protecting themselves from injury or improper usage or treatment, or are incapable of maintaining themselves by work; and (*b*) who are, in the opinion of a medical officer of a workhouse of any of the combined unions, suitable persons for treatment in the joint workhouse.

The Local Government Board have also issued an Order empowering the Croydon, Kingston, and Richmond Unions to combine to provide joint workhouses for these purposes, but we understand that no action has yet been taken on this Order. These are the only instances of combination brought to our knowledge. Downes, Vol. I. 1824.

50. It is obvious, therefore, that, though boards of guardians have large powers for forming combinations of unions in the country with a view to the provision of accommodation for mentally defective or epileptic persons, they have taken little advantage of these powers to establish joint institutions, and that there are in force in the country no financial arrangements, such as prevail in the Metropolis, which tend to promote the erection of institutions for special classes of uncertified persons who are chargeable to the poor rate.

(ii.) Outdoor Relief.

51. It remains for us to refer to outdoor relief. This is regulated by the Orders of the Local Government Board. All relief granted contrary to those Orders is by the Poor Law Amendment Act of 1834, made unlawful and subject to disallowance. By its Orders the Board declares "to what extent and for what period relief given to able-bodied persons or to their families . . . may be administered out of the workhouse by payments in money or with food or clothing in kind, or partly in kind and partly in money, and in what proportion, to what persons or class of persons, at what times and places, on what conditions and in what manner such outdoor relief may be afforded." Regulations as to Outdoor Relief. Adrian, Vol. I. 77, 80, 82, 83, Section 52, 4 and 5 Wm. IV. c. 76.

52. Under these powers in 1844 and 1852 two Orders were issued, one the Outdoor Relief Prohibitory Order, the other the Outdoor Relief Regulation Order. The principle on which these Orders are drafted is that indoor relief should be the rule and that outdoor relief should be the exception. Accordingly, in the former Order, relief outside the workhouse is prohibited unless in certain exceptional cases, and in the latter Order, while it is taken for granted that indoor relief is still to be the rule, a much greater latitude is allowed in regard to the exceptions. Most large towns come under the Regulation Order; the less populous unions come under the Prohibitory Order. Outdoor Relief Prohibitory Order (21st December, 1844). Outdoor Relief Regulation Order (14th December, 1852).

53. According to the rule laid down in the Prohibitory Order all able-bodied paupers must be relieved in the workhouse, but under the following amongst other conditions:— Section 1, Poor Relief Act, 1601. Adrian, 80, 82.

(i.) Where such able-bodied person shall require relief on account of . . . bodily or mental infirmity affecting the person or any of his or her family. In these cases a minute has to be made, or a medical certificate furnished by the medical officer of the union, stating the nature of the infirmity.

(ii.) Again, though, as a rule, relief may not be given from the poor rates "to any person who does not reside in some place within the union," persons "who require relief on account of . . . bodily or mental infirmity affecting such person or any of his or her family" are an exception to this rule. Such persons may receive non-resident relief. Article 3.

(iii.) Also, another exception, the guardians may pay for temporary lodging in any case of . . . mental imbecility. Article 5.

Regulations as to Outdoor Relief —*cont.*

54. Next, in the Outdoor Relief Regulation Order, there are exceptions under which outdoor relief may be given in the above three cases, as it is given under the Prohibitory Order; but, under the Regulation Order, there is also a further exception in cases of bodily or mental infirmity. An able-bodied male person (Art. 5) may not receive poor relief while he is employed for wages or other hire or remuneration, and such a person, if he is relieved out of the workhouse, has to be set to work. But this does not apply to men suffering from mental or bodily infirmity. They may receive relief outside the workhouse while they are being employed for wages or other hire or remuneration, and, though they are relieved outside the workhouse, it is not required that they should be set to work.

Outdoor Relief Regulation Order (1852). Adrian, Vol. I., 83.

55. The regulations quoted from these two Orders refer, it will be noted, in broad terms, to "mental infirmity," and "mental imbecility"; and they might receive a very wide application. They permit the guardians to give outdoor relief at their discretion to persons suffering from mental infirmity, and to persons members of whose families are so suffering, whether or not such persons be resident in the union, and whether or not they be employed and receive wages. The guardians may also pay for their temporary shelter.

(iii.) Poor Law Institutional Relief Outside the "Workhouse."

The maintenance and education of idiots in certified and uncertified schools.

56. Apart from their maintenance in an establishment of a board of guardians, such as the "workhouse," or in any wards or buildings coming under that designation, and apart also from the possibility of their receiving non-resident and other outdoor relief, the "uncertified" poor who are afflicted may also, under several statutes, be lodged or cared for by boards of guardians in institutions not managed by the guardians themselves.

Adrian, Vol. I., 84. Section 10, Poor Law (Certified Schools) Act, 1862, and other subsequent Acts.

57. Children who are idiotic may be sent to certified or to uncertified schools.

Thus the guardians may send a child, who is an orphan or deserted by his or her parents or surviving parent, or one whose parents or surviving parent consent, to a certified school supported wholly or partially by voluntary subscriptions, and may pay the expenses incurred in conveyance, maintenance, clothing and education; and the word "school" includes any institution established for the instruction of blind, deaf, dumb, lame, deformed, or idiotic persons.

Adrian, Vol. I., 86.

Also the guardians may send children who are under the age of sixteen, who are idiots or imbeciles resident in a workhouse or institution to which they have been sent from a workhouse or boarded out, to suitable schools that may not have been certified.

The maintenance of idiotic paupers in Asylums, Hospitals, &c.

58. Adults and children alike who are idiotic or imbecile may be sent to institutions established for their reception, whether maintained by a county rate or by voluntary contributions.

Section 13, Poor Law Amendment Act, 1868.

The guardians can, with the consent of the Local Government Board, send an idiot pauper to an asylum or establishment for the reception and relief of idiots maintained at the charge of the county rate or by public subscription.

Section 15, Idiots Act, 1886. Adrian, Vol. I., 90.

And under the Idiots Act, 1886, the guardians retain their power of sending pauper idiots or imbeciles to hospitals, institutions, and licensed houses registered under the Act, and receive in respect of them "such sums of money as shall from time to time be granted by Parliament towards the maintenance and care of pauper lunatics, as if the same idiots and imbeciles were pauper lunatics."

Section 17, Idiots Act, 1886.

Under the Idiots Act, the words "hospital" and "institution" mean any hospital or institution or part of a hospital or institution (not being an asylum for lunatics) wherein idiots or imbeciles are received and supported wholly or partly by voluntary contributions, or by any charitable bequest or gift, or by applying the excess of payments of some patients for or towards the support, provision, or benefit of other patients.

Workhouses used for idiots. Adrian, Vol. I., 90.

59. Again, with the consent of the Local Government Board guardians may send to the workhouses of other unions "any idiotic, imbecile or insane pauper who may lawfully be detained in a workhouse."

Section 13, Poor Law Amendment Act, 1868.

Assistance of Voluntary Associations for persons suffering from "natural infirmity."

60. Guardians, too, may make grants to voluntary associations which are dealing with persons who are suffering from any permanent or "natural infirmity" but are not themselves paupers.

This can be done with the consent of the Local Government Board, either by the guardians paying any sum of money as an annual subscription towards the support and maintenance of any public hospital or infirmary for the reception of sick, diseased, disabled or wounded persons,

tion 10, or Law t, 1879.

or of persons suffering from any permanent or natural infirmity, or by the guardians subscribing to any association or society for aiding the same, or for providing nurses or for aiding girls or boys in service, or towards any asylum or institution which appears calculated to render useful aid in the administration of the relief of the poor. And it may be added, that with the consent of the Local Government Board, the guardians may enter into an arrangement with a hospital or dispensary in the union for the treatment of pauper patients. Adrian, Vol. I., p. 88. Section 4, Poor Law Amendment Act, 1851.

61. Proprietary establishments may also be used by guardians, under a contract between the guardians of a union and the proprietor, subject to the rules, orders and regulations for the management . . . of any house . . . wherein any poor person is lodged . . . for hire or remuneration; and the Local Government Board may prohibit the reception or retention of any poor person, or class of poor persons in any such house. . . . They may remove officers, servants and assistants . . . and appoint persons temporarily or permanently to visit and inspect the house and the pauper inmates. Proprietary establishments under the Act do not include county lunatic asylums, registered hospitals, or licensed houses for lunatics. Institutions supported by public subscriptions, and maintained for purposes of charity alone, are also excluded. Use of proprietary establishments by guardians. Adrian, p. 89. and the Poor Relief Act, 1849.

(iv.) Further Powers of Guardians.

62. Two other powers of the guardians may be mentioned, one which refers to defective and epileptic children, and one which refers to children alleged to be suffering from neglect or cruelty. Adrian, Vol. I., p. 87.

63. If, owing wholly or in part to the attendance of scholars who are resident in a workhouse or in an institution to which they have been sent by the guardians of a workhouse or who are boarded out, a certified special class or school for defective or epileptic children has to be provided, enlarged, or maintained by the local education authority, the guardians may contribute towards the expenses incurred by that authority, as certified by the Board of Education. And the local education authority is not bound to receive such children in a special class or school unless the guardians are willing to contribute towards their education and maintenance. Contributions to expenses of special schools or classes. Section 9 Elementary Education (Defective and Epileptic Children) Act, 1899.

64. As to children dealt with under the Act for the Prevention of Cruelty to Children, 1904, the child may (Section 5, Subsection 4) be committed to the workhouse "as a place of safety" during the proceedings in the case. And the guardians may (Sec. 21) "pay the reasonable costs and expenses of any proceedings which they have directed to be taken under the Act in regard to the assault, illtreatment, neglect, abandonment or exposure of any child." They may also pay the cost of prosecutions for ill-treatment of servants or apprentices, or bodily injury to persons under sixteen where two justices certify that the prosecution ought in the interests of justice to be conducted by the guardians (Offences against the Person Act, 1861, 24 Vict., c. 100, Sec. 73). Prevention of Cruelty to Children. Adrian, Vol. I., p. 94.

acy Act, , 53 and ict. s. 24.

65. Lastly, the workhouse is used as a place for the reception, relief and detention of alleged lunatics, and for the detention of lunatics certified as proper persons to be allowed to remain in a workhouse and there ordered to be detained, and under an Order of December, 1841, provision has been made for facilitating the identification of children supposed to have strayed or insane persons wandering abroad. Detention of Lunatics in Workhouses. Adrian, p. 94.

66. Thus, speaking generally, there are in the hands of the Poor Law guardians, on certain conditions and subject to the consent of the Local Government Board, ample legislative powers for providing for mentally defective paupers who are not certifiable, in "workhouses," wards of workhouses, or in separate institutions. In London by combination the guardians, through the Metropolitan Asylums Board, have special accommodation at their disposal and they receive aid through the County Fund and also in poor unions through the Metropolitan Common Poor Fund. General powers of guardians as to mentally defective persons.

67. Throughout the country, also, outdoor relief is available for persons suffering from mental infirmity. And, under certain conditions the guardians are empowered to maintain idiotic or imbecile children in suitable schools (certified or not certified), and imbecile adults, in suitable institutions; and these institutions may be supported out of the rates or by voluntary contributions.

General powers of guardians as to mentally defective persons—*cont.*

68. Further, the guardians may pay for the maintenance and education of epileptic and defective children who attend special classes and schools, and they have at their disposal powers of prosecution in cases of cruelty, ill-treatment, and neglect, while the workhouse serves as a place of detention for certified lunatics including idiots, for whom the accommodation there is considered sufficient and suitable, and also as an immediate refuge for children who have strayed, or insane persons who have wandered abroad.

69. The responsibilities of the guardians in relation to lunatics, the questions of classification in workhouses, detention, admission and discharge, and the powers of the guardians in acquiring land and borrowing, will be dealt with later. Here it is sufficient to note that these ample legislative enactments form part of the general poor relief system of the county, and are not applicable to mentally defective persons as such, but only on the ground of their pauperism, and that under the law as it now stands the father of an idiot or imbecile child who is relieved by the Poor Law loses the Parliamentary franchise.

CHAPTER II.

The Care of Mentally Defective Persons in Poor Law Institutions outside the Metropolis.

70. There are, as we have seen, two groups of Poor Law statutes, one in accordance with which the administration for the care of the defective classes in the Metropolis has been promoted, and another group under which are controlled the less developed and less specialised arrangements of Poor Law authorities in the country. These latter arrangements we will consider first.

Specially investigated areas.

71. We have had at our disposal two main sources of information—the reports of the medical investigators, whom we appointed to ascertain the number of mentally defective persons in certain typical urban and rural areas, and who made special inquiries in regard to the Poor Law institutions; and the evidence of witnesses. This evidence came from many quarters and referred to many districts. The whole of it is so important that we propose to set it out at some length, without at this stage attempting to define the several classes of mentally defective persons to which reference is made, but alluding to them generally in such terms as the witnesses used in giving evidence. The investigators' reports we take first, and afterwards the statements made to us by witnesses, which we have arranged according to their geographical areas.

The urban areas investigated. Vol. VI., pp. 13, 21, 28, 85-365.

72. The reports of the medical investigators refer to four urban centres, Stoke-on-Trent, Birmingham, Manchester with Chorlton and Prestwich, and Hull and Sculcoates; to one mining area in the county of Durham, containing three Poor Law unions; and to four rural districts, one in Somersetshire containing six unions, one in Wiltshire containing ten unions, one in Nottinghamshire containing four unions, and one in Lincolnshire containing six unions. In Wales, also, two areas were selected, one covering four unions in Carmarthenshire and the other covering four in Carnarvonshire. One of the instructions given to the investigators was that they should make enquiry in regard to the number of mentally defective persons in the workhouses and workhouse infirmaries in the unions in these districts.

Work-houses and Workhouse Infirmaries.

73. The following table shows the number of the mentally defective in the population of recipients of indoor relief and outdoor relief, excluding persons certified under the Lunacy Acts and casual ward cases in the above urban centres. Vol. VI. pp. 85-1

INDOOR RELIEF.

Work-houses and Workhouse Infirmaries —*contd.*

1. Urban Areas (Unions).	2. Paupers, adults and children, *excluding* cases certified under the Lunacy Act and Casual Ward cases.*	3. Paupers in the preceding column *who are mentally defective.*	4. Percentage of col. 3 on col. 2.
Stoke-upon-Trent	1,376	365	26·4
Birmingham	3,391	477	14·1
Manchester, Chorlton and Prestwich	7,510	726	9·7
Hull and Sculcoates	1,680	198	11·8
	13,957	1,766	12·7

Vol. VI., p. 20.

* These figures do not include the certified insane, for the certified lunatics lay outside the inquiries of the Medical Investigators. Nor are the figures in relation to the Casual Wards included: the investigation in regard to them was made on different lines—for a one month's period or for periods specially stated in each case.

74. In these four fairly typical urban areas we find, then, that 12·7 of the population of the Poor Law institutions of the four districts are mentally defective, excluding those certified under the Lunacy Acts, and cases in the casual wards. The variation is considerable between district and district, but in every case the number and percentage are large. In the case of the Manchester area we find that 22 per cent. of the mentally defective in the Poor Law institutions need other provision.† We cannot make a similar statement in regard to Stoke-upon-Trent and Birmingham, for there the medical investigator who inquired into both districts reported that in the case of the former only seven, and in the case of the latter none of the recipients of indoor relief were urgently in need of further provision, on the ground, as to Stoke-upon-Trent, that :—"For children and others requiring permanent care, who cannot afford a private institution, I consider the workhouse the most suitable place—of course, with modifications and extensions of the existing arrangements." His reasons for suggesting this were that it would, or should be, the most economical arrangement, and also that it involved the least re-adjustment. "We have seen," he wrote, "that practically half the feeble-minded are in the workhouse already, and that most of the others are slowly drifting there. Surely, then, it is their natural bourne." There were there "many persons incapable of ordinary work, yet quite capable of helping to look after those weaker than themselves." Nor was there, he thought, any objection on the ground of "a stigma attaching to help from the Poor Law." And in the case of Birmingham the same medical investigator reported that "for children and others requiring permanent care I still think that the workhouse affords one solution of the problem," and he gave similar reasons for his opinion, concluding that "the Birmingham workhouse is a standing instance of the possibility of providing both instruction and work for defectives under the Poor Law." But he added, "At the same time I fully appreciate the disabilities of the workhouse. In the first place the stigma associated with it, in consequence of which only the most severe pressure will compel defectives of a certain class to be placed there. Secondly, the complete failure of many boards of guardians to grapple with social problems; and thirdly, the scandalous expenditure of some boards." We have set out this opinion, as it indicates one view of the situation and coincides generally with the policy of the

Stoke-upon-Trent and Birmingham.

Vol. VI., p. 102.

Vol. VI. p. 132.

† What is meant by "need of provision" is explained by the footnote placed under the Tables of the medical investigator, entitled "Special summary of all cases needing provision." It is as follows :—The object of this table is to supply an estimate of the number of persons at the present time urgently in need of provision, either: (1) in their own interest; or (2) for the public safety. It is recognised that there may be many others for whom the present accommodation is not ideal; these are not here included, but only such cases as are, in the opinion of the investigator, improperly, unsuitably, or unkindly cared for; or who, by reason of particular habits and characteristics, are a source of danger to the community in which they live.

Stoke-upon-Trent and Birmingham—*contd.*

Birmingham Board of Guardians, who have paid special attention to the care and control of the mentally deficient. It also represents the general evidence on one side of the question. Undoubtedly a different opinion on this issue would have led the inevstigator to make a selection of the mentally defective persons who should and of those who should not remain in the workhouse. We notice that the Birmingham investigation followed that for Stoke-upon-Trent, and that further experience led the investigator to modify his opinion. During his second investigation he recognised that the "stigma attaching to help from the Poor Law" is a serious drawback, for, speaking of the workhouse, he says: "Only the most severe pressure will compel defectives of a certain class to be placed there." This latter opinion is fully borne out by other witnesses, and cases are quoted where the parents were anxious to obtain institutional care for their defective children, but refused to ask for such care on hearing that application must be made to the guardians, and that, in the event of the application being successful, the effect would be to pauperise them. In fourteen cases in Birmingham the parents refused to apply on this ground.

Vol. VI., p. 132.

Vol. II., p. 461.

Manchester. Vol. VI., p. 149.

75. Turning now to the Manchester, Chorlton, and Prestwich unions, where out of the 7,510 recipients of indoor relief 726 were mentally defective, and 162 or 22 per cent. were in urgent need of other provision,* we have the following report of our investigator:—

Vol. VI., p. 169.

"The great majority of the mentally affected persons met with in the Poor Law institutions are satisfactorily looked after. Of the *senile dements*, all except one are in the workhouse. This one was met with in the tramp ward, and requires permanent provision. Of the other persons of *unsound mind*, three who are in the workhouse should be certified as lunatics, the rest are sufficiently cared for under present conditions. There were six in this category whom I saw in the tramp wards; they are certainly in need of provision. Speaking generally, I would say that all the feeble-minded who find their way into the tramp wards are certainly unsuitably cared for, even if not in addition a source of danger to the community from the great temptation to drift into criminal courses."

Vol. VI., p. 170.

"The *feeble-minded* in the workhouse are sufficiently well looked after, and it cannot be said that they are urgently in need of provision, and yet their condition is by no means satisfactory. They are perfectly free to leave the workhouse at will, and when it is borne in mind how many young women, who have already had illegitimate children, there are amongst them, it will be recognised what grave risk there is, in both sexes, of the further propagation of their defect. The occupation of those who are in the workhouse is also capable of radical improvement; many of them could do, under efficient supervision, a certain amount of useful work, which would make them much more serviceable members of society than they are at present in enforced idleness or doing only the roughest or most unskilled work. In the case of the 145 feeble-minded in the casual wards what I have written above applies; they are in urgent need of provision."

"Special provision is called for for the fifty-one *defective children* attending the workhouse schools, as also for the eight defective children who were in the workhouses, and the one child met with in the tramp wards; none of these appeared to me beyond the reach of special teaching."

"The position of the sane epileptics in the workhouses I have already commented upon as being unsuitably cared for, and the whole of the ninety-two cases in this column (which included also one seen in the tramp wards) I consider to be in need of further provision. This provision the seventy-one under the care of the Manchester and Chorlton Unions are shortly to receive in their joint Colony home at Langho, and it is to be hoped that there may be some provision for the separation of the twenty-one sane epileptics from the insane in the new hospital which the Prestwich Guardians are in process of erecting."

Hull and Sculcoates, and Durham. Vol. VI., pp. 20 & 180.

76. At Hull and Sculcoates, and in the mining unions of the county of Durham the numbers of the mentally defective in the population are comparatively few. In the workhouses at Hull and Sculcoates, 11·8 per cent. of the inmates are mentally defective, and in the Durham counties 18·16. And of the care bestowed on them, it is said at Hull, there can be no doubt that the establishment of some

Vol. VI., p. 194.

Vol. VI., p. 183.

* *See* foot-note on previous page.

provision for the feeble-minded would be of much benefit to these unfortunate people, and of comfort to their friends. In the more pronounced class of defectives, the City Asylum, and for those less so, the workhouses—as things now are—are the only available refuges. Thus, the feeble-minded in this district seem to be fairly well provided for, so far as accommodation is concerned. Still some of the mentally deficient young persons would derive much improvement if they were placed in an institution and trained. In the Durham unions the report, as to idiots and imbeciles in the workhouses, is that "the number is so small, and the cases are uniformly so well looked after that I should not deem it necessary to provide an institution specially for them, although of course, if such an establishment existed, say for a group of counties, it would be advisable, and no doubt beneficial, to have them removed, so as to secure proper treatment and supervision. Of the total seventy-three feeble-minded, no less than forty-three are already in the workhouses, where they certainly appear to be well cared for, and as far as my observation goes, they do not require a great amount of supervision. I am of opinion that they are as comfortably and economically provided for as if they occupied a separate institution."

Hull and Sculcoates, and Durham—*contd.* Vol. VI., p. 183.

Vol. VI., p. 197.

77. This evidence, except in the case of Manchester, appears with certain reservations, as in a measure in the case of Birmingham, to favour the existing state of things. Neither at Hull and Sculcoates, nor in the Durham unions, has the question assumed any special importance, at least in the opinion of the medical investigators. Such criticisms as those made later on in regard to Wakefield, York, Newcastle, Leicester, Bristol, and generally as to several counties, do not appear to have presented themselves to them—for, indeed, as the statistics suggest, the proportion of the mentally defective in these two areas (Hull and Sculcoates and the Durham unions) is remarkably low. This, too, would, in some degree, account for the different character which the subject assumes here and elsewhere.

78. For the rural areas we have the following table :—

INDOOR RELIEF.

The rural areas investigated Vol. VI., p. 27.

1. Rural Areas (Unions).	2. Paupers, adults and children, *excluding* cases certified under the Lunacy Acts and Casual Ward cases*	3. Mentally Defective Persons.	4. Percentage of col. 3 on col. 2.	5. Percentage of Mentally Defective Persons (col. 3) needing provision.†
Somerset - - - -	740	166	22·43	3·01
Wilts - - - - -	1,146	229	20·00	3·06
Notts - - - -	591	117	19·80	1·71
Lincoln - - - -	665	77	11·58	6·50
	3,142	589	18·75	3·22

* These figures do not include the certified insane, for certified lunatics lay outside the inquiries of the Medical Investigators. Nor are the figures in relation to the Casual Wards included; the investigation in regard to them was made on different lines—for a one-month period or for a period specially stated in each case.

† See foot-note on p. 19 above.

In these rural areas we find that the mentally defectives form a larger percentage of the inmates of workhouses than in the urban districts: 18·75, as against 12·7, and as compared with Manchester, for instance, those who are returned as in urgent need of other provision are proportionately much fewer, 3·22 per cent. instead of 22 per cent.

79. Of Somersetshire, we have the following notes, which furnish practically a census and a sketch of the mentally defective in a group of workhouses :— Somersetshire.

"It thus appears that on the average a little more than one-fifth of the entire workhouse population come within the scope of the enquiry. . . . In some unions the proportion of the workhouse population who are mentally affected is not so great, in others it is greater than one-fifth; the smallest number being found at Taunton, 17·7 per cent., and the largest at Yeovil, 25·4 per cent. These differences are in great measure attributable to local customs as to the granting of relief." Vol. VI., p. 221.

Somersetshire—*contd.* Vol. VI., p. 222.

Passing by the notes on the senile dements (39), and lunatics (20), in the workhouse, there appears to be "only one idiot, a female child of six years, who would be better in a special institution"; and there are twenty-three imbeciles, of whom "sixteen are incapable of doing any work, four do a certain amount of useful work under supervision, and three are children of school age; one of these is attending school, and two are not attending school." The feeble-minded number seventy-four, thirty males and forty-four females. "About half the males are occupied in useful work, such as coal-carrying, wood-chopping, and the ordinary domestic work of the institution, whilst about two-thirds of the females are usefully employed in scrubbing, mending, and laundry work. On the whole I find that routine work of this character is done fairly well by them. The remainder are practically idle, and simply loaf about, either because they are too old, incorrigibly lazy, or require so much supervision that their labour is unprofitable—they are more bother than they are worth."

"I may refer to an episode in connection with one feeble-minded woman, who was set to wash a baby; she did so in boiling water, and it died. It is only fair to remember that practically none of these persons have received any training, so that their capacity for work is comparatively uncultivated.

"Seven females and one male are of very unstable equilibrium, they are troublesome, very untrustworthy, and require a good deal of watching; whilst in the case of another woman before mentioned who is subject to attacks of insanity I do not consider the control efficient.

"Five females and four males are unemployed owing to epileptic fits; and two females are bedridden from old age."

Vol. VI., p. 222.

As a result of enquiries into the previous history of these feeble-minded persons, the medical investigator adds, "I find that they fall into the following groups:—

"*A.*—Those born in the house (nearly always illegitimate) or else admitted at a very early age owing to the death of parents.

"*B.*—Those admitted during adolescence in consequence of their inability to earn their living. Many members of this class have been taken in hand and placed in one situation after another by charitably disposed persons, but partly owing to their bad temper and partly to their ever-changing disposition, employers find it impossible to put up with them, and they finally drift into the House. I came across one girl who had been placed in twenty-two situations in less than two years.

"*C.*—Those admitted somewhat later in life owing to the death of friends who have hitherto looked after them. This class represents a later development of the condition of many persons who will be met with in Group C., that is, persons in receipt of outdoor relief, and Group H., persons living at large or known to be mentally defective.

"*D.*—Street loafers and vagrants who have either been brought in by the police or driven in by destitution and stress of weather. A few of these are regular ins-and-outs.

"*E.*—Women who have come in to be confined of illegitimate children.

"*Defective Children.*—Total number three (male one, female two). All these were born in the workhouse, and are attending the town school.

"*Sane Epileptics.*—Total number six (two males, four females). The two males are father and son; the father is a regular in-and-out, and gets work as a labourer during the summer months. The four women are practically unemployable, owing to the severity of the fits."

This statement may be taken as a fair description of the mentally defective as they are living in the workhouses of these rural unions. To the general needs of these unions we have already referred.

Wiltshire. Vol. VI., p. 258.

80. From Dr. Pearse in regard to Wiltshire the criticism comes that, apart from the feeble-minded who have been brought up in the workhouse, "there are others who have entered because they have failed in the struggle outside; and these do a certain amount of routine work in the institution, wood-chopping, gardening, laundry work; many of them work well, others only under supervision. There is, however, absolutely no recognition of the fact that they need special training. After treatment suited to their requirements they would be able to provide for themselves much better than they do."

Another criticism is that though the number of certified lunatics is considerable, in only one workhouse is there separate accommodation for them with a special attendant; in all other cases they mingle freely with the other inmates, a state of matters which is hardly desirable, and may readily have a deleterious influence on the feeble-minded. Most of the cases can be readily controlled, but separate wards are certainly advisable, or as some of the workhouses have considerable spare accommodation the certified cases might be drafted to these. Wiltshire—*contd.*

81. Dr. Stracey, writing of the idiots and imbeciles in the district which he investigated, says: "At present there are no means of providing for these cases; the workhouses under present conditions are unsuitable, the lunatic asylums are full, and there are no idiot asylums in the district;" and he suggests that the empty accommodation in the workhouses should be adapted for use under a larger staff. And of the feeble-minded he says: "There are thirty who require provision and should certainly be under some sort of control. The workhouses are unsuitable, as they have neither power to detain such cases, nor suitable work to give them." Lincolnshire. Vol. VI., p. 309.

82. Of three of the four workhouses in the area of Carnarvonshire which Dr. Parry investigated, he says that "they are situated in the towns, where little space is provided to give exercise and to organise manual work for the inmates. The disciplinary methods of these institutions are decidedly bad at present, for a feeble-minded woman can at any time claim her discharge, and, when pressed by circumstances or misfortune, demand re-admission and burden posterity with her offspring." Carnarvonshire. Vol. VI., p. 351.

83. The general impression made by this evidence is that the mentally defective in the workhouses are kindly treated, but that they are rather maintained than thoughtfully considered, and that much more could be done for the children and younger persons, if attention were given to their training and if the accommodation at the workhouses were adapted to new needs, better utilised, and supplemented by farm colonies and other industrial institutions where such capacity as the inmates have may be developed.

84. The maternity wards at the workhouses in the several districts which were investigated in most cases were under observation for some time. The Maternity Wards. Vol. VI., pp. 19, 27, 95, 122, 152, 180, 194, 223, 258, 279, 303.

Among the women in the maternity wards in some districts a small proportion are reported to be feeble-minded. In Stoke-upon-Trent in the Lock ward were five feeble-minded women, all of them prostitutes. In the maternity ward in Birmingham during two months thirty-four women were admitted, of whom four were feeble-minded, three of them being unmarried. In the Manchester district in three months ninety-four were admitted, of whom nineteen were feeble-minded. "In all but two cases the children were illegitimate." Thirteen feeble-minded women, who were in the body of the house, admitted having had one or more illegitimate children. In the Durham county areas the maternity wards were empty at the time of enquiry, "and do not appear to be extensively used." In the Somersetshire union, there were during the period of enquiry only six women, three of whom were feeble-minded. "Taking all the unions together, the average total per year for the last five years was nearly four in each union. Of this number fully three-quarters of the children were illegitimate and fully half of the women feeble-minded." In the Wiltshire unions the wards were little used. In the Nottinghamshire district there were "twenty-three feeble-minded women in the workhouses, of whom eleven had at one time or another had children, all illegitimate." In the Lincolnshire district no mentally abnormal women were found in the wards, and they were very seldom met with there.

From this short abstract of the evidence it may be concluded that while in the maternity wards only a small number of the women are feeble-minded, women who are feeble-minded in very many cases have illegitimate children, and that at present they are not and cannot well be protected. They are under no guardianship that might prevent their having recourse to the workhouse, and even when there they cannot be detained, however desirable such a course might be.

Nottinghamshire. Out-door Relief. Vol. VI., p. 280.

85. In regard to outdoor relief one note may be quoted. It occurs in Dr. Gill's report of the Nottinghamshire unions. Ninety-three persons were in receipt of outdoor relief—men and women of every class of mental defect. "Taking half a crown as an average weekly payment to each of them (and it is probably a good deal below the mark) the annual amount paid comes to a little over £600, and this without any hope or expectation of return. Thirty-five out of the ninety-three are feeble-minded, and all are capable of work under careful supervision."

East and West Riding: The defective classes under the Poor Law. Bagenal, Vol. I., p. 130, c. 1 & 2.

86. Turning next to the witnesses who submitted evidence to us, we take the East and West Riding first. Mr. Bagenal, a general inspector of the Local Government Board for the Yorkshire District, who has paid special attention to this subject, described to us the conditions that prevail at the Wakefield Union Workhouse, not as exceptional, but as fairly typical of the rest of the country. The Wakefield Union, he said, had in 1901 a population of 112,365, and included a considerable rural area, thus combining in some degree the characteristics of an urban and a rural district.

In the workhouse he said "there were sixteen male certified lunatics, and eight female certified lunatics, making a total of twenty-four. Of these three males were idiots, and three females idiots. There were also five male feeble-minded epileptics not certified, who were warded with the lunatics or with the infirm men. All these . . . occupy the same block and intermingle freely, though classified on the male and female side, after a fashion, in separate day rooms. There were numbers of idiots and imbeciles, and inmates with their senses, all mixing together—which is a very undesirable thing. It is explained by the fact that they have not room in the workhouse. . . . . But that is the condition of a great number of workhouses—that the imbeciles are mixed up with the sane, which is very undesirable and very hard lines upon the respectable poor."

He proceeded to go into detail:—

"There were four feeble-minded, of whom one was an epileptic. Of these one has an illegitimate child, and there is trouble in keeping her segregated from the men. There is another whom the superintendent said was very likely to go wrong, and with whom she has had trouble in the same way. All the above are under special observation, and supervised by special officers, and are accommodated in a separate block divided into male and female quarters."

In the main block where inmates in health were kept he found the following feeble-minded: "eight women between twenty and forty years of age, of whom the master said it would be most inadvisable to let them out; one epileptic of the same character. All these the master manages to detain in the workhouse by persuasion, or by putting difficulties in the way, such as asking whether they have any friends to go to, whether they are likely to keep them, and so on. As a matter of fact, he knows that he has no legal right to prevent them discharging themselves."

Besides these, there are the following cases:

"A woman, aged thirty-eight, who has no sense of morality and is a source of constant trouble to the matron and master. She has had five children, all by different fathers. This woman is now practically a permanent inmate of the house and is not allowed out. She makes no application to be discharged, but uses very bad language when she is refused liberty to go out for an afternoon. Of her five children, three died, very degenerate offspring. The survivors are under the custody of the guardians.

"The second case is a woman aged forty-five, who has three illegitimate children. She is on the border line of imbecility, but the medical officer will not certify her as insane. Two of the children are said to be the result of an incestuous connection. She makes no application to go out, but there is no means of legally detaining her.

"There is a third case of a woman, aged twenty, bordering on imbecility. She has been in the workhouse for ten years, and is an active and useful person in work."

Then, continuing his statement in regard to the females, Mr. Bagenal said that he found, in the infirmary or hospital wards, that in 1904 there had been three cases of illegitimate births, all the offspring of feeble-minded women. One was the result of an incestuous connection. The superintendent nurse told him that the mothers of all these cases were distinctly feeble-minded, and her experience was that illegitimacy was very frequently the result of this.

On the male side, he found that there were five men who could be described as feeble-minded, who are useful and active workers about the place, going messages, and so on. They showed no desire to leave the institution; they were

quite content to remain there. Those would seem to be people ear-marked, as it were, for a labour colony, or a department of a labour colony for the feeble-minded, if such were established.

East and West Riding: The defective classes under the Poor Law—*contd.*

Thus his summary for that workhouse was: there were twenty-four certified insane, and twenty-six feeble-minded. That morning he had received a return of the mentally defective who were in receipt of outdoor relief; there were four relieving officers, and between them they returned: Imbeciles, five males, four females; one idiot male; eight male and fourteen female feeble-minded; total, thirty-two. And he concluded: "so you there get practically what the feeble-mindedness is in one union which I have taken at random in my district. I do not know that there is any reason to suppose it is above the average or under the average; I simply state these facts." Bagenal, Vol. I., p. 130, col. 2.

87. At Wakefield Workhouse, according to the Half-yearly Returns of Pauperism (England and Wales) January 1st, 1905, there were 395 indoor paupers. Mr. Bagenal found twenty-six feeble-minded, apart from the twenty-four certified lunatics, *i.e.*, 6·6 per cent. of the inmates of the workhouse: and of 1,908 persons on the outdoor relief list, thirty-two, *i.e.*, 1·6 of the applicants were mentally defective.

88. Of the Sheffield Union which is urban, Mr. Bagenal says:— Bagenal, Vol. I., p. 130, col. 1.

"The superintendent of outdoor relief stated that there were in receipt of outdoor relief twenty-seven males, forty-one females, total sixty-eight, who might be classed as feeble-minded. Of course, it seems obvious that any person of this class who is in receipt of outdoor relief, a female especially, is more or less a source of danger to the community."

89. Speaking further of feeble-minded women in the workhouses of his district, Mr. Bagenal said:— Feeble-minded women in the workhouses in the Yorkshire District.

"Feeble-minded women are particularly open to the seductions of men. They seem to be deficient in will power and the power of resistance to attacks upon their virtue. In some the moral sense is altogether absent. The consequences we see in the frequency of this class in the lying-in wards of the workhouse.

"In one workhouse I found five young women, all of whom were feeble-minded. Number one was going to be confined and had had two children before; number two had had two children; number three had had two children; number four had had one child; and number five had been confined in the summer, and had three children previously. All these were illegitimate. The cost of these cases is a very great burden on the ratepayers, especially as the children will probably turn out to be feeble-minded also. The fact is, this class become practically the prostitutes of the rural districts. Bagenal, Vol. I., p. 132, col. 1.

"I made an enquiry on this question into the number of illegitimate births in the workhouses of my present district in the year ending the 31st December, 1901, and the number of mothers of illegitimate children who were feeble-minded. There were 462 illegitimate births, 6 per cent. of whom came of feeble-minded mothers. The returns were incomplete as to numbers, owing to the fact that no record was kept in two of the largest workhouses in the district."

90. Commenting on a return of defective children of school age which had been made by the head teachers of the elementary schools at Ipswich, and showed that "approximately 1 per cent. of the children were feebly gifted," Mr. Bagenal said that he felt pretty confident that this 1 per cent. contributed many recruits to our workhouses and our gaols, and speaking generally of the workhouses in his district he said that he ascertained in 1900 that in ten unions in the East Riding of Yorkshire there were 161 "who were of weak intellect, but who were not certifiable as imbecile or insane, and who could not therefore be detained in workhouses or elsewhere except at their own pleasure," and in the thirty-five unions in the West Riding there were 670 such persons. General returns of feeble-minded in workhouses in the Yorkshire district. Bagenal, Vol. I., p. 132, c. 1.

91. As to the practical definition of this class in the returns which he collected, Mr. Bagenal said that he gave the officials "a definition of what a feeble-minded person was to the best of his ability," and though "the evidence on this particular point might not be scientifically correct" he thought the workhouse masters would take the medical officers into their confidence. The relieving officers "seemed to understand perfectly that the 'feeble-minded' were on the border line—cases with which they were perfectly familiar, which, they say, are 'softies,' or 'not all there,' or are defective. Among these cases returned, were no 'senile decay, hospital cases, or bedridden cases at all.'" Bagenal, Vol. I., 2472, 2473, 2474, 2476, 2346.

Mr. Bagenal added that he thought that it was very likely that the vagrant class was largely recruited from the ranks of feeble-minded boys. These boys were practically unemployable, and at the age of sixteen drifted out into the high roads and swelled the ranks of the nomad population. The feeble-minded men in the workhouses, he says, are very often "ins-and-outs." They go into the workhouses in winter and come out in summer, picking up a precarious livelihood in one way or another. Bagenal, Vol. I., p. 132, c. 1.

York. Skinner, Vol. II., 14784, pp. 218, 219, 220.

92. Miss Skinner, the superintendent nurse of the York Union Infirmary, reported to us on the feeble-minded there. Her evidence corroborates the evidence of Mr. Bagenal and many others :—

In the imbecile wards, she said, were 78 beds, and fifty-two patients detained under certificate; twenty-four of these were certified imbeciles; fourteen had chronic mania; five were old senile cases and there was one idiot. Of epileptics there are eight 'mental,' and to be counted among the 'certified imbeciles,' two feeble-minded, and four epileptic imbeciles. Besides the fifty-two certified cases, there were a great many cases of senile dementia; these were not fit to be in the sick wards, some of them being very noisy at times and troublesome, but too old to certify.

A great many girls admitted to lying-in wards were more or less feeble-minded, and unfit to look after themselves, but after their recovery, they were discharged out, and went to the bad, because no one had the power to protect them against their will. For cases of this kind, she thought, a Home should be provided and certified by law, with power to detain. The medical officers of workhouses should be allowed power to transfer any patient that they considered fit to such a Home from the workhouse or lying-in wards; subject to a certificate signed by a magistrate.

Miss Skinner mentioned many individual cases which threw light on the condition of the feeble-minded inmates; and she urged that children, on being sent out to earn their living should be carefully examined by the medical officer. She mentioned four cases, in which children, unfit to look after themselves, were sent to farms.

Since 1900, she said, the number of confinements had been 135. Out of this number 115 were illegitimate; 107 were unmarried women. The other cases were married women and eight of these also had illegitimate children. Thirty-five pregnant cases were suffering from a severe form of syphilis. Many of the children died from syphilis either a few minutes after birth, still-born, or under a year old. When at the latter age the child was usually suffering from a few weeks after birth until it died.

From July to November, 1901, she said, four infants died, the oldest eleven months old; in the year 1902 seven infants died, the oldest two years; in the year 1903 thirteen infants died, the oldest three years; in the year 1904 eleven infants died, the oldest four months; in the year 1905 twenty infants died, the oldest fourteen months.

Of the cases one or two may be quoted as typical:—

"*F.S.*—Brought up here; always a troublesome, violent-tempered, immoral-minded girl, several times sent out to service; always returned with bad reports, and in a dirty and verminous condition—her hair had to be cut or shaved off; sent to imbecile wards two or three times for observation, but was not certified; she has been a source of great trouble this last year (suffering from syphilis). A guardian has recently obtained a situation for her on a farm. She is sure to return in the same condition. Her mother is in the asylum. Her father deserted the family when young.

"*H.D.*—Single woman. Age 25 years.—One illegitimate child; grandmother and mother died in the imbecile wards of this workhouse; she was brought up here; went to service, returned pregnant; the child was a miserable puny infant. The girl I consider 'mental'; she had very violent fits of temper. The child improved, and later the woman went out and lived with a man who is frequently an inmate of the house. This man is also mentally deficient. A few weeks ago a situation was got for her, and she ran away from it; she has refused to go to a Home. This man and woman have been seen about York together.

"*A.C.*—Epileptic; has had one illegitimate child; F.C. also epileptic, had two illegitimate children. F. became so violent and troublesome that she was sent to the asylum; she died there in 1904 from malignant disease. Agnes had also malignant disease of the breast which has been amputated. Two aunts died here; they were both 'mental' and had been at an asylum; a nephew committed suicide by drowning in the river Ouse in July of this year. One nephew living looks 'mental.'

"*M.P.* Single woman. Age 29 years.—She was a cook; she drank heavily; brought in in a dirty condition, suffering from the effects of drink; recovered, and went out, back on to the streets; brought in again; was certified for imbecile ward. She improved wonderfully, and worked well; after begging for some time, the doctor allowed her to go out again; later was brought back again as bad as ever, was not certified; she improved and went out again, and went to the bad again; tried to commit suicide, threw herself out of the window; taken to county hospital; admitted since then in a deplorable condition. She again went out, and has been several times since in Wakefield prison, for theft and immoral living. Family history, parents are aged and most respectable people; one sister a lady's maid. She has been two or three times to the Refuge here in York. Her own friends and several of the lady guardians have tried to persuade her to go to a Home, but she absolutely refuses. Still at large.

"*H.I.*—Single woman. Age 40 years.—Farm servant, sixth child. Her father had charge of the eldest child, four were dead; feeble-minded woman.

"*H.D.*—Single woman. Age 27 years.—Six illegitimate children. Clean girl, but feeble-minded.

"*J.B.*—Single woman. Age 26 years.—Has been in the imbecile wards here several times; has been twice to Bootham Asylum; violent and dangerous; she had a child here in 1902, who lived seven months, and died in convulsions. She is now at home with her parents."

93. Miss Pease, a guardian of the Newcastle Union, and a member of the Northumberland Education Committee, described the state of the feeble-minded "able-bodied" in the Newcastle workhouse. Newcastle. Pease, Vol. II., 15060, p. 232, c. 1.

Each year since she had been a guardian, she said that she had felt the need of some change in the law regarding the detention of the feeble-minded. This view was held by most women guardians, and by many Poor Law inspectors. The evil results of allowing mental defectives to go in and out of workhouses as they pleased were always under their eyes.

At the present moment, in the Newcastle workhouse, there were sixty so-called able-bodied women; out of this number, there were—according to the views of the two medical officers, the matron, and herself,—thirty-nine women of varying degrees of feeble-mindedness; sixteen of these had children, and none of them were able to take care of themselves. There were sixty able-bodied men, and of these the doctors considered that twenty-three ought to be kept under permanent care. As they were not able to do this, they tried to persuade them to stay in the House by giving them a certain amount of preferential treatment, but often all their efforts were defeated by a depraved woman getting an influence over those who were younger and more innocent, with no wills of their own, and then nothing would keep them in the House. Others who did not realise their mental condition genuinely wished to try and earn their own living; they were seized with a restless fit and took their discharge, and too often their next appearance was in the maternity wards.

Miss Pease also stated that a census of the mentally defective children throughout the county had been made between the ages of seven and fourteen. The number returned was 288, less than three in every 1,000; hardly a complete census, she considered.

94. Speaking of Lancashire, Mr. Jenner-Fust, General Inspector of the Local Government Board for Lancashire and Westmoreland and part of Cumberland, said that the imbeciles and insane epileptics were chiefly maintained in the workhouses of the district mingled with epileptics not classed as insane. In many instances, separate blocks or pavilions had been provided for their use, but, in all these cases, if the imbeciles and epileptics were removed, the accommodation provided could in future be appropriated to other classes of inmates. There was a general concensus of opinion in Lancashire that a workhouse was not the right place for imbeciles or epileptics of either class, sane or insane. Lancashire. Jenner-Fust, Vol. I., 2530, p. 138, col. 1.

95. Dr. Milsom Rhodes, Chairman of the Manchester and Chorlton Asylums Board, who has a wide knowledge of Poor Law administration in Lancashire and elsewhere, stated:— Rhodes, Vol. I., 9436, p. 549 col. 1

That no one who had really studied the question could be satisfied with the present provision for mental cases in workhouses. An alteration was necessary, in the interests of the sick as well as the insane, in the smaller workhouses. The mentally unfit were placed in the sick wards and were a cause of very great trouble to serious cases. He had known a noisy dement in the next bed to a patient suffering from acute pneumonia, to whom sleep was an absolute necessity, a *sine quâ non* she had small chance of obtaining. The treatment of the mentally and physically unfit in the same ward, should, he thought, be abolished.

96. At Norwich it was stated that there were forty-two "feeble-minded" persons in the workhouse, and twenty-four in receipt of outdoor relief; and sixteen epileptics in the workhouse and ten in receipt of outdoor relief. It was found that in most of the indoor cases chargeable, the persons had been admitted on many occasions. Most of those who were in receipt of outdoor relief were resident with either parents or relations. Of the feeble-minded in the workhouse, four, it was said, required treatment in a special home; and of the epileptics, in-and-out, eight required that treatment. Norwich: Odhams, Vol. II., 13629, pp. 152–153.

97. Miss Clephan, for a long time a member of the Leicester School Board, and now manager of the Deaf and Special Classes under the Leicester Education Committee, and Honorary Secretary of the After-Care Committee, said of the Leicester: Clephan, Vol. II., 18442, p. 424, col. 2.

Leicester—*contd.* Clephan, Vol. II., 18442, p. 424, c. 2.

workhouse there, that there was in it an inevitable lack of just what was most needed—individual training and development; there was ignorance of the family history of cases (which was very evident on special enquiries being made in regard to after care); there was no specialisation of treatment; cases drifted in and out at intervals: boys were placed with men and soon got out of hand; some drifted into the imbecile ward as the safest place; others were declared to be feeble-minded who might be improvable; some were found there though they had never passed through a Special school.

Hampshire, Wiltshire, Dorsetshire.

98. Quoting from a report made by him to the Local Government Board in 1904, Mr. Baldwyn Fleming, a General Inspector, described the condition of the feeble-minded in workhouses in his district, Hampshire, Wiltshire and Dorset. The account he gave was like those submitted by the witnesses whose evidence has been already quoted. He mentioned the following cases merely as samples of a class of case with which every board of guardians is familiar.

Fleming, Vol. I., 2078, p. 115, col. 1.

"In C. workhouse a girl, D.F., aged twenty-five, had come into the workhouse to be confined. She was physically and mentally defective, but the medical officer could not class her as insane. She had no idea what to do with her child, which was a poor, undersized little object. The matron had managed to keep it alive, and if it remained in the workhouse it would very likely continue to live. There was no power to retain the mother against her wish, and it was stated that she would probably leave the house as soon as the child was strong enough to go out. What would be the almost inevitable result? That in a few more months the child would be dead, and the mother would again be pregnant.

"In the same workhouse was a child, W.B., aged fourteen. She had been sent to the workhouse with the consent of her parents and of the guardians, to prevent her seduction. She was of unusual physical development for her age, and had evinced propensities which would have certainly led her into trouble if she had not been placed under restraint. She was defective mentally, but was not classed as insane. Unless she can be so classed when she is sixteen, she will be entitled to take her discharge, and the consequences are apparent.

"In another workhouse there was an inmate, F.A., aged thirty-three. She was seduced when she was sixteen, and her first child was born when she was seventeen. She has had five children, and three of them died when babies. This woman is less defective mentally than the two cases previously referred to, but she is quite unable to protect herself from the danger she incurs when free from restraint."

In support of his statement, that it was very necessary that feeble-minded girls should be detained, he gave particulars of a family in which the father was mentally deficient and the mother extremely deaf, and in which the daughters each in turn on becoming independent took to a profligate life.

99. Further, in advocacy of a policy of separating the feeble-minded in country workhouses into offensive and inoffensive feeble-minded, and removing the former from the workhouses, but retaining the latter, Mr. Fleming described in some detail the state of things at a country workhouse.

Fleming, Vol. I., p. 121, col. 2

A chattering old woman of eighty years of age, a senile dement, and two other women who could not be removed, unless they were certified as insane, were in this workhouse, he said, a constant trouble to the quiet and well disposed inmates—especially in the sick wards. There was no remedy indeed, but to obtain certification, a course which was not adopted because it was thought that it would be wrong to brand the families to which they belonged with insanity. On the other hand, there were in the same workhouse four male imbeciles, who represented, Mr. Fleming urged, a class of persons who might very well be left in the workhouses. These were:—

Fleming, Vol. I., 2181. p. 122, col. 1.

"A. G., 70; E. B., 45; F. M., 45, and A. P., 29. A. G. is a most useful general handy man. He works in a garden and helps with the pigs, looks after the vegetables and turns his hand to anything that he is put to. The master describes him as very useful and thoroughly contented and happy. He is well-known throughout W., and is often allowed to go into the town for errands or other purposes. There he has many friends whom he meets with great pleasure, and who are glad to see him. E. B. goes about with the firewood barrow. He has a cousin in W. whom he frequently visits. In the workhouse he helps in the kitchen, where he is said to be of great use and to do a great deal of work. He also is said to be thoroughly happy in his surroundings. F. M. has friends at C., and regularly goes to spend the day with them. Sometimes he has exceeded his leave and has stayed with them for the night. The guardians would not object to this, except that it is doubtful whether there is sufficient sleeping room. He does much of the scrubbing in the workhouse, and again is said to be useful and very happy. A. P., twenty-nine, makes himself very useful at any work allotted to him. He is a keen sportsman and runs like a hare. When the hounds are about he loves to get after them, and within reasonable limits he is allowed to do so. He has a father and a mother, and periodically goes to see them. He also is said to have a very happy life. The master who gave me the above particulars says that if these four men were taken away from the house, the work could not be done without further paid labour. He says further that at the house they would be very sorry to lose them, and

that he is sure the men themselves would be very wretched if they were removed from their own surroundings and association to an establishment where they would have none but their own unfortunate class for companions. These men work well and willingly, and are quite happy in their work. They are no nuisance and give no trouble and no cause of complaint to any other inmates. The guardians appeared to think that they did not want to get rid of them. It would be a grave hardship with no compensating advantage to add to the misfortune of insanity the pain of taking them away from their present happy condition of life." Hampshire, Wiltshire, Dorsetshire—*contd.* Fleming, Vol. I., 2181, p. 122, col. 1.

Mr. Fleming had, he said, made inquiries with similar results in other unions. Many imbecile-insane people, feeble-minded people, had offensive habits and were a nuisance to other people, and these ought to be removed; but people of unsound mind who were happy should be left where they were, where everybody was good to them, and tried to make life pleasant for them. Fleming, Vol. I., 2182.

100. In regard to children, Mr. Fleming quoted the case of Portsmouth, where they had got a dozen children in the imbecile block of the workhouse simply because they could find no place to which they could send them to be trained. Speaking generally of his district, which includes Hampshire, Wiltshire, Dorsetshire, and the Farnham Union in Surrey, fifty-four unions, he found that there were 889 persons in receipt of indoor or outdoor relief, as epileptics, idiots, and insane. Of these 696 would be certified as insane, and 193 are sane epileptics. "The proportion of feeble-minded who were not classed as insane was very considerable, possibly half as many as those who were classed." Fleming, Vol. I., 2199, 2185, 2187, 2188, 2190.

101. Of the feeble-minded children in the Bristol Workhouse, Miss F. M. Townsend, member of the Bristol Education Committee and Chairman of the Industrial Schools Sub-Committee, gave a very unsatisfactory account:— Bristol. Townsend, Vol. II. 18324, p. 417, c. 2.,

A recent visit paid to the Eastville and Stapleton workhouses she said, showed imbeciles, idiots, and slightly feeble-minded living in wards together, all ages from fourteen to ninety. Hardly any attempt was made to teach or occupy the children. On the men's side the boys were partially separated from the men, but the accommodation was cheerless, and the life of the boys idle and dreary. Slightly feeble-minded children were associated with the saddest, most hopeless idiots. I saw six children who had formerly been in Bristol special schools. Five of them had greatly deteriorated, probably through lack of training and association with low type imbeciles. Three boys had been sent to Starcross by the guardians and returned as too deficient for training in that institution. In each case the workhouse medical officer was of opinion that the boys were improvable, but would deteriorate under workhouse conditions. A girl of fourteen, who had made considerable progress at the special school was associating with a room full of low type imbecile women."

102. Of the adults in the Bristol and Barton Regis Workhouses, Miss Clifford, who has been a guardian for many years, submitted the following notes:— Clifford, Vol. II., 16267, p. 301, c. 1.

"There are just now in Bristol workhouse eighteen men and thirty-four women of weak mind classified as able-bodied. They are chiefly of a very low type. Many of them have been inmates for a long time; others drift in and out again. There were two women who died, one at about seventy and one at about fifty years old, who had been born in the workhouse and had remained there all their lives. Among those eighteen men are some who have been brought up in the Poor Law schools. One man of about forty has been in the workhouse from infancy; he is the illegitimate son of a woman who was believed to have murdered an older child. During the last two years the guardians have ordered him out of the workhouse, not recognising his incapacity to maintain himself. He returns from time to time to the casual wards in a miserable condition. There are not any weak-minded girls in the workhouse who have been educated in the schools or homes, because the guardians have, since 1890, sent all such to one or other of the voluntary homes opened about that time for girls. With one exception, these girls have remained happily in the homes unless they have been discharged to friends. The exception was a girl of curiously restless and mischievous character, who habitually upset the others and had to be dismissed on that account.

"There are seven other girls possibly not quite normal, all over school age, who are employed in the new Home's laundry. They are unfit for service, but are probably backward in various ways, rather than weak-minded, and we hope that after a time they will develop into capable girls.

"The able-bodied weak-minded adults in the workhouse are very useful and generally well-behaved and deserve a less dreary life than they have; they are, however, in the Bristol workhouses, allowed by the doctor better diet, and if well-behaved they are placed in one of the workhouses in a superior living room and dormitory.

"In addition to the above there are a large number of the unmarried mothers, probably about a third of the number, who are of weak mind. Out of 148, fifty-six were, in the opinion of the medical officers, of feeble mind. They have had altogether ninety-five children. The larger number of these children die in infancy, but the preventible suffering is great. It is difficult to trace most of these mothers or to find out whether the children who survive are feeble-minded or not. In some few cases a weak-minded child has returned with the mother, and both have remained for some time chargeable."

Somerset. Wills, Vol. II., 14842, p. 222, cols. 1 and 2.

103. In regard to the feeble-minded and epileptic in the rural districts of Somersetshire, an extremely unsatisfactory state of things has been disclosed. At the Axbridge union, the following typical case is mentioned, in which endeavour was made to provide for a young woman in the asylum for idiots at Starcross, where improvable cases are taken :—

"*Typical Case.*—A.W., sent home from Starcross at the age of twenty-three because she had one fit. She is now in the hospital ward of our workhouse, where she is a source of great trouble and discomfort, whereas with skilled supervision she could be kept employed, happy and harmless.

"Within the last eighteen months three Axbridge cases have been dismissed from Starcross—one because he was unruly; one because she had one fit; one because his heart was bad. These cases were all over twenty years of age and all three have now come back to the workhouse."

104. In rural workhouses, judging from those in the neighbourhood of Axbridge, there is no separate accommodation for epileptics and feeble-minded, whether adult or children. The adults are generally classed with the sick and infirm, to the great danger and discomfort of the latter.

p. 223, c. 1. "Feeble-minded girls and women," it is stated, "form a large proportion of the unmarried mothers who come to the lying-in wards of our workhouses, where they often appear again and again, adding to the rates and to the deterioration of the race by producing sickly and deficient children."

p. 223, c. 1. "Also, sane epileptics of respectable character, are often compelled to enter workhouses because no one is willing or able to care for them. The want of occupation, close confinement, often unsuitable diet of workhouses, are very detrimental to them; they lead lives of extreme misery, and degenerate rapidly into a state of idiocy, or lunacy, otherwise probably preventible. It is a great hardship to class *sane* epileptics with feeble-minded and imbeciles. Dangerous epileptics cannot be compelled to enter any institution, but may, if they choose, remain at home, a constant source of danger to themselves and their families."

Fry, Vol. II., p. 226, cols. 1 and 2, p. 227, col. 1.

105. Miss Fry, another witness, who speaks also of Somersetshire, says in regard to the children that the Elementary Education (Defective and Epileptic Children) Act, 1899, has not been adopted by the Somerset County Council; and that feeble-minded children are therefore to be found either in the ordinary elementary schools or in their own homes, except in a very few cases where they have been sent by the guardians or by private charity to idiot asylums, or to Homes for the feeble-minded. Their place is not in the ordinary elementary school, where their example is bad for the other children, and their habits frequently a source of amusement to them. On account of their backwardness they are sometimes placed with the younger children or infants, and I have seen, Miss Fry says, big feeble-minded children sitting at infant desks and kept quiet by being allowed a slate and pencil. The teachers, especially those in small rural schools, find it impossible to give such children any individual attention, and much time is spent by young monitors in vainly endeavouring to teach them to read, write, and count. From motives of humanity, managers are unwilling to turn these children away, but there are other children who are too deficient to attend school at all, and they have to be kept at home. Some of these children are very difficult to control, and others need more careful and constant watching than their parents can give them; both classes tend to become worse when left without any training. Private charity cannot deal with all these cases. The voluntary homes are full. The guardians on the other hand are unwilling to pay for children who might be dealt with by the Education Authorities under the Act of 1899, if that Act were adopted, and they are also unwilling to contribute much more than such children would cost if maintained in the workhouse.

It is very undesirable, Miss Fry argues, to bring children who are not paupers under the Poor Law in this way, but the inaction of the Education Authorities leads to this. If they are dealt with now, they have to be certified as idiots, and sent to the West of England Asylum at Starcross. But parents often object to their feeble-minded children being certified as idiots, and medical men often hesitate to certify them as such. Further, at Starcross, only children capable of improvement are admitted, children of feeble intellect, viz., those who, unable to keep pace with normal children at an ordinary school, yet possess sufficient intelligence to learn some light trade or industrial occupation, to fit them, as far as possible, to be able to contribute to their own support; and thus, to provide for actual idiots remains a difficulty, while to obtain admission for the improvable feeble-minded they have to be certified as idiots.

106. Further, in regard to Somersetshire, Miss Joseph, who is a Poor Law guardian, and was a member of a voluntary committee for securing provision for pauper defectives, submitted the cases of several feeble-minded women in workhouses. It is unnecessary to enlarge the records of these cases, of which the evidence is practically endless. But two may be mentioned :— Somerset—*contd.* Joseph, Vol. II., 17012, p. 352, c. 2.

(1) Mrs. C., daughter of a publican. She was an only child, married a man who kept a public-house, and took to drink young. Fairly prosperous for some years, but ruined by drink. She came into the workhouse with three sons and one daughter, all certified imbeciles ; one son had subsequently to be removed to the county asylum. The daughter is fairly intelligent and if properly trained would have been capable of improvement.

A second daughter, E. C., markedly feeble-minded, came into the workhouse twice for the birth of illegitimate children ; the second time she was well over forty. One child, an idiot, died in the house, the other she took out, he got into trouble and was subsequently sent to an industrial school. E. C. afterwards married but after a time refused to live with her husband, who is at present in the workhouse, and from what I am told she is not leading a very respectable life.

A third daughter, J. C., also had two illegitimate children in the house, one of whom was deformed and died. She afterwards married and had five children, two of fair mental capacity and the other three weak-minded. She also is of unsatisfactory character. If it had been possible to detain these women in the first instance the community would have been relieved of considerable expense.

(2) Mother, woman of immoral life. Two daughters, M. and R., both physical defectives, and R. morally and mentally so. M. had one illegitimate child, who died in the workhouse in infancy—previous to admission she was in receipt of out-relief. R. is syphilitic—had one illegitimate child in the workhouse—still-born. Both women are now in the workhouse. There is no classification between R. and the other able-bodied women, which include decent feeble-minded girls, with whom on physical and moral grounds it is inexpedient she should associate.

Miss Joseph summed up her case for reform with the words :—

" The condition of a defective child or adult in a small country workhouse where no special classification, care, or training can be obtained, is an injustice to the individual, and often a source of great annoyance to the other inmates." p. 351, c. 1.

107. In 1900, Miss Joseph stated, an enquiry was made as to the number of pauper idiots and imbeciles in Somerset, exclusive of those in asylums, and special institutions, and statistics were furnished by the unions, which showed that there were 349 ; 212 being inmates of workhouses, and 137 in receipt of outdoor relief, while the number of sane epileptics was 78, and of feeble-minded, 276. In no workhouse were they under the charge of specially trained officers, or receiving training of any kind, and in many instances their accommodation left much to be desired. An exception should, however, be made as regards the Bath workhouse, where the imbecile wards are excellent, though, even there, definite employments are not taught. These returns could not be regarded as strictly accurate, but the numbers were not likely to err on the side of excess. Joseph, Vol. II., 17012, p. 351, c. 1.

108. Next in regard to Wales. As to children, Miss Evans, Local Government Board Inspector of Boarded-out Children for the Northern and Midland Counties, stated that some boards of guardians do not attempt to classify them. My experience, she says, of the guardians in a small union (North Wales) was that we did not classify. If the child was feeble-minded it was sent to school with the others, and if it was too bad it was kept in the workhouse. If it was not very feeble-minded, it was sent to service. Wales. Walton Evans, Vol. I., 2743.

109. Mr. J. T. Jones, who has been a guardian for thirty-six years and is also a member of the Carnarvonshire County Council, while appreciating the difficulty of classification, and recognising the kindness shown to the feeble-minded by officials, criticised the method of providing for them in small workhouses in Wales. He said :— Jones, Vol. II. 20496, p. 553, c. 1.

" This class is very well looked after as a rule. They are given some light work, and appear to do it very cheerfully. The constant presence of the resident officials, and the frequent visit of the medical officers, are a sufficient safeguard against anything approaching cruelty being practised upon them.

" The classification in small rural workhouses is not of a first rate order. The feeble-minded cannot be accommodated in the same room as the able-bodied, because they would be a source of constant hindrance to the workers. They are consequently housed with the aged and infirm. This arrangement cannot be regarded as a satisfactory one. The old and infirm wish for quiet, and rest, which is impossible while the jabbering idiots and the low grade imbeciles occupy the same rooms as they do. In fine weather the weak-minded are out in some parts of the grounds, but during wet and stormy weather there is nowhere for them to go but to the day rooms of the old and infirm ; and also during the leisure time after meals. They occupy the same dormitories as the old people.

Wales—*contd.* Jones, Vol. II., p. 553, c. 1.

"The officers are very kind to these poor unfortunates, but they have no time to give special attention to them; even if they had, very few of them have any kind of qualification to train them in any way, with the result that they are allowed to go their own way, and to live their own lives, which is very little superior to that of a well-cared-for dog or other animal. Notwithstanding all this, one is bound to admit that they are as well cared for as the circumstances of rural workhouses admit. The fact that they have been sent into a workhouse is fair evidence that they have no home or friends outside who would take half the trouble or care as much for them as the officials do."

Returns of feeble-minded persons chargeable to Poor Law, 1905-1906. Appendix Vol. V., p. 75.

110. As a summary of the position, the following returns may be quoted. The returns were made by the clerks to the guardians, that of 1905 at the request of the Local Government Board, and that of 1906 at the request of the Commission.*

In England and Wales, exclusive of London, the total number of those paupers was in 1906 returned at 11,219; and of these 1,275 were in special wards or establishments, 6,319 in other wards, 410 in other institutions, and 3,215 in receipt of outdoor relief.

Thus it will be seen that more than half of the feeble-minded are in wards not specially appropriated to their use, while comparing 1905 with 1906 the figures stand thus:—

England and Wales (less London).	In Workhouses or other Institutions belonging to Guardians.		In other Institutions.	Receiving Outdoor Relief.	Total.
	In Special Wards or Establishments.	In other Wards.			
1.	2.	3.	4.	5.	6.
1905 - -	1,126	5,890	182	1,870	9,065
1906 - -	1,275	6,319	410	3,215	11,219

111. The increase in the total number of feeble-minded who are in the hands of the Poor Law guardians is remarkable—an increase of 23 per cent. This is recorded in most of the counties, and presumably implies rather a closer registration than an actual addition to the number of paupers.† The increase of the number in special wards is due to changes made in one or two counties, as, for instance, Warwick, Lancaster, and the East Riding. On the other hand, it is significant that the feeble-minded persons in receipt of outdoor relief have increased 70 per cent. The figures are:—

Appendix Vol. V., p. 75.

England and Wales (less London).	Men Outdoor.	Women Outdoor.	Children Outdoor.
1.	2.	3.	4.
1905 - - - -	585	1,193	92
1906 - - - -	1,119	1,984	112

The increase in the number of the feeble-minded "in other institutions" (col. 4 in the previous table), from 182 to 410, may be accounted for, in part by a closer registration of mentally defective persons who are boarded in institutions, as well as by an increase in the number of these cases. The increase is general, and marked in such different areas as Essex, Suffolk and Norfolk, Lancaster, the West Riding, Durham and Northumberland.

* With regard to the information given in this Summary generally, it should be mentioned that the registers kept in the Poor Law unions do not specifically provide for a record of persons who could be classed as feeble-minded but not certifiable as insane. The particulars given in the Returns are based on the opinion of the medical officers in the matter.

† The total number of paupers, excluding insane paupers and casual paupers, was in England and Wales on the 1st January, 1905, 808,929, and on the 1st January, 1906, 802,068. *See* Report, Local Government Board (1904–5) p. lvi. and (1905–6) p. cxvi. Thus, while the number of the feeble-minded as returned increased in number, the total pauperism decreased.

112. This mass of evidence is, we think, quite conclusive. It comes almost entirely from persons who, as inspectors of the Local Government Board, or as guardians, are thoroughly familiar with the facts, and it relates practically to the whole country. It might be largely augmented by reference to other witnesses; and it is practically unanimous. It has been verified by the personal observation of members of the Commission visiting Poor Law institutions. Its cumulative effect, therefore, can hardly be set aside. There are special arrangements, here and there, for the care of the mentally defective, and some witnesses suggest that for certain classes the present workhouses may be of service, but it is admitted that, as a whole, the accommodation now provided for these persons is insufficient, unsatisfactory, and unsuitable. It is not alleged that they are treated with unkindness; on the contrary, it is stated that, considered merely as inmates, they are well cared for. Nor, again, is it asserted that the Poor Law guardians throughout the country are to blame. We do not think that any such inference can be drawn from the evidence. The system of indoor relief is, as Mr. Adrian, Legal Adviser and Assistant Secretary to the Local Government Board, has pointed out, a housing system, and of late years, with an increased sympathy for those who are suffering from mental weakness and defect, with a closer study of mental science, and with the general application of the principle of educational equality to all classes of children, including the feeble-minded, there has sprung up a demand for a more discriminative and individual treatment of mentally defective persons, which cannot but entail a reorganisation of the public provision hitherto furnished for the afflicted.

Summary of evidence as to Poor Law accommodation.

CHAPTER III.

Classification in Poor Law Institutions outside the Metropolis.

113. In reference to the present provision for the mentally defective in connection with the Poor Law we have now to consider the question of the classification which is at present in force, and the procedure of boards of guardians as applicable, more particularly, to the admission, detention, and discharge of mentally defective paupers.

114. The better use of existing or additional accommodation in or adjoined to the workhouse depends primarily on classification. In the definition of the word "workhouse" in the Poor Law Amendment Act of 1834, it is stated that it includes, besides "any house in which the poor of any parish or union shall be lodged and maintained," "any house or building purchased, erected, hired, or used, at the expense of the poor rate by any parish . . . for the reception, employment, classification, or relief, of any poor person therein at the expense of such parish." Classification can thus be secured by arrangements within the workhouse, or by the utilisation of houses outside, which may equally bear the name "workhouse."

The system of classification. Poor Law Amendment Act, 1834, Section 109 Adrian, Vol. I., pp. 10, 15, 102.

115. The Order of the Local Government Board as to classification requires (Art. 98) that "the paupers so far as the workhouse admits thereof shall be classed as follows":—

General Consolidation Order (Unions), 24th July 1847.

Class 1.—Men infirm through age *or any other cause.*
Class 2.—Able-bodied men, and youths above the age of fifteen years.
Class 3.—Boys above the age of seven years and under that of fifteen.
Class 4.—Women infirm through age *or any other cause.*
Class 5.—Able-bodied women and girls above the age of fifteen years.
Class 6.—Girls above the age of seven years and under that of fifteen.
Class 7.—Children under seven years.

To each class shall be assigned that ward or separate building and yard which may be best fitted for the reception of such class, and each class of paupers shall remain therein, without communication with those of any other class.

116. This quite general classification, modified and expanded now in many ways, is supplemented especially by two directions:—

(1) That the guardians shall from time to time, after consulting the medical officer, make such arrangements as they deem necessary with regard to persons labouring under any disease of body or mind; and

The system of classification—*contd.*

(2) That the guardians shall, so far as circumstances will permit, further sub-divide any of the classes enumerated in Art. 98 (above), with reference to the general character or behaviour, or the previous habits of the inmates or to such other grounds as may seem expedient.

Thus the guardians have instructions to extend their system of classification in regard to cases of disease of mind, and are also instructed, so far as circumstances will permit, to classify them on grounds of moral character and behaviour, or previous habits, or for any similar reasons.

117. As regards the extension of classification, it appears from the evidence which we have submitted that, except in the case of the certified lunatics, there is among the boards of guardians no general or universal acceptance of the obligation to provide for the care and treatment of the mentally defective, whether idiots, imbeciles, or feeble-minded, in any special or effectual manner. The guardians are no doubt allowed considerable latitude by the words "as they may deem necessary," and "so far as the workhouse admits thereof." But former standards of treatment and classification no longer suffice. With a demand for a more discerning treatment and supervision of individual cases, a better adjusted and more suitable classification is required, equally in the interest of the defectives themselves and in that of the normal inmates who suffer from the infirmities of their fellow patients.

118. That classification which the second instruction suggests is based on habit and behaviour; and though, in that guise, it might be applied to "moral imbeciles," yet its object is a segregation recommended on moral grounds, rather than on those mental grounds which affect the whole management of different classes of mentally defective persons.

Bagenal, Vol. I., 2336.

119. It would seem, then, that if the Poor Law administration of the country were to be expanded to meet the actual needs of mentally defective persons, very great changes would have to be made in its whole structure. The system of classification, so far as it affects this class, would have to be entirely revised. That "intermingling" to which in different processes many witnesses referred would have to come to an end. And, as we shall see, that primary classification by which mentally defective persons receive relief rather as paupers, than treatment as persons suffering from mental defect, would have to be set aside. The present position is indeed fairly indicated by the two following statements. Out of 8,004 feeble-minded persons in receipt of indoor relief only about 22 per cent. were in special wards or establishments of the guardians or in other institutions; and (as Miss Clifford said) "There is of course no *official recognition* of feeble-minded persons as a class, *i.e.*, no Poor Law Order has ever been issued ordering them special classification or treatment. Any consideration of them as persons of feeble-mind is due to the thoughtfulness of medical officers, matrons or guardians. Official recognition is most necessary."

Clifford, Vol. II., 16267, p. 301, c. 1.

CHAPTER IV.

Procedure of Boards of Guardians and Detention in Relation to the Mentally Defective.

Present methods of procedure regarding applications for relief.

120. Before, however, dealing with the classification of the mentally defective by boards of guardians, we think it well to describe generally the procedure usually followed in regard to applications for relief, including applications by, or on behalf of, the mentally defective.

The Application and Report Book.

121. The application is made on his or her own behalf, or on behalf of any member of the family, to the relieving officer of the district of the union where the applicant resides, and it is entered in the Application and Report Book. This book should show, amongst other details, the "Names of the applicants, their wives, and children under sixteen, dependent on them," the applicant's "calling or occupation;" if the applicant be "adult, whether single, married, widow, or widower;" and if the applicant be "child, whether

Bagenal, Vol. I., 2486, 2488.

orphan, deserted, or illegitimate." Next there is the question of physical ability: "If the applicant is ordinarily ablebodied," and "If partially or wholly disabled, and the description of the disability." Then comes the question of the relief already received by the applicant from any source: thus, if "receiving (*a*) medical relief only," or (*b*) regular or temporary relief, and any other, and what relief from clubs, charitable institutions. . . . And then, the "Present cause of seeking relief, or nature of the application." And then there follow questions as to relations liable to assist, and as to weekly earnings and income. The Application and Report Book—*contd.*

122. Two of the notes appended to the form should be added. "4. Care must be taken to inquire closely into the causes of the applications for relief"; and "7. In cases of application arising from infirmity of mind or body, designate the nature and extent of the infirmity; as a 'lunatic,' or 'idiot,' or 'deaf and dumb,' or 'crippled in hand or foot,' or 'helpless from old age.'"

123. The form, if carefully filled up, would give much valuable information. Considering it in the light of the evidence, it might reveal the circumstances of families in which there were one or more mentally defective children; and a thorough scrutiny of the "present cause of seeking relief" might show not only what is the cause of trouble, but also suggest how it might be met. Yet, after all said, the form would seem rather to serve the purpose of a general inquiry, the object for which it was no doubt principally framed, than to serve the purpose of that kind of special investigation which is necessary in the case of the mentally defective. A comparison between it and the form used by the Board of Education emphasises this distinction. The whole object of the educational form is to ascertain the facts bearing on the mental capacity of the child with a view to education; and a similar form applicable to adults would be equally useful in obtaining the kind of information required in cases of alleged mental defect. But the object of the Poor Law form is different, as the work of the Poor Law is different. Its aim is general, and it is suitable primarily for applications made on the ground of poverty or destitution. Hence, if really utilised for cases of mental defect, its use would have to be very largely supplemented by special reports, containing many of the details required in the educational form. For such a purpose it is defective, as it has no close bearing on the chief question, the nature and character of the mental defect itself. Appendices to Vol. I., pp. 685, 688.

It may be said that the district medical officer, or the medical officer of the workhouse, would in all these cases make a special examination of the alleged mentally defective person, and that therefore the nature and character of the form is of little importance one way or the other. This is so far true, that the report of the medical officer is indispensable, whether the form be suitable or not. But, so far as the evidence goes, there does not appear to be, in the administration of the Poor Law, any general system of investigation and record in these cases from the point of view of mental defect, either before or after the medical examination. No other document takes the place of such a record as the education form to which we have referred; and without it the material for the right administrative settlement of the case must often be wanting.

124. Next, in these cases of infirmity of mind it would be the duty of the relieving officer to bring the application with the report of the medical officer before the meeting of the board of guardians or of a relief committee of the board before whom the applicant appears. The applicants, as Mr. Bagenal says, "are destitute—they come before the boards as destitute people, and the guardians are bound by law to deal with them." The guardians representative of different districts, rural, semi-rural, urban, and particularly mining and manufacturing districts, present different characteristics and have different views;" but "the people are themselves beginning to see that the workhouses are much safer and better places for the treatment of these defectives and aged epileptics than their own homes, and the tendency is that they are coming into the workhouse and we are getting more control of them;" and further "the guardians are more and more anxious to deal with this class of unfortunate cases that come before them and to deal with them in institutions of some sort." Bagenal, Vol. I., 2488, 2350, 2335. Bagenal, Vol. I. 2351-2353.

The Application and Report Book—*contd.*

125. Finally, the usual alternatives before the guardians, if applicants of this kind are not certified under the Lunacy Acts, are, either to receive them into the workhouse, and to keep them there; or to pay for their maintenance in a suitable institution; or under certain conditions, if they are children, to adopt them, and so, even if they are outside the workhouse, to keep them under supervision up to the age of eighteen.

Present methods of detention and discharge.

126. As the method of enquiry adopted by the board of guardians is, of necessity, founded on the requirements suitable for dealing with poor and destitute rather than with mentally afflicted persons, so also is the method of detention and discharge. Thus, in the first place, paupers who are dangerous can be kept in the workhouse for fourteen days only.

Adrian, Vol. I., p. 103. General Consolidated Order, Article 101.

"No pauper of unsound mind who may be dangerous or who may have been reported as such by the medical officer, or who may require habitual or frequent restraint shall be detained in the workhouse for any period exceeding fourteen days; and the guardians shall cause the proper steps to be taken for the removal of every such pauper to some asylum or licensed house as soon as may be practicable."

Clifford, Vol. II., 16367, 16384. Fleming, Vol. I., 2213–2216.

In the next place there are in the workhouses other paupers of unsound mind—according to the practice of the individual medical officer—sometimes very many, sometimes very few, who are certified, but not "dangerous." These, if they are certified, must be detained in the workhouse until their discharge. If they are not certified, they can leave, with the usual notice, practically when they like.

Adrian, Vol. I., p. 103. General Consolidated Order, Article 115.

127. Lastly, there is a power of detention which is disciplinary only, and intended to prevent the workhouse being used by inmates for their own convenience.

"The pauper who has not previously discharged himself within one month before giving notice, has to give twenty-four hours' notice; if he has discharged himself once or oftener within the month before giving notice, forty-eight hours—and so on, up to seventy-four hours. Otherwise any pauper may quit the workhouse upon giving to the master . . . a reasonable notice of his wish to do so, and in the event of any able-bodied pauper, having a family, so quitting the house, the whole of such family should be sent with him, unless the guardians shall, for any special reason, otherwise direct."

Clephan, Vol. II., 18499, 18502.

128. Thus we may conclude that the conditions of investigation, supervision, detention and discharge of paupers are devised principally for destitute poor persons, and are chiefly suitable for them, but that they have no bearing on the special needs and requirements of the mentally defective. The regulations that prevent paupers from discharging themselves are applicable to those who are constantly in and out of the workhouse, and, in some measure no doubt, they hamper their movements, but they are not a suitable or sufficient safeguard in the case of the mentally defective, who with their children may frequently be found in the less settled class of workhouse inmates. Thus, as Mr. Bagenal states, "feeble-minded boys, who are practically unemployable, at the age of sixteen, drift out into the high roads and swell the ranks of the nomad class," while "the feeble-minded men in the workhouses are very often 'ins-and-outs.'"

Bagenal, Vol. I., 2341, p. 132, c. 1.

Further, "the powers of detention, which at present guardians possess, do not," he says, "cover what I think are the necessities of the situation with regard to the feeble-minded, be they children or young women."

In these circumstances, the master and matron, and the medical officer of the workhouse, have to rely on contrivance and persuasion in order to prevent mentally defective persons from taking their discharge.

Delay of discharge by remand to ward for observation.

129. One plan is to use a ward in the workhouse for observation. Thus in answer to a question whether at the Newcastle Workhouse "thirty-nine women described as of varying degrees of feebleness—sixteen of them with children—and none of them able to take care of themselves" went in and out, it was stated that to a certain extent they did, but many remained.

Pease, Vol. II., 15061, 15062, 15066.

"Our medical officer," Miss Pease said, "has the power of remanding cases for observation and he uses that in the case of some of these 'feeble-minds' by remanding them for a fortnight at a time, which he continues. I do not know whether this is quite legal, but he has done it now for a considerable time." He remands them and they stay in another part of the workhouse

"under his observation. He has found that useful. When a woman comes up, or a man, and wishes to take their discharge, he says, 'you cannot take your discharge; you can either stay here in this comfortable ward, or I will remand you to an imbecile ward'—a block of buildings in which the imbeciles used to be kept. I do not think this is strictly legal. The Commissioners in Lunacy were at Newcastle Workhouse some time ago, when a good many of these people were in the imbecile ward, of course not certified. The Commissioners objected to this; they said they ought not to be there. Then they were dispersed through the house, but the doctor still occasionally uses this method of detention. It really stops them going out of the house. He says, 'I will not discharge you, but I will remand you to this ward under observation.' They do not like it; they say, 'We will stay where we are.'" Delay of discharge by remand to ward for observation—*contd.* Pease, Vol. II. 15065, 15066.

130. Besides such a contrivance as this, over and over again, as the evidence shows, the utmost persuasion is used to prevent the mentally defective from leaving the workhouse, but very often without result.

131. Another plan is certification under the Lunacy Acts:—

"A great many," Miss Clephan said, "are kept in the imbecile wards who are certified as imbecile, and who have improved. I think they were certified probably in order that their friends should not be constantly taking them out, not particularly because they were imbecile, but because they were difficult to deal with, or because the main body of the workhouse was not the right place for them. They have been considered safest in the imbecile ward. I do not think it is at all a place for them." Detention by certification. Clephan. Vol. II., 18499.

132. Detention by certificate under the Lunacy Acts is also applied in order to remove to asylums imbeciles who are troublesome in the workhouse, or perhaps even, in some instances, to make room in the workhouse.

"Directly an imbecile or feeble-minded person in the workhouse becomes too troublesome to be conveniently dealt with there, an effort is made to obtain his or her admission to the county asylum, and in order to do this it is necessary that the patient should be certified as insane. Therefore many cases which are really feeble-minded or cases of senile decay are classed as cases of insanity merely to authorise their removal from a workhouse to an asylum. It is quite right that they should be removed from the workhouses, but it is not necessary that they should be classed as insane, or that they should receive the expensive care afforded at the asylum. They go there because there is no other institution to which they can be sent." Detention and removal of feeble-minded persons to asylums. Fleming, Vol. I., 2078, p. 115, c. 2. and 2189. Fox, Vol. II., 11553. Clifford of Chudleigh, Vol. II., p. 40, c. 1 & 2.

133. This kind of detention by certificate is due to a cause which is affecting the whole administration of the Poor Law—want of space in the workhouses; and one result of it is that it very seriously disorganises the accommodation in the asylums. A chief function of the asylums is to cure the patients admitted to them as far as may be possible. They are not asylums merely, but they are, or should be, hospitals for the mentally defective. Dangerous cases, cases of acute mania, are by the Order of the Local Government Board, sent to asylums, and must almost of necessity be there treated. But now "the county asylums," it is said, "are very congested," partly in consequence of the presence of the "feeble-minded or senile" class of patient sent to them by the guardians; and the treatment of these patients in "county asylums is harmful in two ways: (1) It is more costly than these patients require; (2) their presence may keep out, or delay the admission of, cases which would really benefit by asylum treatment." This detention, then, is detention in the interest rather of the Poor Law institution than in that of the inmate, or of the community. It is detention owing to want of space—want of space in the workhouse combined with the possible supply of accommodation in the asylum. Fleming, Vol. I., 2078, p. 116, c. 1. Davy, Vol. IV., p. 350, c. 1. Stracey, Vol. VI., p. 302.

134. The converse of this is the detention of persons in the workhouse who cannot be certified under the Lunacy Acts and for whom, thought it be desirable, no provision can be made elsewhere, owing to lack of accommodation in suitable homes or other institutions. This refers expressly to improvable cases. Of it, Mr. Baldwyn Fleming says:— Detention owing to inadequate provision elsewhere. Fleming, Vol. I, 2199.

"At present the provision for the training of feeble-minded children is absolutely inadequate. I was at Portsmouth the other day. They have got about a dozen children in the imbecile block of the Portsmouth workhouse, simply because they can find no place to which they can send them to be trained. If the guardians could find any place to which they could send them, they would send them with pleasure, but there is no place to which they can send them.

"They wanted to send some to Starcross, but those are epileptics. They have a good many cases at Starcross, but Starcross will not take an epileptic case. If a child is feeble-minded and epileptic, it is extremely difficult to find any place which will take him. If, in addition, children have any defect which requires special nursing, such as skin disease, it is additionally difficult to find a place for them.

Fleming, Vol. I., 2199.

"As a matter of fact now there are a very large number of deficient children who certainly might be improved, who are necessarily kept in the workhouse because there is no place to which guardians, with the most willing hearts in the world, are able to send them. I am most anxious that provision should be made for the children, both non-pauper and pauper. That is even more important than for adults, for the children could be done a good deal with.

"The results they achieve at Starcross are simply wonderful. Anybody who has seen what they can do with almost hopeless cases cannot come away without the most complete conviction how very sad it is that the provision does not extend so as to be generally applicable."

Detention owing to unwillingness of guardians to pay for feeble-minded outside.

135. On the other hand, sometimes, perhaps often, the feeble-minded remain on the guardians' hands because they are unwilling to pay for them in an institution: or both causes are at work. The guardians are unwilling to contribute much more than such children would cost if maintained in the workhouse.* Or, if they do so, they are tempted to have "feeble-minded children (such as in London, Bristol, and elsewhere, would attend a special school) certified as *idiots*, in order to enable them to send the children to an idiot asylum."

Fry, Vol. II., 14924, p. 226, c. 1

Joseph, Vol. II., 17012, p. 351, c. 1.

Detention, certification and removal of "feeble-minded" as "idiots." Fry, Vol. II., p. 226, c. 1.

136. And this, in turn, leads to another difficulty. As the asylums for idiots, or for the feeble-minded, as they are now generally called, take the improvable cases in preference to others, "it is difficult to know what is to become of the real idiots under the Act of 1886." The improvable cases, as we shall see, both in asylums and in charitable institutions for the care of the feeble-minded, naturally are regarded as having the first claim to help; and hence, more than ever, the less improvable cases come under the care of the guardians.

Wemyss, Vol. II., 18513. Sterling, Vol. II., 14417, 14384.

Evils resultant from present disorganised methods of detention. Fry, Vol. II., p. 226, c. 2.

137. The following typical instance sums up the matter:—

"W.P., a boy of eight or nine, an inmate of a workhouse. This is a case in which the guardians were willing to send the child to a Home for the feeble-minded. Applications were made to seven institutions on his behalf. In two of them, only improvable cases were received and the guardians were not allowed to be the judges as to the possibility of improvement; in two there were no vacancies; two were judged by the guardians to be too expensive —being 14s. and 15s. per week respectively—and one, the county asylum, refused to receive him. The guardians then determined to keep the boy and give him weekly instruction under a lady, and he improved in a few months. The same board have another boy and a girl whom they would like to send away, but having failed in the case of W.P., they have taken no further steps."

Vol. VI., p. 221

138. And incidentally two plans for detention which are noted by the medical investigators may be mentioned. Dr. Tredgold, in Somersetshire, at first thought that a considerable number of the mentally abnormal were certified under the Lunacy Acts, but on asking to see the Detention Orders he found that there were in reality very few. "A very formidable 'quarterly list of lunatic paupers' was sent up regularly to the Commissioners, but the great majority of such persons, although notified, were under no Detention Order whatever, and could walk out of the house any time they felt inclined." In regard to some of the Lincolnshire unions, Dr. Stracey says that the statistics which he submits do not give a correct idea of the number of feeble-minded which occur in the workhouse. "At one workhouse he was much astonished to find every male mentally abnormal case had been certified as insane, and he examined their Detention Orders to satisfy himself as to that point. These cases had been sent to the asylum, but the authorities there would not keep them and sent them back, though in his opinion certainly one of the cases should have been in an asylum. Another workhouse sent most of the mentally abnormal cases to the asylum. The remaining workhouses only sent insane persons away." We have here as elsewhere a conflict of authorities, linked together under no common organisation, similar to that which, as we shall see, prevails under different conditions in the Metropolis.

Vol. VI., p. 302.

139. The above instances are all, or most of them, we may say, improper modes of detention. They are due to the imperfections of the present system, which does not meet the needs of the applicants. A system applicable to poor and destitute persons is turned to account for dealing with the mentally defective. Except in the case of paupers of unsound mind, who can, on certificate, be consigned to an asylum, or detained in the workhouse under the Lunacy Acts, there is no detention undertaken on legal grounds strictly in the interest of the inmate.

* The cost of maintenance in the workhouse would be between 4s. 6d. and 5s. 6d., nearly 5s. 6d. (Bagenal, Vol. I., 2509) a week or rather more; at asylums for idiots, and at some charitable institutions it would be about 10s., at others less, 8s. or 9s.

Yet the necessity of detention for mentally defective persons other than lunatics is universally felt. To keep some of these persons in the workhouse contrivance and persuasion are used, but very many are not open to the influence of persuasion, and, after all, contrivance has its limits. The asylums for idiots or feeble-minded and the charitable societies take, as far as possible, the improvable cases and reject the others. The accommodation in both asylums and charitable institutions, whether for the idiots or for feeble-minded, is full or nearly full. These bodies consequently throw the unimprovable cases back on the guardians, who, in their turn, owing to want of space, strive by certification under the Lunacy Acts to transfer their mentally defective patients to the asylums for lunatics. In so doing they cause another evil. They turn the asylum to account in a manner that was not intended, throwing on the country a larger expense and reducing the asylums from what they should largely be, curative and scientific institutions, to refuges for imbeciles, who require care and nursing and simple supervision, but not the peculiar treatment and oversight of a hospital specially devised, in a large degree, for acute cases. Lastly, the asylums for lunatics become "congested," for in the struggle for space they serve as the final clearing ground. Thus everywhere we find—and it is an entire confirmation of our argument—that it is urged either that the asylums should not be extended, on the ground that they are institutions too expensive for the cases for which accommodation is desired; or that, if they are enlarged, only comparatively cheap and simple buildings, suitable for imbecile or senile cases, should be added to them. All are in favour of detention, but obviously, if the method of detention is extended, the lack of suitable accommodation, which is now so generally felt, must become an overwhelming difficulty, unless the accommodation now available is greatly augmented, and more aptly designed for the needs of the different classes of mentally defective persons.

Evils resultant from present disorganised methods of detention —*contd.*

140. This statement presents only the evidence of persons connected with the Poor Law. We will consider later on the opinions of those who are interested in the question from educational and other points of view. In the meantime, two or three conclusions may, we think, be drawn: (1) that if the present extremely unsatisfactory state of things is to be improved, some system of classification of the whole of the mentally defective class from lunatics down to the feeble-minded must be devised and generally accepted, so that each institution, and each group of institutions, shall fulfil a definite purpose and deal with a special section of the whole class. And (2) that consistently with this system of classification, whatever it be, there must be a method of certification, so that those for whom the special type of institution is deemed necessary should have a certificate granted under whatever conditions of time, renewal of certificate, etc., may be deemed indispensable to ensure the proper use of that type of institution. Lastly, (3) it is evident that a large increase of accommodation is necessary, and that for that purpose the utmost use should be made of any available accommodation, if it be only until a more complete and properly classified provision can be made.

General conclusions on insufficiency of present system.

141. With these general conclusions before us, we have to ascertain what are the opinions of guardians, and Poor Law officials, as to the methods of certification, detention, and discharge which should be adopted with a view to a proper system of classification and treatment, and then what proposals they have to make for meeting the want of accommodation, either by the adaptation of existing institutions or by the creation of new agencies.

Suggestions in regard to detention from the Poor Law side.

142. The need of detention is evident, in order to prevent the degradation of many of the mentally afflicted. In many instances, detention in the workhouse would appear to be desirable, at least as a temporary measure; and at the outset, we would point out that the principle of enforced detention in the workhouse has, in certain circumstances, been accepted by the legislature. In the Poor Law Amendment Act of 1867 there was this section: "When there shall be in any workhouse a poor person suffering from mental disease, or from bodily disease of an infectious or contagious character, and the medical officer of such workhouse shall upon examination report in writing that such person is not in a proper state to leave the workhouse without danger to himself or others, the guardians may direct the master to detain such person

30 and 31 Vict., c. 106, Section 22.

Suggestions in regard to detention from the Poor Law side—*contd*

therein, or, if the guardians be not sitting, the master of the workhouse may, until the next meeting of the guardians, detain him therein, and such person shall not be discharged from such workhouse until the medical officer shall in writing certify that such discharge may take place: Provided, however, that this enactment shall not prevent the removal of a lunatic to a lunatic asylum. . . ."

143. By the Lunacy Act, 1890, 53 & 54 Vict., c. 5, Sec. 342, this clause was repealed except as regards persons suffering from bodily disease of a contagious or infectious character; and clauses in the Lunacy Act of 1890, Sections 20 to 26, took its place in relation to the detention of insane paupers in workhouses. The words "mental disease" of the Act of 1890 were thus construed as equivalent to the words "lunatic or idiot or person of unsound mind" in a certification under the Lunacy Act; and the clause in virtue of which mentally defective persons, on a broad interpretation of the phrase "mental disease" might have been detained, was so modified as to be inapplicable to the bulk of the class which we are now considering.

See Form of Certificate No. 11—for detention in workhouse.

Detention of young persons "over 16." Fleming, Vol. I., 2078, p. 115, c. 1. and 2. 2125, 2132, 2203. Skinner, Vol. II., 14826. Fleming, Vol. I., 2143, 2255, 2123, 2266.

144. Now, however, further suggestions for detention and control have been made to us. Until sixteen a mentally defective, like any other child, can be detained in the "workhouse," unless, dependent on parents, he or she leaves the house with them when they go out. At sixteen, it is suggested, the guardians might have permissive power to detain, just as they have now permissive power to adopt, children, under certain conditions, till the age of eighteen. This power would be exercised subject to certification, the certification being entirely distinct from that under the lunacy laws. Or a further suggestion, the guardians, or possibly some other authority, might be given a power to detain without limit of age, subject to restrictions which would guard against any improper exercise of power, though the parents or anybody *in loco parentis* should have some power of appeal if they wanted to have a child under their own control. The guardians, or some other authority with the power of detention, would have also a power of discharge similar to that they have under the Lunacy Acts, if they thought discharge safe. There would thus be created a system of detention, without any limit of age, applicable to the individual case.

Fleming, Vol. I., 2078, p. 115, c. 2.

To make this policy practicable, it is urged that intermediate institutions should be established:

(*a*) Between the workhouse and the county asylum; and

(*b*) between the county asylum and the costly private asylum.

Fleming, Vol. I., p. 116, c. 1. 2143, 2146.

The intermediate institutions would take "feeble-minded and harmless cases of mental failure from ordinary senile decay." Further, for the control and education of feeble-minded children, there should, it is said, be yet other institutions in which the guardians should pay for their maintenance and education, for "it seems very clear that the workhouse is not the proper place for any person of defective intellect who can benefit from treatment or who requires special care or mental nursing." And coupled with this, again, the suggestion is made that the county councils might establish and conduct these institutions and exercise the powers of detention.

Fleming, Vol. I., 2078, p. 116, c. 2.

This statement represents very fairly the general tenor of the proposals for detention which have been frequently pressed on us in many vague forms.

Long or permanent detention. Townsend and Jefferies, Vol. I., 4259. Sayer, Vol. II., 19007, 452, c. 2. Clifford of Chudleigh, Vol. II., 11711–11712. Raw, Vol. II. 18083, 18090–18098.

145. In cases of long or permanent detention, some witnesses suggest that the medical certificate of an expert should be required, in addition to any certificate that may be granted by the medical officer of a workhouse; that the detention should be approved by a magistrate, and that it should not be final, but renewable from time to time. Or again, it is suggested that "powers should be given to magistrates upon the application of boards of guardians to make an order for the detention of feeble-minded persons for a fixed period of, say, twelve months; such order to be renewable." In this case, presumably, the medical officer of the workhouse alone would be required to give the medical certificate. Speaking of feeble-minded women who "come into the workhouse repeatedly with various illnesses, and with illegitimate children," Dr. Raw, Visiting Medical Superintendent, West Derby Union Infirmary, Liverpool, agreed that pending any large change the medical officer should give a certificate

Raw, Vol. II. 18086.

of detention on the birth of two illegitimate children; and that for longer detention in a colony, the certificate should be safeguarded by the certificate of a magistrate and two medical officers, be in force for two years, and be subsequently renewable; and the applicant should also, he suggested, be examined and re-examined very often. Another similar suggestion was pressed on us by Mr. Fox, who gave evidence on behalf of the Somersetshire County Council, in regard to "feeble-minded or immoral women," namely, that "additional power should be given to the guardians under the Poor Law to detain permanently such cases as apply a second time to any workhouse" on account of the birth of an illegitimate child.

Long or permanent detention—*contd.*

Fox, Vol. II. 11455, p. 30, c. 2. 11520, 11542-3, 11577.

146. It was also suggested to us that all children under sixteen who are not paupers or detained in asylums, should be cared for by the local education authority; that, after sixteen, they should be maintained by boards of guardians in their own institutions, supplemented to some extent by voluntary homes in those cases in which the parents were able to contribute to their support; and that the certificates for detention should be granted for a fixed period and renewable, and should not require that the patient is of "unsound mind," as those words are now interpreted. On this proposal, except in lunacy cases, the board of guardians would become the sole local authority over mentally defective persons after sixteen; and before sixteen, except in lunacy cases, the local education committees would be the sole local authority. But, it should be remembered that apart from its meaning under the Lunacy and Idiots Acts, "detention" covers many different issues; detention of a person in a workhouse, or in some special quarter, ward, or building attached to a workhouse; in an "intermediate institution" in the case of a person discharged from a workhouse; in a boarding and training home; in a custodial home established and managed by a public authority; in a voluntary or charitable home, certified and inspected; and lastly, in a colony.

Detention suggested under Local Education and Poor Law Authorities.

Curtis, Vol. II., 18946.

147. On this evidence these two questions arise:—

(1) How should the workhouses be used in cases in which detention is necessary? What classes of mentally defective persons should be allowed to remain in them, either provisionally, until other arrangements are made, or permanently?

Detention: whether in workhouses or elsewhere?

Any system of detention which we can recommend will be largely regulated by this consideration.

(2) What other forms of detention should there be? Should we have one system of certification and one method of admission in regard to all these various institutions, or should we have several? With this question we will deal later.

148. To take, then, the former question now. Almost all those who have made suggestions from the point of view of the Poor Law take for granted that in some way institutions will be established to provide for the mentally defective at different periods of life, and thus under various conditions of detention.

There is great variety of opinion as to the use that can be made of the workhouses. Some would use them for "inoffensive" feeble-minded people, who "get fond of the workhouse and of the people in the workhouse and they practically go along their normal life." They are "perfectly harmless in the workhouse" and "they do a great deal of useful work."

Bagenal, Vol. I., 2403. Fleming, Vol. I., 2181, 2182. Fox, Vol II., 11455, p. 30, c. 2.

149. In this relation Miss Skinner's evidence as to York, and Miss Clifford's as to Bristol, may be quoted. Miss Skinner described the sick and imbecile wards and their inmates. She said:—

"I have been in charge of the sick wards, lying-in wards and imbecile wards for the past five and a half years. The number of beds in the infirmary are 277, and the number of beds in the imbecile wards are seventy-eight. . . . . I find, as a rule, that epileptic patients are good, clean workers, and nine of these cases are employed in different ways in the wards, and they do work that, if they were removed from here, either women from the body of the house or paid people would have to do. Four of these cases do scrubbing in the wards. Three of them do all the repairing of linen, etc., for the floor. One washes up after each meal and keeps the day room tidy. One helps about, doing odd work. The other cases are not able to do much, as several are old and infirm or otherwise unfit to work. The beds in the imbecile wards are all occupied always. . . . Many of the imbeciles are able to do a certain amount of work, but they need constant supervision or they forget; a few of them go to the laundry every day. On the whole I find the patients are very happy and contented, and I consider that imbeciles, decided feeble-minded cases, and idiots, can be well cared for in any workhouse, and from my own experience these cases are well cared for in workhouses, and I think it is

Skinner, Vol. II., 14784, p. 218, cols. 1 and 2.

Detention: whether in workhouses or elsewhere?—*contd.*

the proper place for them; all they need is kindness and proper care and supervision. Some of the patients have been here for years, and they are clean, healthy, and happy, and I know the most sensible of them would not like being removed. Much depends on the attendants, but if trained nurses are employed to look after these cases, they are better cared for."

Speaking of the utilisation of the workhouse for feeble-minded women, also, she says:—

Skinner, Vol. II., 14833.

"I think a great deal could be done in workhouses in getting people detained, transferring them from the lying-in wards when they appear to be feeble-minded. I think the medical officer could do a lot in those cases."

Clifford, Vol. II., 16285.

150. Miss Clifford, a guardian of the Bristol Union, suggested that many of the weak-minded girls might be detained in the workhouse in separate quarters, and that very likely they would be able to undertake the whole of the laundry work of a large workhouse with supervision: the present adults in the workhouse might be detained in that way, in buildings attached to workhouses; but she added:—

Clifford, Vol. II., 16288–16289.

"Of course, the life in some of the small institutions is very preferable. I should be very sorry to see some of our feeble-minded girls, who are in some of the voluntary institutions, living in a workhouse. I think for those at present in the workhouses it is much better that, they should remain in suitable quarters in the workhouse. . . . . I should not propose to take the weak-minded inmates now in the workhouses, and put them into a voluntary institution. It would not answer after youth. They rarely receive any but girls straight from our schools into the voluntary institutions."

Clifford, Vol. II., 16332.

151. And speaking of imbeciles, both of the feeble-minded and imbecile people now in the workhouse at Bristol, Miss Clifford said:—

"I think that the ideal workhouse is a very suitable place for them, but the real workhouse is never ideal. Their happiness and well-being depend entirely on the people who are their attendants. There is the greatest possible difference in the tone of different imbecile wards. If you have a good, kind, careful headman, the people are very happy. We have two workhouses, everything is doubled unfortunately at present. In our men's imbecile department at one of the workhouses they are as happy and well-to-do as possible. The same thing applies to the women. I am rather influenced in giving an opinion on the subject by the fact that we women guardians can do a great deal for these people. There is one of our ladies who gives a very great deal of time and attention to them, and has very much brightened their lives."

Fox, Vol. II., 11457.

152. Other witnesses make more detailed suggestions. They propose that compulsory powers should be imposed on the Education Committees of counties and boroughs to send all such imbecile or defective children as cannot be instructed in primary or secondary schools to training schools provided by the county councils, and (*a*) that no children should be discharged from these homes "except such as under periodical medical examination can be certified as of sound mind"; and (*b*) that such as cannot be so certified, should be drafted to special departments of county or borough asylums—or "if they are only very slightly defective, they might be drafted into our workhouses and live there as useful persons." The power of certification by a magistrate and doctor would also be extended to the case of feeble-minded women who might be kept "under the name of idiots or imbeciles as members of the workhouse, where they are extremely useful in cultivating the garden or doing housework." "As a rule, it is said, our workhouses are very good homes for feeble-minded persons who are not violent." Mr. Fox added; "I consider that all these feeble-minded, whether such men as you have last mentioned or those who might be included in a wider scheme of certification, or these evil women who do so much harm in the world, should be detained in the workhouse under the powers of detention which we have."

Fox, Vol. II., 11455, p. 30, c. 2.

Fox, Vol. II., 11479.

11483.

Fox, Vol. II., 11484.

Fox, Vol. II., 11542, 11543.

153. In effect on this evidence we might, under definite conditions and safeguards, recommend the retention of inoffensive mentally defective people in the workhouses under certificate either permanently, or, if other more suitable provision were made, temporarily.

General conclusions as to utilisation of workhouses.

154. We are of opinion that, subject to special inspection as to the fitness, arrangements, and organisation of the particular workhouse, and subject to due individual certification, the older "inoffensive" mental defectives who are not "improvable" might be left in the workhouses in some cases permanently, in others temporarily, or at least until a general system for their care has been instituted. Our policy, indeed, would be to utilise particular workhouses, so long as is necessary for some cases, and perhaps permanently for other cases; but to do this, subject to a much more efficient system of inspection and certification; and chiefly as an interim measure, while more suitable provision for these classes is being organised.

CHAPTER V.

Suggestions for Improved Classification in connection with Poor Law Institutions.

(i). Classification by Adaptation of Workhouse.

155. The need of more accommodation for the mentally defective is admitted on all hands, as this report will witness again and again. To meet this, various suggestions have been made for the better use of unoccupied space in workhouses, and for the supply of additional accommodation by concerted action between boards of guardians.

156. One scheme which has been discussed is the adaptation of the workhouse of some one union in a county to the requirements of a custodial home, so that one or more classes of the mentally defective should be sent there by the guardians throughout the county. In some counties there are workhouses which are partly unoccupied. The cost of the supply of new accommodation is likely to press hard on local ratepayers, who already complain of the serious increase in the educational rate, and, especially in rural districts, where there is a comparatively low assessable value they feel keenly any large addition to their common charges. Accordingly, in these districts more particularly, the adaptation of an existing workhouse has seemed a possible device for providing the accommodation now required at a minimum cost.

As Mr. Bagenal, a General Inspector of the Local Government Board, says :—"The great difficulty is that the rates are going up. People will not do anything which makes the rates higher. They say, 'this is a small matter, these feeble-minded folk are insignificant; we will disregard them.' That is the great practical difficulty in the front of all reformers—the financial side of it." Where there is a high and increasing assessable value, considerations of economy may have less weight ; but in rural counties they are a chief part of the problem.

Bagenal, Vol. I., 2377. Acland, Vol. II., 11611. Cooke, Hurle, Vol. II., 11752.

157. Lord Clifford of Chudleigh, the Vice-Chairman of the Devon County Council, and Chairman of the Asylum Committee, and Sir C. Thomas Dyke Acland, the Chairman of the Devon County Council, have submitted to us a scheme, of which the utilisation of the workhouse forms part. This scheme we will describe.

Suggested scheme for utilisation of workhouses in Devon.

It appears that, in Devonshire, the pressure on the county lunatic asylum has been very acute. To a great extent, this has been caused by the readiness with which idiots, imbeciles and epileptics have been certified as lunatics, and sent to the asylum. For many of these, nothing could be done "beyond careful nursing and good and suitable diet." The asylum committee of the council protested, and issued notices to the board of guardians asking them to send only acute cases, but without result. A select committee was then appointed by the county council, and it reported that "it should be the duty of county councils to provide suitable accommodation in separate institutions for the proper treatment of all pauper imbeciles and epileptics." The advantages to be gained by this course would be, it was stated :—

Clifford of Chudleigh, Vol. II., p. 40, c. 1.

Clifford of Chudleigh, Vol. II., p. 40, c. 2.

"(1) That the expensive buildings and staff necessary for an asylum for lunatics would be unnecessary for these classes.

"(2) That it would be possible to train and employ the patients in useful and remunerative occupations which it is impossible to do to any considerable extent in a lunatic asylum.

"(3) That the patients themselves would be more favourably situated in separate establishments than in association with lunatics.

"On the question of cost, each patient in the Devon County Lunatic Asylum cost about 12s. 6d a week, including the cost of buildings. The cost of maintaining an imbecile or epileptic pauper in a workhouse varies in the county from 3s. to 7s. 6d. a week, the minimum sum being the charge in a purely rural union, and the maximum being the charge in a union largely composed of thickly populated urban districts."

158. The Devon Asylum is authorised to accommodate 1,254 patients. It was found in 1905, Lord Clifford stated, that of the inmates, 243 could be removed from the asylum if separate buildings were available. Of this number, 125 were epileptics, 80 were imbeciles, and 38 were idiots.

60th Report of the Lunacy Commission, p. 229. Clifford of Chudleigh, Vol. II., p. 41, c. 1.

Besides these, in the union workhouses in the county there were approximately 245 imbeciles (including idiots), and five dangerous epileptics.

Suggested scheme for utilisation of workhouses in Devon—*contd.*

Besides these, again, a county return showed that, apart from inmates at the Starcross Idiot Asylum, there were 153 mentally defective children; sixteen mentally defective and epileptic; and thirty-two epileptic, but not mentally deficient: in all 201. Clifford of Chudleigh Vol. II., p. 41, c. 1.

159. For the adult imbeciles and epileptics, the county council found that they had no power to provide separate accommodation, and they were of opinion that additional accommodation for lunatics was not to be desired. They wished to have the power of providing for "non-lunatics" conferred on them. Similarly in regard to the children, they found that they were unable to make any satisfactory provision. Seventy-five of these children were in attendance at public elementary schools, but the remainder were not receiving instruction in any form. Probably about a quarter of the total number would "receive benefit by being detained in a colony or workhouse ward and taught in the usual way." Clifford of Chudleigh, Vol. II., p. 40, c. 2. p. 41, c. 1.

160. The proposals made upon this summary of the facts were these:—

(1) That in the interests of the whole community, for reasons not only sanitary but also economical, it is undesirable that imbecile or feeble-minded paupers should be sent to lunatic asylums. Clifford of Chudleigh, Vol. II., 11689.

(2) That, as the workhouses in the county are not full, an existing workhouse might be utilised as a home for the feeble-minded, and the paupers, in the workhouse utilised, accommodated in some other workhouse. 11691.

(3) That the county council should have power to make provision for feeble-minded paupers in such a building. 11694. 11695-11696.

(4) That the entire county, under the county council, be a union area for providing and maintaining an institution for the feeble-minded and that the charges be met by a rate imposed on the various unions according to population and rateable value.

(5) That the management of these institutions might be left very much to an outside committee of the county council, but that the council should have power to supervise expenditure and to nominate a large proportion of its members so that the committee should be "something outside the actual work of the county council, although the county council would have to have a certain amount of control over it." 11740.

(6) That, with the exception of the expense of increased accommodation, the charge for maintenance should not exceed that of the more costly workhouses of the county—about 7s. 6d. a week. 11729.

(7) That as the "outside committee" of the county council would act as a county authority no "idea of pauperism would linger about it." 11708.

(8) That in the case of children reported to be feeble-minded, inquiry would be made to ascertain whether or not "their own surroundings afforded a sufficient and reasonable method of taking care of them," and if they did not, the children would be removed to a place where they would receive proper attention. This should be done on the order of a magistrate; and the order should be revised at stated intervals, "because no doubt a certain number of these feeble-minded people might recover sufficiently to be allowed to go back to their friends." 11709. 11712.

(9) That the chief reason why the guardians did not retain the imbecile and feeble-minded paupers, was that, when sent to the lunatic asylum they received the 4s. Exchequer grant towards their maintenance. "I do not think," Lord Clifford said, "from what we hear from the guardians, that the guardians are at all desirous of taking these feeble-minded; they would like to get rid of them as well. The temptation is to send them because they have only to make the contribution of a balance." 11721.

(10) That the counties might combine, where necessary, on some such lines as those indicated by Sir C. Thomas Dyke Acland, who gave evidence on behalf of the County Councils Association:—

"I should have thought you might ask the contributing counties to send up so many representatives, not necessarily from the county council, but appointed by the county council, and they would form the governors of such an institution as this, and be responsible just in the same way as the ordinary visiting committee of an asylum are responsible for the management of that. . . . . I should be almost in favour in that case of having some one nominated by the Local Government Board. I think you ought to have some special expert in a governing body distinctly . . . As to the finance, I should suggest in the first place that the parents should contribute something, say 2s. or 2s. 6d., according to their grade, and then the county also would have to contribute something. I Acland, Vol. II., 11667. 11668-11669.

should think that a good basis for any financial grant from the Exchequer would be the cost of the staff, because the cost of the staff would not vary very much up or down, and, in my opinion, the dismissal of the staff ought to be in the hands of the Local Government Board rather than in the hands of the governors, and appointments made subject to their approval."

Acland, Vol. II., 11670.

Suggested scheme for utilisation of workhouses in Devon—*cont'd.*

161. This scheme, it will be noted, provides for a standing committee of the county council responsible for the treatment of the imbecile or feeble-minded and epileptic paupers on behalf of all the unions. This committee is to be a nominated committee, composed in great part of persons who are not members of the council, and it would thus differ from the Asylum Committee of the Council, though in some ways its duties would be similar. The county council itself would assume a relation to its special Standing Committee not unlike that of the Metropolitan Asylums Board to the Poor Law guardians of the London unions. The classification of the mentally defective would be arranged as for the whole county—for a population of about 665,000 persons—and would be applied on lines consistent with the arrangements made for the accommodation of lunatics at the county asylum, not, as at present, adopted without regard to them. Counties requiring only a comparatively small amount of accommodation for a particular class would combine with other counties in order to provide a common institution. The scheme, too, is economical; and if the grant in aid which was received from the Exchequer were payable to the county council, the special Standing Committee of the council which would maintain its institutions, in part out of the county rate, in part out of the payments of relatives, and possibly in part out of the payments of boards of guardians, would itself receive and retain the Exchequer Grant which, in the case of lunatics, now passes to the account of the guardians. This change would greatly alter the position. On the strength of it the county council committee might offer such terms to the guardians as would induce them to send—not any cases they might wish to be rid of, such as the feeble-minded and imbecile paupers now sent to the Devon County Asylum—but such cases as the committee, on inquiry and certificate of detention, considered suitable for the particular institutions of which they had charge.

Acland, Vol. II., 11595-11597.

Clifford of Chudleigh, Vol. II., p. 40, c. 1.

162. This scheme appears to us to have been very carefully devised, but judging from the evidence submitted to us by Mr. Baldwyn Fleming, a General Inspector of the Local Government Board, and other witnesses, there is one weak point in it. To utilise any of the workhouses in a county as a home for the imbecile and feeble-minded would be very difficult. Mr. Fleming, in his evidence refers, it is true, in part to another class of the mentally defective—the senile cases; but he refers also to the feeble-minded, and so far his evidence is apposite.

"I do not think," he says, "that provision for accommodation for cases of senile decay and cases of chronic feeble-mindedness need be more expensive than workhouse provision . . . A good many of these cases are bedridden, and you would want more cubic space than where you had to deal with the able-bodied, but I think that the provision made in the ordinary workhouse sick ward would be quite enough for cases of senile decay and for ordinary cases of feeble-mindedness that merely want observation and proper nursing to prevent bed-sores, and to keep them clean, and details of that kind. . . If you could get one workhouse to spare, the accommodation might be sufficient for the class of case you are referring to. Can you get a workhouse to spare? . . . Can you get any board of guardians that is willing to be wiped out? I have never found one yet. I have tried to dissolve a union, but I have found I have had to give it up, because they would not consent to be dissolved. If you cannot wipe them out, you must get them to consent to take one particular class. If you combine by workhouses, would you get any board of guardians that would consent to take, as their class, the feeble-minded, the epileptic, and the insane" [*i.e.* cases of senile dementia]? "I do not think you would. Then you bring in the element of distance, which to me is a very serious one. The workhouses are now so placed that they are practically as a rule the centre of their own unions. The guardians come from all their parishes, the clergy come, the carriers come; there are endless sources of communication between the different parishes of the union and the union at the centre. By that means the people in the workhouses are kept more or less in constant touch with their old associations and their old homes; and their friends can come and see them." In the average union the boundary is perhaps seven or eight miles from the centre. . . . "Supposing you remove those people twenty miles away . . . that is a very great hardship, and one which would, I think, especially affect the sick and the feeble-minded. . . . I think that the interests of the feeble-minded and their relations are deserving of very serious consideration."

Fleming, Vol. I., 2176–2177. 2179. 2179. 2180.

163. Accepting then the scheme submitted in outline by Lord Clifford of Chudleigh as, subject to certain modification, suitable for most counties, we think that reliance cannot be placed on obtaining the accommodation required by

General conclusions as to the Devonshire scheme.

General conclusions as to the Devonshire scheme—*contd.*

taking over a partly occupied workhouse and dispersing the remaining inmates among other neighbouring unions. To take over the workhouse, it would not indeed be necessary to eliminate the board of guardians; the board of guardians might remain and might deal with such applicants as required indoor relief by placing them in neighbouring workhouses. Yet, even so, undoubtedly the plan would be difficult to execute. The workhouse serves as a poorhouse for those in the union who are aged and unable to work, and, as part of the equipment of public poor relief, some such house is almost indispensable. Possibly however, a standing committee of the county council could make arrangements for boarding patients in suitable workhouses under proper safeguards, at least as a temporary measure, on the lines now frequently adopted by urban unions who place their aged poor in the partially empty workhouses in country districts.

Suggested arrangement between country unions.

164. Mr. Vallance, who was for thirty-four years clerk to the Whitechapel Union, proposed an arrangement among country unions for mutual assistance in the care and classification of different classes of the mentally defective. He combated the view that it was necessary to form a separate district board consisting of the representatives of the associated unions, with a separate staff and much additional outlay and expenditure. He said:—

Vallance, Vol. II., 14631, 14632, 14635.

"The difficulty I see in the way of unions combining for the purpose of providing for certain classes of poor under a separate district board is the enormous expense to which it leads. My suggestions go in the direction of utilising as far as possible present means, trusting to medical inspection for development of provision in the future; not to launch all at once a scheme for big institutions. May I put it in a concrete form? Here are four, five, or six country unions; they have conferred together as to the best mode of providing for their feeble-minded children or adults; they have come to the conclusion that Union A. has got a separate building or a building which can be adapted to the special needs of this class, and the others would be prepared to enter loyally into the agreement for the maintenance and detention of those children there. In that case, with buildings already, in many cases, in existence, their needs would be provided for at a minimum cost. The country workhouses usually have a considerable portion of land attached to them, and certainly if five or six or even a larger number of unions get into combination and come to a mutual agreement they will soon find the workhouse which is best adapted to their purpose. In any adaptation of that sort there is no staff and no special administration."

165. This scheme is suggestive, and it indicates what may be done if some common authority could use the workhouses according to the needs of particular cases, instead of, as at present, guardians of particular unions receiving into their workhouses cases of every kind. There is, however, another criticism on Lord Clifford's scheme, and, in a lesser degree, on Mr. Vallance's. The Devon proposal is to utilise one workhouse in the county for the imbecile and feeble-minded; but it is evident that one workhouse adapted as a home would not suffice for dealing with the various classes for which provision is required—as, for instance, with the class of respectable girls who now "have to be placed in the same wards with women of the very worst type" and the many other classes of the mentally defective. On the other hand to classify, or rather separate, the girls in the rural half empty workhouses would in some cases be almost to commit them to solitary confinement. "There is occasionally an attempt at classification by day," Miss Fry states, "but they generally sleep in the same dormitory. Some of the girls by day are taken away from these women to do work in other parts of the house. . . . I am frequently told by guardians that there are a great many empty places, and that from the point of view of economy the workhouses ought to be utilised for some special class, but at the same time those very guardians say they do not think the workhouses would be very suitable places; they recommend them on grounds of economy."

Fry, Vol. II., 15023.

Fry, Vol. II., 15025, 15026.

Necessity of a larger scheme.

166. With this opinion we agree. We think that though under the conditions we have mentioned in paragraph 154 particular workhouses might be used temporarily for "imbeciles, decided feeble-minded cases, and idiots," they are not suitable for mentally defective girls or women who are in any sense "improvable" and for whom fitting provision can be made in voluntary or other homes. So also with cases of mental defect of other types. Indeed it seems to us that to meet the great diversity of these cases a proper classification must necessarily entail a larger scheme which would permit of much more diversified methods of treatment than could be provided by workhouses or by any single county workhouse, however carefully it might be adapted to its new purpose.

Wemyss, Vol. II. 18505, p. 430, c. 1 & 2. Sterling, Vol. II. 14377, pp. 190–191. Pease, Vol. II. 15069, p. 232, c. 1 & 2.

(ii.) Classification by Special Establishments in connection with the Poor Law.

167. The schemes we have next to consider refer chiefly to urban or quasi-urban areas, or to these in conjunction with the rural areas with which they may be most naturally associated. The financial position of these urban districts is very different from that of the rural. Here we find usually an assessable value that in recent years has largely increased; and the difference indicates one point in our problem, namely, whether, in order to deal effectually with the mentally defective, a financial scheme can be adopted which will secure to districts with a low assessable value some of the advantages available for districts where the assessable value is rising. To effect this and other results, some form of combination is clearly necessary.

Branch Institutions under Poor Law insufficient to meet necessities of the case.

168. To provide sufficient and suitable accommodation with proper classification, it is not enough for a board of guardians to open branch establishments for classes of the mentally defective—useful as that is as a partial measure. This the Preston board have done by opening a branch workhouse for male imbeciles and insane epileptics at Ribchester, and the Liverpool Select Vestry by opening one for female imbeciles and insane epileptics at Dingle Mount. Also, for epileptics, not classed as insane, the Liverpool Select Vestry have a branch workhouse at Highfield, and the West Derby Union have also a branch workhouse primarily intended for this class. Moreover, the Manchester guardians have provided separate quarters at their Crumpsall workhouse for this class, though the epileptics, finding themselves rather dull, asked to be allowed to go back among the imbeciles. So elsewhere, in many unions separate blocks or quarters or wards have been opened for special classes, as part of the more detailed classification of the workhouse; and hitherto this indeed, rather than the institution of separate establishments, has been the method preferred in providing for the mentally defective in urban areas. But neither method suffices for the classification, which the evidence that we have taken would appear to require and to justify: and hence various forms of combination, either of unions, or counties, or Poor Law Authorities or lunacy authorities, with or without co-operation with voluntary institutions, have been outlined and proposed.

(iii.) Classification by Combination of Unions.

169. The object of combination is classification, and it is evident that, if classification is to be pushed as far as many witnesses propose, the establishments required should be very various. For sane epileptics, and for insane, there should be separate homes or settlements; for idiots and unimprovable imbeciles, custodial asylums; for mentally defective children, special training schools or classes or boarding homes or colonies, and for mentally defective adults, colonies or open-air settlements. Also, as in London, for harmless certified lunatics, some special provision might have to be made, outside the ordinary workhouse buildings. It is clear, therefore, that as classification becomes more detailed, the district for which the institution is established must be enlarged; and it must deal with a larger area than that of a single union, even if the union be urban and populous. On the other hand, if the union be rural, it will have to deal with a few cases only and will rather desire to take advantage of any general organisation that may be available than to form part of a fixed combination. And in fact this represents a general division of opinion. In populous urban unions, though additions be made to the Poor Law buildings in order that they may meet new and more various needs, boards of guardians are pressed to deal with large classes of mentally defective paupers by combination with other unions, whenever they cannot do so by the mere extension of their workhouses. In rural unions, on the other hand, as we have seen, there is often sufficient or indeed ample space, but it is not possible to turn it to account and to make a satisfactory working classification with only a few inmates. Hence the two methods are suggested, combination and the use of special institutions by contract or by payment in the individual case.

170. The case for combination of urban unions was strongly pressed by Mr. J. Wycliffe Wilson, who has for a long time served as a guardian at Sheffield. He called our attention to the following resolution of the council of the Poor Law Unions Association:— Wilson, Vol. IV., 11318, p. 22, c. 2.

"That the provision for the epileptic, imbecile and feeble-minded, and also for harmless pauper lunatics, should be made by boards of guardians individually or in combination and not by county councils."

Classification by combination of unions.

171. He argued that as the guardians had "in readiness the best machinery for making the necessary inquiries, and for forming an opinion as to who is and who is not able to pay or contribute to the cost of maintenance . . . it would appear much better that the guardians should deal with all cases where any part of the cost of maintenance has to be provided from public funds." To promote this policy, he quoted another resolution of the Association that boards of guardians should receive a grant of not less than 4s. for "every harmless lunatic, epileptic, imbecile or feeble-minded person sent to a certified home or maintained in institutions provided by them, to the satisfaction of the Local Government Board." And further to enforce this method, and draw the unions in country districts into the combination, he would apply the compulsion of law; and he anticipated that even smaller boards of guardians representing a population of 10,000 or 15,000 "would have to join in the contribution to the combination, and pay so much per head, and have a joint committee of some kind." "If the law facilitates it," he said, "I think there ought not to be any difficulty. It is done in the Metropolitan Asylums Board: there is combination for providing hospitals and asylums."

Wilson, Vol. II., 11318, p. 22, c. 2.

11355.

11364.

Stone, Vol. II., 13759.

172. Mr. Henry Stone, Clerk to the Guardians of the Poor of the Norwich Incorporation, took a further step and advocated enforced combinations for institutions for the feeble-minded throughout the country, desiring that for the erection of these institutions the Local Government Board should map out so many areas administered by so many boards of guardians.

173. On the other hand, in reply to the question whether in the East and West Riding, provision for the feeble-minded might not be made by amalgamation and joint action, Mr. Bagenal, a General Inspector of the Local Government Board, said:—

Bagenal, Vol. I. 2364.

"I do not see exactly how you are to remedy it, because the great objection of the guardians is multiplication of institutions and officers. If you have joint action on the part of several boards you must have a joint institution."

Jenner-Fust, Vol. I., 2530, p. 139, c. 1.

And Mr. Jenner-Fust, a General Inspector of the Local Government Board, admitting that "there is a general consensus of opinion in Lancashire that a workhouse is not the right place for imbeciles or epileptics of either class" *i.e.*, sane or insane, proposed a county scheme, because as he says, "guardians could not provide satisfactorily for this class except in combination (to adopt which method for any purpose they have shown great unwillingness) and even then only for paupers."

p. 139, c 2.

2683.

And later he says, "I have always found boards of guardians extremely unwilling to combine for any purpose whatever. There have been a few instances in Lancashire of late years, but in the rest of England there have been hardly any. It is perhaps unfair in the case of a rural union, for instance, who have one epileptic in every two or three years to send to an institution, that their whole rateable value should be placed under contribution."

Pease, Vol. II., 15060, p. 233, c. 2.

174. Miss Pease, also, who has been most active in endeavouring to improve the position of the feeble-minded in connection with the Newcastle Board of Guardians, of which she is a member, took a very different view from that expressed by Mr. Wycliffe Wilson and Mr. Stone. She said—

> The county and town councils have already control over lunatics and over education. [They should therefore take charge of the feeble-minded also.] "This would be better than leaving some of them under the care of the guardians; because the councils have a much wider area to deal with, and would have much more power to effectively deal with the question. Boards of guardians cannot deal with all classes of the feeble-minded, and there would be numbers left out who would have to be provided for in different ways. Difficulties will always arise to prevent guardians combining to provide for their deficient and epileptic inmates. We have had in Newcastle several conferences of guardians to consider this question and to see if there could not be united action, but nothing has been done. The different boards felt they could not work together. My board then discussed the question whether it would not be possible to provide for our own imbecile, epileptic and feeble-minded children and adults, as we have plenty of land in the country where our cottage homes are built; but the guardians would not classify, they wanted to lump the three classes together, and as this would have wrecked the scheme the whole idea was allowed to drop."

Voluntary combinations would not meet the case.

175. The net result of this evidence appears to us to be, that if reliance is to be placed on the combination of unions to supply the institutions necessary for the care of the mentally defective in urban and rural districts alike, the combination of unions must be made compulsory. Otherwise little or no progress may be expected. This would in fact amount to the application of

the method of the Metropolitan Poor Act in some form throughout the country, in connection with the Poor Law guardians and not, as Lord Clifford suggested, in connection with the county councils. This proposal we will discuss later, only here entering our opinion that, in view of the very serious defects in the whole method and organisation for the care of the mentally defective in the workhouses at the present time, and of the evidence of the little desire to combine which guardians generally have hitherto shown, it appears to us that there is no alternative but to impose a statutory obligation to deal with this class on the authorities—whoever they may be—to whom this branch of work is assigned. What has recently been done in the country by way of combination is not sufficient, we think, to lead us to modify this conclusion—that obligatory measures are necessary.

Voluntary combinations would not meet the case—*contd.*

(iv.) Schemes of Combination of Unions proposed or adopted.

176. The case in regard to the combination of extra-metropolitan unions for the better care and control of the mentally defective was summed up by Dr. Downes, Senior Medical Inspector for Poor Law purposes of the Local Government Board, and one of the General Inspectors in charge of the London District:—

Proposed combination of Croydon, Kingston & Richmond Unions.

"The Order, which was issued in December, 1904, is based on Section 8 of the Poor Law Act, 1879, which authorises, with the consent of the Local Government Board, the combination of two or more unions outside the Metropolis for any purpose connected with the administration of the relief of the poor which would tend to diminish expense or would otherwise be of public or local advantage. Under that Order the Croydon, Kingston and Richmond Unions are empowered to provide and maintain institutions which are called joint workhouses; workhouses, of course, is rather a misnomer, but it is a statutory word, and has to be used. One section provides that the persons for whose reception the joint workhouse shall be provided are first, 'epileptic persons who being chargeable to one of the combined unions have not been certified as lunatics; secondly, feeble-minded persons who being chargeable to one of the combined unions, have not been certified as lunatics, and who by reason of mental deficiency are incapable of receiving proper benefit from ordinary instruction, or are incapable of using ordinary means or precautions for protecting themselves from injury or improper usage or treatment, or are incapable of maintaining themselves by work and who are, in the opinion of the medical officer or medical superintendent of a workhouse (including an infirmary) of any of the combined unions, suitable persons for treatment in a joint workhouse."

Downes, Vol. I. 1824.

"That establishments of this sort should be on a Poor Law basis is not in accordance with the view I expressed. This one is on a Poor Law basis. It is for uncertified paupers of the epileptic and feeble-minded class. We have not yet had any proposal as to the form of establishment which would be provided, but the Order is of interest because it is one of the first of a class."

Downes, Vol. I., 1824

177. Two very important instances of the combination of boards of guardians for joint workhouses have been submitted to us in detail—that in regard to the Monyhull Colony, established by the Birmingham, Aston, and King's Norton Boards of Guardians for epileptic and feeble-minded paupers not certified as insane; and that in regard to the Langho Colony, established by the Chorlton and Manchester Joint Committee, for epileptics not classed as insane. It will be more convenient to deal with the latter in the chapter of this Report in which the evidence we have received respecting epileptics is analysed and discussed. But the former scheme of combination may be most suitably considered now in relation to a large body of evidence that has been submitted to us in regard to Birmingham. We shall thus be able to compare several opinions, all of which are based on experience; and may thus arrive at a preliminary decision on the question whether, in order to provide the necessary accommodation, reliance should be placed on the Poor Law authorities and a combination of unions; or whether, subject to certain alterations, this task should not be undertaken by the authorities which are already dealing with the mentally defective as a class.

Combination of the Birmingham, Aston and King's Norton Unions.

Part X., paragraph 881 below.

178. An endeavour was made in 1901 to obtain from the unions in the counties of Warwick, Worcester, Stafford, and Salop, a complete return of the number of imbeciles, epileptics and feeble-minded persons who were chargeable to them on the 1st July, and who, in the opinion of the medical officers, were likely to improve or benefit by treatment in a home or institution specially adapted to their capacities and needs. Replies were received from thirty-five unions, but nineteen, some of them large and important, such as

Poor Law statistics of neighbouring counties.

Curtis, Vol. II., 18762, p. 443, c. 1, and p. 444, c. 1.

Poor Law statistics of neighbouring counties —*contd.*

Droitwich, Worcester, Stoke-on-Trent, West Bromwich, and Atcham, which includes Shrewsbury, did not reply. The number notified were as follows :— Curtis, Vol. II., p. 444.

—	Certified imbeciles and epileptics.	Epileptics not classed as insane.	Feeble-minded persons not classed as insane.	Totals.
Men - - - -	74	96	119	289
Women - - -	53	131	78	262
Children - - -	11	4	21	36
Total - - -	138	231	218	587

179. It thus appears that, excepting the unions that made no reply to the circular, in four counties in which there is a large urban population the total number of mentally defective persons who were chargeable to the rates, and would, in the opinion of the Poor Law medical officers, benefit by institutional treatment, other than the workhouse was only 587, and of these 138, or 23 per cent., were already certified—leaving only 449 available for "non-certified" treatment. These were approximately half epileptics, half feeble-minded; and amongst them there were only twenty-five children. From the Poor Law point of view, the problem thus appears comparatively easy of solution: an institution or institutions for 449 persons would meet the demand.

Poor Law statistics of Epileptic and Feeble-minded improvable and not improvable.

180. These figures are supplemented by others from the unions of Birmingham, Aston, and King's Norton, which have a joint population of 744,566, with a total indoor pauperism on 1st July, 1904, of 5,644.

In these unions (April 9th, 1904) the mentally defective paupers were, according to the judgment of the medical officers, classed as follows :—

L.G.B. Half-yearly Statement, 1 July, 1904, p. 25.

Curtis, Vol. II, 18762, p. 441, c. 1, and p. 442, c. 1.

1 —	2 Epileptics not classed as insane *who might improve* in a home specially adapted to their capacities and needs.	3 Epileptics not classed as insane, capable of appreciating such a home, but *not likely to improve.*	4 Feeble-minded persons who *might improve* in such a home.	5 Feeble-minded persons capable of appreciating such a home, but *not likely to improve.*	6 Total.
Men over 45 years -	6	20	1	28	55
Men over 16, under 45	25	6	13	25	69
Women over 45 years	14	25	2	27	68
Women over 16, under 45	21	18	17	53	109
Children not more than 16	5	1	36	10	52
Total - - -	71	70	69	143	*353

181. From these figures it appears that of the epileptics and feeble-minded capable of appreciating a home or of benefiting from it, 60 per cent. (cols. 3 and 5) are probably unimprovable; of the remainder—140 persons, men and women, twenty-three are over forty-five years of age, with, on the ground of age, probably a lesser chance of improving. Thus, on the strength of these figures, it would seem that, if these unions combined, the task before them would be comparatively small, particularly if they dealt with only actually improvable cases in special homes. The children who are improvable number in all forty-one.

Birmingham Education Committee, statistics of the mentally deficient children. Pinsent, Vol. II., 19148, p 456, c. 2.

182. But when we turn to the general population the numbers are very different. The report presented by Mrs. Hume Pinsent to the Birmingham Education Committee states that 386 mentally defective children are in special day schools, while for want of accommodation, 214 defective children as well as twenty epileptics are awaiting admission to special classes. Further, there are fifty cases in which blindness or deafness or crippling is associated with mental defect; and under the supervision of the After-care Committee are sixty-nine idiots and imbeciles. Thus in the area of the Birmingham Education Committee, with a population of 93,896 children on the rolls, there are, according to this count,

* Of these cases 231 were in the Birmingham Union.

739 mentally defective children, exclusive of any children who are under the care of the guardians; or, in other words, in the Birmingham Education Area the number of mentally defective children alone is more than double the total of epileptic and insane persons, adults and children, improvable and unimprovable, who are being dealt with by all three unions put together. Of the 739 children, 600 are reported as being educated in, or suitable for, special classes, according to the judgment of the medical officer, Dr. Caroline O'Connor, and duly qualified medical practitioners; and of these, as the evidence shows, a large number will have to be provided for after sixteen, or even before, if the education at the special schools is not to be thrown away. Birmingham Education Committee, statistics of the mentally deficient children—*contd.*

183. With these figures we may compare those of Dr. Potts, the Medical Investigator who made inquiry at Birmingham on our behalf. He returned the total number of all the mentally defective in the Birmingham Union area (a smaller area than that of the Education Committee taken by Mrs. Hume Pinsent) at 1,359, and of these he reports that 426—256 males and 170 females—need provision according to the definition of these words, as adopted by the Medical Investigators.* Unlike other Investigators, Dr. Potts, as we have before pointed out, concluded that the workhouse formed a principal solution of the problem, and thus in the two areas which he examined—Stoke-on-Trent and Birmingham—he omitted from the list of persons needing provision almost all of the mentally defective persons in receipt of relief in the workhouse and infirmary or Poor Law schools—at Birmingham 581 in all—as being provided for sufficiently, but he included in his list casual ward cases—at Birmingham 104 in all. Here, then, acquiescing for the moment in this entire exclusion from the mentally defective class of those persons (except casuals) who are in receipt of indoor relief, we have, we think, a good criterion—a well-qualified judgment pronounced on all the cases in the city by one person. The result is that, apart from any action now being taken either by the Poor Law guardians, all of whose cases, except those of casuals, are here excluded from consideration, or by the local education authority, provision is at the present moment required for 426 persons. It is evident, therefore, that though, as we have suggested, Poor Law institutions might on certain conditions be utilised for particular classes of the mentally defective, they cannot well provide for the great mass and variety of the cases of mental defect, including both those who now require care and those, a considerable number, who will probably need it on leaving the special schools. Statistics of our Medical Investigation in Birmingham. Vol. VI. Tables I. to VII. pp. 53-65. Part III. and Table and Notes, p. 19.

184. But, however this may be, the scheme of the three boards is planned on a very large scale and might assume very large proportions. By the order of the Local Government Board (27th March, 1905) the joint committee was constituted for the purpose of fitting up, furnishing, and maintaining a workhouse or workhouses for the reception of epileptic and feeble-minded persons chargeable to one of the combined unions. The definition of those who may be admitted is as follows:— The Birmingham, Aston and King's Norton scheme. Curtis, Vol. II., 18762 p. 441, c. 2.

"1. Epileptic persons who being chargeable to one of the combined unions have not been certified as lunatics; and

"2. Feeble-minded persons who being chargeable to one of the combined unions have not been certified as lunatics; and

"(*a*) Who, by reason of mental deficiency, are incapable of receiving proper benefit from ordinary instruction or are incapable of using ordinary means or precautions for protecting themselves from injury or improper usage or treatment, or are incapable of maintaining themselves by work; and

"(*b*) Who are, in the opinion of a medical officer of any of the combined unions, suitable persons for treatment in the joint workhouse."

185. The second paragraph of this definition is so broad that it might admit to the new institution any feeble-minded uncertified person who is incapable of maintaining himself by work, or whom the medical officer thinks suitable for treatment there. These persons are to be admitted direct and not through the "workhouse." Each union is to bear the cost of the maintenance of the inmates who are chargeable to it; and other expenses are to be borne *pro rata*. The Government, it is desired, should allow 3s. per week in respect of all imbeciles and epileptics maintained by guardians in institutions (other than county or borough asylums) provided by Guardians to the Curtis, Vol. II., 18897, 18898, 18940. Curtis, Vol. II. p. 443, c. 2.

* For definition, *see* footnote, p. 19.

The Birmingham, Aston and King's Norton scheme—*contd.*

Curtis, Vol. II., 18947.

18833.

18841.

18865, 18797.

satisfaction of the Local Government Board, the word "epileptics and imbeciles" being taken as equivalent to the words "epileptics and feeble-minded," as defined so broadly in the Board's order. The mentally defective up to sixteen would be dealt with by the local education authority, unless they had to be cared for in asylums, and at the age of sixteen, on the certification of the medical man attached to the central authority—which should be final—the child would be admitted to an institution of the guardians, unless the parents can pay the full weekly cost, at 10s. 6d. a week. In that case the child might be sent to a registered institution, probably a voluntary home; but where the parents could not pay the full cost the board of guardians would deal with the cases, thus adhering to the principle that the child must be technically "destitute" if assisted by the Poor Law.

Sayer, Vol. II., 19053, 19057. 19038, 19008.

186. On this general theory, a "colony" is to be established by the three boards where sane epileptics and feeble-minded "could be of some useful service, where the epileptics, instead of sitting in wards looking at each other and waiting for the fits to come, could be at work on the land, and farming work, fruit growing, rearing poultry, and other such-like agricultural pursuits, and where they might ameliorate to some extent their condition and reduce the cost of their maintenance."

Sayer, Vol. II., p. 452, c. 1. 19102, 19015-19018, 19038.

Curtis, Vol. II., 18961-18962.

Sayer, Vol. II., 19022. 19072. 19143-7.

Curtis, Vol. II., 18959. 18965.

With this object a freehold of 175 acres has been acquired, with farm buildings, at a cost of £19,000, within six miles of Birmingham and fairly accessible by railway and tram. Houses of one storey, with some of two storeys, will be built on it, with a central administrative block, assembly hall and workshops. At first the houses will be built for 250 persons, subsequently for 500, and afterwards possibly for more. There is to be a supervisory staff of three attendants for every thirty-six inmates. The land which has been acquired is, it is urged, more than is necessary for 500 inmates, but if that number be provided for, the initial cost of starting the colony will be £194 per bed, or exclusive of the land, £156. The weekly cost of maintenance is set down at 4s. 9d., or if salaries and rations, furniture and repairs, and the repayment of the taxes be included, but the cost of the site excluded, 10s. 6d.

General policy of the Birmingham, Aston, King's Norton scheme.

Whitcombe, Vol. II., 18561. p. 432, c. 1.

p. 432, c. 2.

Whitcombe, Vol. II., 18568, 18646, 18648, 18679, 18656–58. 18660, 18675, 18688, 18699.

187. A scheme so carefully designed is worthy of close examination. Here we are concerned rather with its general policy; and in reference to that it is of interest to compare the views of Dr. Whitcombe, the medical superintendent of the City Asylum, and Dr. Potts, our medical investigator, both of whom gave evidence as to Birmingham. The former proposed that all *backward* children should be separated from defectives in schools; and that the backward should be educated in separate classes in ordinary schools, while the rest were reported to the Lunacy Commission and registered like other insane persons, and then "dealt with, in separate institutions, on the cottage principle, in which they could be classified." He thought that "the present system of educating these children in special schools" . . did not justify the expenditure incurred by it, while the majority of cases "deteriorated, and were unfit for any ordinary occupation, and became a danger to themselves and society." Accordingly all but the backward children should, he thought, be certified; and, speaking generally, he considered that the opinion of the medical man who certified should be accepted by the magistrate without his specifying the facts, that the word "lunatic" should be dropped, and that all persons suffering from mental disease or defect should be placed under one authority. Local authorities, counties and boroughs, should, he thought, have power to combine to build an asylum or hire premises for the mentally defective, and should not have to unite and become one corporate body, as the Lunacy Act now requires, if they wish to purchase land or buildings for joint use. Children, if mentally defective, should be removed early—at the age of five—after being tested, if necessary, from an ordinary school; for a school was not a "proper place for a feeble-minded child." Poor Law authorities should entirely cease to deal with cases of mental defect. There should be, with detention, farm colonies for chronic cases of adults, both men and women, and a special report should in each instance be forwarded to the central authority when detention is considered necessary. This detention should not take the form of an order for committal, as if the question at issue were one of crime, but it should take the form of decision by consultation, as the question was not one of crime but of disease and should therefore be settled on "some friendly system, an arrangement without the disgrace of going to a police court."

Whitcombe, Vol. II., 18717, 18720, 18728–30, 18734, 18746.

Whitcombe, Vol. II., 18749, 18751.

188. Dr. Potts, like Dr. Whitcombe, would exclude from the special classes the lowest grade of aments altogether, and would admit to them "almost entirely abnormally backward children." "The lower grades of feeble-minded," he thought, "did not come within the province of the education authorities at all, but should be relegated at an early age to that authority who would be ultimately responsible for them." Differing from Dr. Whitcombe he thought that the provision made by the guardians for the mentally defective should be utilised, because "the majority are there already, and it should therefore be the least expensive arrangement." However, the ideal he advocated, he said, "was of one authority for all those requiring care—criminals, lunatics, the aged, etc."; though in the meantime a central authority of a more limited character might well be instituted, in order to supervise the methods adopted for the care of the mentally defective, a body somewhat similar to the Lunacy Commission, consisting of medical men and district and local inspectors. The patients should be segregated; and the teaching of hygiene on practical and popular lines should be systematised. For detention "a medical inspector—a Government inspector, a medical man—could certify the case, and then the mere fact of certificate should be sufficient to give the workhouse authorities power to retain."

General policy of the Birmingham, Aston, King's Norton scheme—*contd.*
Potts, Vol. II. 19178, p. 475 c. 2. 19230, 19233.
Potts, Vol. II. 19283, 19192, 19250, 19252.

189. We have thus before us two very different policies, one suggested by boards of guardians, the other by medical men, both from different points of view amply competent to advise us on such a matter; and to state these plans in their completeness we have mentioned incidentally several points with which we must deal in connection with other branches of our subject.

CHAPTER VI.

Conclusions and Recommendations.

190. Before coming to a conclusion on the alternative, whether the Poor Law system should be expanded so that it may make entire provision for mentally defective persons, or whether this task should be assigned to some other central and local authorities, the ultimate question, which both parties raise, and which we have to decide, is whether the mentally defective should be considered and dealt with as suffering primarily from mental disease, or primarily from poverty or destitution, however caused? In the former case they would be relieved—whether paupers, or prisoners, or inebriates, or "feeble-minded," or persons of "unsound mind," as having a claim on the community on the common ground that they are mentally afflicted; and assistance for them would be organised with a view to their treatment as patients. In the latter case they would be relieved as poor or destitute persons who happen to be mentally defective, and who on that account are paupers as being in need of relief, but incidentally patients, as being in special need of treatment. But the evidence shows that the division between pauper and non-pauper is quite unreal in the case of the mentally defective. The son of respectable parents, who is permanently supported wholly or in part by relatives and friends, requires, as mentally defective, the same treatment as another person whose relatives and friends cannot help him at all; and the greater or lesser possibility of obtaining payment for the treatment—the more or less poverty or destitution—is not the dividing line in these cases, but the existence or non-existence of mental disease. Further, the distinction, on which we insist, is especially applicable to a class of case for which it would be difficult for the great mass of people to make any provision. These cases, wherever they may be, or whatever public department or organisation may deal with them, involve continuous expenditure, greater than can ordinarily be met by the people themselves, even when they are capable and industrious members of the middle and working

General conclusions as to adaptability of Poor Law system.

General conclusions as to adaptability of Poor Law system—*contd.*

classes. The households in which the presence of a mentally afflicted member of the family is a danger, a degradation and an intolerable burden, are not necessarily those of paupers. All possible obligations which can reasonably be imposed, should, indeed, in our opinion, be enforced on relatives; and the help of friends and voluntary agencies also should be used to the utmost. But in the development of any organisation for the care of the mentally defective, the precedent of the Lunacy Acts should, we think, be followed, rather than the precedent of the Poor Law. Under the Lunacy Acts intervention is due to the existence of mental incapacity; under the Poor Law to the existence of poverty and destitution. It must also be remembered that the certification, detention, and segregation, in regard to which almost all our witnesses are agreed, are advocated in the interest of the community at large, and not merely or chiefly, as relief is given under the Poor Law, in order to meet the personal needs of particular cases.

191. Thus, to cite several instances, it is agreed, as we shall see, that it is not good either for the individual or for the community that a person who is mentally defective and has been convicted of crime should be set free, like an ordinary prisoner, to go where he may on discharge. Equally is this so in the case of inebriates, or paupers, or children of school age, who are mentally deficient. All these, as well as persons certified under the Lunacy Act, are not so much prisoners, or inebriates, or paupers, or school children as persons who are mentally deficient. For them, while they are in the institutions of other authorities, Prison, Poor Law, or Education Authorities for instance, it is acknowledged by all that supervision and inspection by a single authority is desirable. But when these persons leave the institutions to which they have been admitted they are now under no care; and the result is disastrous. Further, as has been shown, the number of the mentally defective considerably exceeds the number of those for whom the Poor Law makes provision or indeed proposes to provide, while also those assisted have a claim on the community, not as paupers and thus rightly coming under the Poor Law, but as mentally deficient and thus claiming public aid on grounds similar to those on which help is already given to persons of unsound mind. Lastly, the cases of mental defect are of different types and require different methods of treatment, and the Poor Law, not primarily an institution intended for such a purpose or specially adapted to fulfil it, seems to us quite unlikely to meet the need effectually.

Authorities recommended to deal with care and control of the mentally defective.

192. On these and on other grounds which a consideration of the needs and condition of the mentally defective in elementary schools, prisons, inebriate homes, asylums, and voluntary institutions, will further justify, we think that there should be one central authority which, with the local authorities connected with it, should have the general control and supervision of mentally defective persons. And accordingly our first recommendation is :—

Recommendation I.

"That there be one Central Authority for the general protection and supervision of mentally defective persons and for the regulation of the provision made for their accommodation and maintenance, care, treatment, education, training and control."

We believe that without a single central authority it will not be possible to give that cohesion and unity to this branch of work which the evidence shows to be essential; nor without it will it be possible to provide with continuity and persistence the additional accommodation of various kinds which the different classes of mentally defective persons require; nor again without it will it be possible to utilise existing resources, as far as may be, and to supply new accommodation with economy and care for the comparatively large or populous areas which should, in our opinion, be adopted for the purposes of local administration in the future.

Recommendation XLIX.

193. We feel also that, to a large extent, the care, control and supervision of many of the mentally defective, especially of the feeble-minded, should in some degree take the form of public wardship, similar to that exercised by boards of guardians under the Poor Law Act of 1899; and we recommend:

Recommendation V.

"That the central authority, which would deal with the whole class of mentally defective persons and the divisions of that class be called: 'The Board of Control,' and the members thereof be called Commissioners of the Board of Control."

To facilitate the supervision of local work it is proposed (Recommendations XV.—XVIII.) that England and Wales be divided into districts suitable for purposes of supervision and visitation, and that the Commissioners be assisted by Assistant District Commissioners.

Authorities recommended to deal with care and control of the mentally defective—*contd.*

194. The local authority, it is suggested (Recommendation XXVIII.), should be "the council of each county and the council of each county borough," which should "be required by Statute to make suitable and sufficient provision for the care and control of the mentally defective in the county or county borough." And this "local authority" (Recommendations XXIX. and XXX.) should "exercise the powers proposed to be conferred on them under the proposed Act through a Statutory Committee" to "be called the Committee for the Care of the Mentally Defective, and take over the duties of the Visiting Committee or Visiting Committees of the council of the county or county borough as the case may be." The area of the local authority would thus be the county or county borough, and the settlement required in cases dealt with by it would be a county settlement. (Recommendation XLVI.)

In regard to all this we have, it will be seen, followed close upon the suggestions made by Lord Clifford of Chudleigh and Sir C. Thomas Dyke Acland; and, as they have suggested, we also (Recommendation XXXI.) propose that "the Committee for the Care of the Mentally Defective be constituted so as to include within it by co-option additional members, of whom one at least shall be a woman, who have special experience or knowledge." The evidence that has been submitted in our last chapter enforces the desirability both of appointing additional members and of including women among them; and the evidence contained in subsequent chapters further supports this decision.

The necessity of enabling the Council to make contracts of many kinds on behalf of the mentally defective and thus to utilise, under effectual conditions of adaptation and service, all accommodation that may seem suitable, has led us to propose that wide powers in this direction should be given to them. They may (Recommendation XLII.), subject to the approval of the Board of Control, use the means at their disposal "in any way they may think best for the well-being of the mentally defective, and may contract with any poor law or other public authority, public or voluntary agency, or private person, under such conditions as they may deem advisable for the care, education, training or maintenance of mentally defective persons, or of epileptics not mentally defective." And there is a statutory provision suggested with a view to the compliance of other public authorities in providing accommodation for Receiving Houses or Wards, at the request of the Council (Recommendation LXV.)

owne, Vol. 1821. eming, Vol. 2081. ist, Vol. I. 139, c. 2. ecommen- tionsXLII. d LXV. avy, Vol. ., 33860. 883. 930.

Use of Poor Law Accommodation by new authorities. Appendix, Vol. V. p. 226–231.

195. Many representations have been made to us by boards of guardians that the new organisation for the care of the mentally defective, which is admitted to be necessary, should form part of the Poor Law system of the country. We have considered that suggestion most carefully, but we have found ourselves unable to agree with it. A central body that has constant relations with a much larger circle of interests and requirements than has the Poor Law should, we think, be in charge of the work, with the aid and co-operation of local bodies of a similar type. But under our Recommendations it will be possible to utilise in a most economical and effectual manner any accommodation which may be available in Poor Law institutions and is suitable for the purpose. Only a public authority endowed with large powers of utilising the resources of a great variety of institutions, and also of making whatever additional provision may be necessary, will, it appears to us, be capable of coping with the problem on which we have been desired to report.

ocke, Vol. I., 966, p. 632, 2. Tycliffe Wilson, Vol. ., 11412. ullon, Vol. ., 12404, 88, c. 1. ennett, ol. II. 898-9.

Franchise, removal of disabilities. Dendy, Vol. I., 826. Fry, Vol. I., 5656–5657. Corner, Vol. I., 9745–9751 Sherlock, Vol. I., 8830 p. 513, c. 2. Ashby, Vol. I., 10088.

196. Many of the witnesses have expressed strong opinions in favour of removing the taint of pauperism from those who, while not being destitute, are at present classed as paupers because they are destitute of the means of paying for all or any of the cost of the expensive treatment of their mentally afflicted, or epileptic, though not mentally defective, relatives. The general feeling appears to be that where parents or relatives are able to contribute to the maintenance of the patient they should be required to do so, and among the poorer class, who may be only able to subscribe a portion of the cost, they should be required to pay such portion, but without, in any case, being pauperised and thus losing their right to vote, as would be the case, at present, where relief was received from the Poor Law on account of a dependent wife or child up to the age of 16.

Franchise, removal of disabilities —*contd.*

In the case of so-called pauper patients in idiot asylums, many of them have never been in a workhouse, and some of them cost the local rates nothing at all. Many of them are children of small farmers, tradesmen in a small way of business, clerks, artisans, and others, who, unable to pay the full charge, are yet able to contribute 5s. or 6s. per week, or even more, for the maintenance and training of their children. In order to make up the full charge of from 10s. 6d. to 14s. per week, the parents pay their contributions to the board of guardians, who receive the 4s. grant, add to it the parents' contributions, and thus in some instances make up the required amount. This pauperises the parent, though it does not do so in the case of children sent to blind or deaf and dumb institutions or educated at public elementary schools, where the schooling is paid for out of the rates, or even in the case of criminal or neglected children sent to reformatory or industrial schools.

Locke, Vol. I., 10966 p. 632, c 2 Elementary Education (Blind and Deaf Children) Act, 1893, Sec. 10, Sub-sec. (1). Kerr, Vol. I., 7768, p. 440, c. 2.

Douglas, V II., 14425, p. 202, c. 2 Vallance, V II., 14665. Williams, Vol. II., 15851, p. 2 c 1. Grayson, V II., 16999. Curtis, Vo II., 18762 p. 442, c. 1 Finsent, V II., 19148 p. 460, c. 2 Liesching, Vol. II., 19581. Buckle, Vo II., 20409.

Recommendation XCII.

We have accordingly made a recommendation that a person who has received for any mentally defective, or epileptic though not mentally defective, member of his family any such assistance derived from any rate shall not by reason thereof be deprived of "any franchise, right, or privilege, or be subject to any disability or disqualification."

PART II.

THE PROBLEM OF THE METROPOLIS.

CHAPTER VII.

The "Mentally Defective" Population of London.

The general position of London as to the mentally defective.

197. As we have already stated, the position of London in regard to the care of the mentally defective is exceptional. Connected with the Poor Law, the Metropolitan Asylums Board is endowed with special powers for dealing with this class. Very considerable provision has also been made by the Education Committee of the London County Council for the education of feeble-minded or mentally defective children. The difficulties of London are thus due, less entirely to insufficiency of accommodation, than to the want of any machinery which would lead to a readjustment of the relations of the several authorities concerned in this administration. There is in the Metropolis a considerable population of persons who are living in conditions of degradation and crime owing to the mental defects from which they suffer. But we did not think it practicable to make a census of the mentally defective in London with the aid of medical investigators, as we did in some other localities. We would therefore submit some general evidence as to the state of this population, by way rather of sample and illustration, than with any endeavour to furnish precise statistics of the whole number of the class. The population of school age in London is in all its circumstances unusually well known to the education authority; and from other quarters, we have received specially detailed information as to the inmates of Metropolitan prisons. This evidence throws light on the lives and surroundings of the children and young persons who are unsuited for the normal curricula of elementary schools, who at the age of sixteen are unable to provide for themselves, and at every stage of life are likely to fall into the hands of the police in consequence of the committal of offences of all kinds.

Children at the remand home.

198. To begin with the children. Notes of 100 cases of boys and twenty-eight cases of girls, juvenile offenders under sixteen years of age, who were placed, between arrest and conviction or discharge, in the remand home of the Metropolitan Asylums Board, supply one set of statistics which illustrate the connection of child criminality with mental defect. In the three years 1902 to 1904 inclusive, there passed through these homes 3,119 juvenile offenders. Two classes of offence are constantly registered against them. One large class comes under the title "wandering;" another under "stealing and larceny." Miss Turner, medical attendant to the Metropolitan Asylums Board's Home for Feeble-minded children, says, "It appears to me, that the charge of 'wandering' is often preferred to a graver one for placing on the charge sheet, but as a rule it covers some petty offence such as pilfering, begging, playing truant, etc.; and it was consequently impossible for me to find out the number of cases of 'wandering' in its simplest sense of aimless straying or loitering. These are evidently few." Taking the entry "wandering" in the wider sense, it is one of general significance, and it is thus specially noteworthy for our purpose, as it is a very common charge on which children, who have fallen or are in danger of falling into crime, are brought before magistrates with a view to their committal to industrial schools. In the following statistics "wandering" appears to be constant and seems to increase from the age of seven to that of thirteen; while stealing and larceny, often also associated with mental defect, rise from a comparatively small percentage at eight years of age to forming the bulk of the charges at fifteen. The following figures indicate this :—

Turner, Vol. I., p. 503, c. 1. I., p. 704.

Boys: In the M. A. B. Homes, 1902–4, who had been charged with "wandering," which term includes sleeping out, playing truant, begging, being beyond control, etc.

—	Ages.											
	Under 7.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	Over 16.
Cases of Wandering	28	44	73	110	138	155	144	139	30	26	16	2

Children at the remand home—*contd.*

GIRLS: In the M. A. B. Homes, 1902–4, who have been charged with "wandering," which term includes sleeping out, playing truant, begging, being beyond control, etc.

	Ages.											
	Under 7.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	Over 16.
Cases of Wandering, etc.	12	13	19	30	42	39	29	36	6	2	6	3

BOYS: In the M. A. B. Homes, 1902–4, who have been charged with stealing and larceny.

	Ages.											
	Under 7.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	Over 16.
Cases of Stealing and Larceny	–	3	15	26	42	51	94	111	136	142	32	5

GIRLS: In the M. A. B. Homes, 1902–4, who have been charged with stealing and larceny.

	Ages.											
	Under 7.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	Over 16.
Cases of Stealing and Larceny.	–	–	–	2	4	5	8	15	20	42	9	–

Turner, Vol. I. cf. p. 503 and Vol. I., p. 704.

199. It is noticeable how young are many of the children in the remand home—a fact suggestive of the necessity of commencing the education of habit at a very early age. Of these children, 164 were seven years of age or under seven years of age, and as many as 591 were nine years of age or under nine. The figures suggest whether in London the early education that might prevent this juvenile crime is forthcoming. In any case, however, here we find in association "wandering, etc.," and "stealing and larceny," two traits which are closely connected with mental defect and both of which occur at an early age in a marked form—that is, to the extent of leading to the arrest of the child. Out of these "Remand Home" children were taken at haphazard the hundred boys and the twenty-eight girls who were medically examined, and in regard to whom special inquiries were made. These were classified as follows :—

	Boys.		Girls.	
Above the average	2		1	
Eccentric (not feeble-minded)	5		0	
Normal	56		11	
		— 63		— 12
Backward	18		7	
Slightly mentally deficient	10		5	
Mentally deficient	9		4	
		— 37		— 16
		100		28

200. The result is remarkable. Out of the boys thirty-seven were graded as between "backward" and "mentally deficient"; out of the girls sixteen out of twenty-eight were so graded. If these proportions are applied to the numbers of boys and girls treated year by year as juvenile offenders the seriousness of the question becomes apparent. Thus, if we take

girls at the remand home who were under seven years of age, in the three years they numbered thirty-two, of whom fifteen were living with prostitutes; and of girls thirteen years of age, ninety-three in all, fifteen were charged with stealing and larceny, ten with living with prostitutes and thirty-six with wandering, etc. As mentally defective, after sixteen or later, more than half of these would be likely to come upon the public authorities, or on voluntary charity for support. The same would apply to over one-third of the boys under seven—forty-two in all—of whom nine are living with prostitutes and twenty-eight charged with "wandering"; while of the age of thirteen, in the three years 1902 to 1904, there were three hundred and ninety-seven in the remand home, one hundred and eleven charged with stealing, fifty-three with felony, six with living with prostitutes, and one hundred and thirty-nine with wandering, etc.

Children at the remand home—*contd.* Turner, Vol. I., pp. 704 and 707.

201. Again, if, as seems quite likely, the home circumstances of these "backward" and "slightly mentally deficient" and "mentally deficient" children are similar to those of the children admitted to the residential homes of the Metropolitan Asylums Board, where, while they attend special schools, children maintained by the Poor Law are boarded, an examination into the circumstances of these "residential children" should throw light on the condition of the others—the mentally defective in the remand homes. Accordingly we submit particulars about the home circumstances of these "residential" cases. Forty of these cases have been specially investigated and were put before us as illustrative of the conditions of degradation which are thought to be productive of feeble-mindedness. In the forty cases, fourteen fathers (35 per cent.) and ten mothers (25 per cent.) were known to have been heavy drinkers. In two cases (5 per cent.) death took place as the result of drinking. Phthisis was found in eleven fathers (27·5 per cent.) and seven mothers (17·5 per cent.). In the case of five fathers and one mother it was aggravated by alcoholism. Thus, of the total cases, 60 per cent. were those of drinkers, and 30 per cent. of phthisical persons.

Cases at residential homes of the Metropolitan Asylums Board. Turner, Vol. I., p. 501.

Flagrant immorality was charged against six fathers (15 per cent.) and seven mothers (17·5 per cent.). Of the 127 children under care, nineteen (14·9) were illegitimate, and seventeen were deserted, many of whom it might reasonably be concluded were illegitimate also.

Eight fathers (20 per cent.) had been insane, five had died insane, and four mothers (10 per cent.), of whom one had died in an asylum. Seven fathers (17·5 per cent.) and five mothers (12·5 per cent.) had suffered from nervous disorders. These included two cases of epilepsy in the mother, and cases of paralysis, chorea, and mental deficiency; and three cases of such violent temper on the part of the father, that the wife in giving the information in each case suggested that her husband must be insane! "In three cases there was a definite history of syphilis, but probably the percentage of this disease was usually very much higher, as suggested by the characteristic type of some of the children."

202. Information obtained in regard to the families of thirty-five out of forty mentally deficient children who were attended professionally otherwise than at the residential homes, though very incomplete, goes, it is said, to show that the same factors are at work here in the production of mental deficiency. An examination of cases of normal children among the private patients of the same witness, principally well-to-do people, suggested that the average of morbid "heredity" derived from such parents was very low indeed compared with the others—less than a fifth of what it was among the paupers.

Turner, Vol. I., p. 502, c. 2. 8717. 8719–8720. 8725.

203. This evidence seems to be conclusive on two or three points. The children charged with offences as juvenile offenders form a group large enough to merit special consideration. They should be examined at an early age, and if mentally deficient should be kept under such conditions of education and supervision as may, as far as possible, prevent their ultimate dependence on the community. On the part of those charged with this duty there should be co-operation with every other authority that may possibly know their history and home already. The circumstances of the family should be taken into account in any decision that may be adopted in regard to their future; and their education, from the point of view of self-control and habit should commence early. Evidently they are not likely to get this education at home. It would have to be furnished from without. Provision has not yet been made for it in London.

Necessity for examination and early treatment of juvenile offenders

Chapter VII.

The "Mentally Defective" Population of London.

Children not admissible to special schools and requiring custodial treatment, Kerr, Vol. I., p. 435. c. 1; Vol. I., p.441, c. 1; Vol. I., 7797.

204. The investigations of Dr. Kerr, the Medical Officer (Education) to the London County Council, and his assistants throw light on the same problem from another side. He has to select the children for admission to the special schools for mentally defective children. Out of 4,561 cases submitted to him as requiring examination with that object, 1,728 were entered as mentally defective, 187 rejected as imbecile—42 per cent. in all. For these cases when they reach the age of sixteen there is no suitable provision; yet, as we shall presently show, many of them under existing conditions are at that age incapable of even partial self-support. Of the 4,561 children, for instance, 434 were leaving school, and of these only 140 were "permitted to go to work," as being likely to be competent to do it without mishap to themselves or injury to the community. But the rest of the feeble-minded children were permitted to leave school without regard to ultimate results—though even at the age of twelve, a large number of them had been found to require custodial treatment. Thus, out of 455 children over twelve who were examined by Dr. Kerr, in 126 cases it was decided that in the future they would be fit only for custodial treatment. For these imbeciles who require custodial treatment at twelve, or even for the smaller number who require such treatment after sixteen, there is altogether insufficient provision in London, though each year the number of them at the schools is kept down by the refusal to admit them—177, for instance, in 1901.

Kerr, Vol. I., p. 435, c. 1. Vol. I., p. 430, c. 1.

Helby, 5375–5379. Stanley, 7236. Sherlock, 8853.

205. It is true that this insufficiency of provision may in part be due to the fact that the Metropolitan Asylums Board have not been pressed to deal with it. They are not in correspondence with the local education authority but only with the Poor Law guardians, who naturally approach the question from another standpoint, chiefly that of pauperism. But, however this be, as experienced witnesses have informed us, the general demand for accommodation after sixteen is to a very large extent unmet. The education authorities, and many managers of voluntary homes, have amply proved this. And there is not in these cases, it must be remembered, any special importance in dividing life into school life before sixteen and after-school life after sixteen, for in regard to them there is always a certain deterioration or backwardness to be overcome, and, under present conditions, it is often only at a much later age that general ability, resulting from training, can suffice wholly, or in great part, for self-maintenance.

Condition of feeble-minded children just after leaving school. Kerr, Vol. I., p. 442, c. 1.

206. Later in life in those cases in which protection is not forthcoming, the results are often fatal. We have received much evidence of this: but the following short Report of the head mistress of the special school at Bath Street sums the matter up in regard to children just at the point at which the breach occurs between school life and life after school.

"The head mistress of Bath Street Special school has analysed records of the ninety-five boys and forty-four girls who have passed out of the school in the last seven years, eighteen boys and fourteen girls being promoted to the elementary school, and, as a rule, doing fairly well afterwards. Nine boys and five girls were, after a probation, excluded as imbeciles, 'two are in institutions, two are well cared for, the rest running the streets.'

"On leaving, the girls mostly go to boxmaking, where, in a year or two, if they are fairly quick with their fingers, they earn 6s. to 7s. a week at piece work. Many are quiet and well-behaved, and attend an evening club for old members of the class, and in a few cases evening cookery classes. The boys, as a rule, go on vans, or as errand boys, where they generally obtain at first wages of 5s. to 8s. weekly. The real difficulty with boys commences at about seventeen. Such work as they do, means very long and late hours, and small wages. As they get older, feeling that they are only getting boys' wages, they throw up their situation, to find it almost impossible to get anything else to do. In most of the cases where boys have been taken in hand by some philanthropic agency in the neighbourhood, the effort has ended in failure. Fifty-five (twenty-five boys and thirty girls) of the 139 children it was impossible to trace, and probably it is the best of the children who have kept in touch with the school."

Adult feeble-minded in prisions. Griffiths, Vol. I, p. 199.

207. Later, many mentally defective persons pass through the prisons. Thus at the Holloway Prison, out of 803 women there on November 29th, 1904, eighty-three were of that type, forty-one of them chronic inebriates, thirty-nine feeble-minded, and three insane; and of 1,297 convicted prisoners received during that month, fifty-six were feeble-minded, suggesting that there is a constant procession of these feeble-minded persons, men and women, through

the prison, each in turn receiving a short or comparatively short sentence and then disappearing, sometimes only to return again. From particulars attached to a list of thirty-nine feeble-minded women in Holloway on November 29th, 1904, it appears that ten were in prison for stealing, eleven for indecency and similar offences, and five for drink. Apart from four epileptics, all were congenital imbeciles or feeble-minded. Seventeen of the thirty-nine were thirty years of age or under. Adult feeble-minded in prisons—*contd.*

208. There is thus a comparatively large class of feeble-minded persons who are not now considered as insane, but who cannot fairly be held responsible for their misdeeds, and who are the cause of great trouble and anxiety to those who deal with them. Many of them in their youth have not been kept under control by their parents. Frequently little attempt has been made to educate them, as they are undesirable in the ordinary schools and classes, and special schools and classes are comparatively few in number. When they come to the working age, their mental defect stands much in the way of their getting employment. They are only fit for unskilled labour, and most of them are so wanting in the power of continued application, that they soon leave of their own accord, if not previously dismissed for stupidity. They are greatly wanting in initiative, and they are easily influenced by others. Their moral sense is very defective. Scott, Vol. p. 276. Brayn, Vol. I p. 164. Smalley, Vol. I., 3538–3540. Treadwell, Vol. I., 4440. Tuke, Vol. I., 4674, 4678–4682.

This in general represents the later stages of the class for which no earlier or sufficient provision has been made. For this later period of life our present administrative organisation is quite unsuitable.

CHAPTER VIII.

Authorities in London for Dealing with the Mentally Defective.

209. The authorities which are concerned with the care and control of the mentally defective in London are the Guardians of the Poor, the Metropolitan Asylums Board, the London County Council through its Education Committee and its schools, and again the London County Council through its Asylums Committee and lunatic asylums. To explain and illustrate the working of the Poor Law in London in regard to the mentally defective it is necessary to take into consideration the work of all these agencies. Authorities in London for dealing with the mentally defective.

210. In the following table is shown the distribution of the mentally defective in London (including the insane) in relation to different authorities:—

Table of the Mentally Defective Provided for by Public Authorities in London, January, 1905 and 1906.

	1905.			1906.			Remarks and source of figures.
	M.	F.	Total.	M.	F.	Total.	
I.—*Workhouses and Infirmaries (including the City of London Workhouse, but excluding the Metropolitan Asylums).*							
Certified pauper lunatics - -	–	–	291	–	–	269	Information obtained from the Lunacy Commission.
II.—*Outdoor.*							
Certified pauper lunatics - -	–	–	70	–	–	63	Pauperism (England and Wales). Half-yearly statement 1st January, 1905, 1906.
III.—*Workhouses and Infirmaries.*							
Uncertified feeble-minded persons	346	564	910*	450	734	1,184*	*Besides 149 children (1905) and 169 (1906)
IV.—*Outdoor.*							
Uncertified feeble-minded persons	8	26	34	18	36	54†	Return 1st January, 1905–6. Appendix Vol. V., p. 71.
V.—*Institutions: Metropolitan Asylums Board.*							
Leavesden: Certified imbeciles -	812	957	1,769	809	967	1,776	Annual Reports, Metropolitan Asylums Board, for 1905 and 1906, Appendix II. Imbecility.
Caterham: Ditto - - - - -	881	1,040	1,921	850	1,045	1,895	

† Excluding 2 children.

Authorities in London for dealing with the mentally defective—*contd.*

TABLE OF THE MENTALLY DEFECTIVE PROVIDED FOR BY PUBLIC AUTHORITIES IN LONDON, JANUARY, 1905 AND 1906—*continued.*

	1905.			1906.			Remarks and source of figures.
	M.	F.	Total.	M.	F.	Total.	
V.—*Institutions: Metropolitan Asylums Board—continued.*							
Tooting Bec: Helpless imbeciles requiring infirmary treatment (*Mann I. p. 281, c. 1; Helby, 5293; Beresford, 5434*).	307	407	714	315	414	729	Annual Reports, Metropolitan Asylums Board, for 1905 and 1906, Appendix II. Imbecility.
Tooting Bec: Central receiving home for children.	7	14	21	17	14	31	Ditto.
Belmont: "Unimprovable imbeciles," certified.	–	–	–	248	–	248	
Darenth: For the accommodation and training of the improvable of all ages. (*Rotherham, 8759*). Asylums: schools and industrial colony; and pavilions now for a time used for unimprovable younger patients.	955	880	1,835	991	920	1,911	Ditto.
VI.—*Homes for Feeble-minded Children.*							
Lloyd House, 11, Lloyd Street, Pentonville, W.C.	–	19	19	–	25	25	Information obtained from the Metropolitan Asylums Board.
12, Lloyd Street, Pentonville, W.C.							
81, Earlsfield Road, Wandsworth, S.W.	–	9	9	–	8	8	
60, 62, 64, Kingwood Road, Fulham, S.W.	19	–	19	20	–	20	
16, Elm Grove, Peckham, S.E.	10	–	10	13	–	13	
Surrey House, S. Ann's Hill, Wandsworth, S.W.	17	–	17	16	–	16	
Feeble-minded Colony, High Wood School, Brentwood	7	8	15	20	17	37	
VI.—*Asylums and institutions: Asylums Committee, London County Council.*							
Banstead	1,076	1,385	2,461	1,061	1,381	2,442	17th Annual Report of Asylums Committee as to the London County Asylums, p. 55.
Bexley	1,022	1,074	2,096	1,018	1,069	2,087	Ditto, p. 56.
Cane Hill	917	1,213	2,130	910	1,203	2,113	Ditto, p. 60.
Claybury	996	1,432	2,428	1,008	1,427	2,435	Ditto, p. 62.
Colney Hatch	915	1,270	2,185	917	1,275	2,192	Ditto, p. 65.
Hanwell	1,009	1,562	2,571	1,007	1,561	2,568*	*Average. Ditto, p. 66.
Horton Asylum	903	1,114	2,017	906	1,109	2,015	Ditto, p. 68.
Heath	–	–	–	–	–	–	
Manor	61	716	777	61	709	770	Ditto, p. 70.
Horton Colony: Epileptic Insane	264	58	322	265	62	327	Ditto, p. 72.
Boarded in other asylums	–	–	1,279	–	–	1,694	Ditto, p. 12.
Long Grove Asylum	–	–	–	–	–	–	
VII.—*Education Authorities.*							
Defective children on roll	–	–	4,050	–	–	4,928	Information supplied by London County Council.
Children under 16. Not passed as suitable for "special" schools	–	–	153*	–	–	153*	* Average of four years ending March, 1907. Information supplied by London County Council.
Children who left the "special" schools between the ages of 14 and 16.	–	–	159	–	–	170	These figures are for the years ending March, 1905 and 1906 respectively.
Children who left on reaching the age of 16.	–	–	92	–	–	83	

N.B.—Besides these, on a day count there are probably some 140 mentally defective prisoners in the London prisons.

The Metropolitan Asylums Board.

211. London, under the Metropolitan Asylums Board, forms for the treatment of the mentally defective a single district comprising the unions or parishes of thirty-one boards of guardians. Accordingly the boards of guardians have at their disposal for these cases not only their workhouses and workhouse infirmaries, but, subject to the production of certain certificates, they have also the use of the asylums and homes of the Metropolitan Asylums Board. This system fulfils the principal conditions of the scheme which some of our witnesses have very strongly recommended for the treatment by the Poor Law of all cases of mental defect other than those of children being educated at special schools and of lunatics admitted to asylums for the insane. It is the more necessary, therefore, to examine it closely in order to ascertain whether it does in fact meet the requirements suggested by our reference of providing for the care, training and control of the mentally defective sufficiently and economically.

Helby, Vol. I., 5258.

Mann, Vol. I., pp. 281 and 693.

212. The following table contains recent figures in regard to these institutions. It indicates also the present policy of the board in general; a very clear and enlightened policy, as it seems to us: (1) to congregate the improvable adults and children in an industrial colony—that at Darenth; (2) to provide for the unimprovable children now in the Darenth pavilions ultimately in some separate institution; (3) to utilise the Belmont Asylum for unimprovable adult imbeciles* and (4) to deal with all senile cases at Tooting Bec:—

Asylums.	Normal Accommodation, 9th February, 1907.			Patients under treatment, 9th February, 1907.		
	M.	F.	Total.	M.	F.	Total.
Caterham }	888	1,055	1,943	838	1,031	1,869
Leavesden }	859	1,018	1,877	815	971	1,786
Darenth—						
Training School Section for children. (For improvable patients.)	272	230	502	245	205	450
Industrial Colony Section for adults. (For improvable patients.)	459	602	1,052	469	594	1,063
Pavilions, at present used for unimprovable children.	308	132	440	288	149	437
Tooting Bec Asylum—						
Adults	381	474	855	272	449	721
Additional accommodation now in course of erection. (*For helpless Imbeciles requiring Infirmary treatment.)	105	102	207	–	–	–
Receiving Home for children - -	20	16	36	9	8	17
Rochester House Temporary Asylum (closed).	(temporary)		–	–	–	–
Gore Farm Temporary Asylum (closed) -	(temporary)		–	–	–	–
†Belmont Asylum for unimprovable Imbeciles.‡	336	–	336	298	–	298
Total - - - - - -	3,619	3,629	7,248	3,234	3,407	6,641

* "More or less old men and women suffering from senile decay." (*Helby*, Vol. I. 5293).

† These numbers apply to the portion of this Asylum now in use. Plans for the adaptation of the remaining portion (to accommodate about 470 patients) are now under the consideration of the Local Government Board.

‡ Who "can simply dress themselves and walk about. They do not come in the Industrial Colony or the Improvable School." (*Helby*, Vol. I. 5258).

Homes for Feeble-Minded Children.	Normal Accommodation 9th Feb., 1907.		Patients under treatment, 9th Feb., 1907.	
	M.	F.	M.	F.
Lloyd House, Pentonville - - - - -	—	20	—	20
12, Lloyd Street, Pentonville - - - -	—	8	—	7
81, Earlsfield Road, Wandsworth - - -	—	10	—	8
60, 62, 64, Kingswood Road, Fulham - -	22	—	21	—
16, Elm Grove, Peckham - - - -	14	—	13	—
Surrey House, S. Ann's Hill, Wandsworth -	16	—	14	—
(*a*) High Wood School, Brentwood (*Cottages at*)	—	Say 60	—	36
(*b*) Bridge Industrial Home, Witham - - -	Say 150	—	63	—
Total - - - - - -	202	98	111	71
	300		182	

(*a*) Working colony for elder girls. (*b*) Working colony for elder boys.
* This Asylum is now closed and leased to a Board of Guardians.

Chapter VIII.
Authorities in London for Dealing with the Mentally Defective.

General powers of Guardians in London. Adrian, Vol. I., 85, 86, 88.

213. The guardians in London have all the general powers which guardians in the country possess. They may, for instance, place an orphan or deserted child in a certified school supported wholly or in part by voluntary contributions. They may, with the approval of the Local Government Board, send to schools that may not have been certified, children under the age of sixteen who are idiots or imbeciles resident in a workhouse or an institution to which they have been sent or boarded out. With the same consent, they may subscribe to any asylum for "persons suffering from any permanent or natural infirmity." They may also send an idiotic pauper to an asylum or establishment for the reception and relief of idiots maintained at the charge of the county rate or by public subscriptions. They have thus the amplest opportunity of using voluntary associations for the feeble-minded with and without the guarantees of inspection and certification.

Adrian, Vol. I., 88. Poor Law Amendment Act, 1868, Sec. 13.

214. In regard to the feeble-minded, their position is shown in the following statement; according to a return made to the Commission by the clerks to the guardians,* the separate Metropolitan Boards of Guardians on January 1st, 1906, were dealing with 1,407 cases of feeble-minded persons (exclusive of persons certified as insane). Of these about 933, or 66 per cent., were in the ordinary wards of the workhouse, as the following table shows.

Appendix, Vol. V. p. 71.

London.	In Workhouses or other Institutions belonging to the Guardians.		In other Institutions.	Receiving outdoor relief.	Total.
	In special wards or establishments.	In other wards.			
1.	2.	3.	4.	5.	6.
1905	242	639	178	34	1,093
1906	248	933	170	56	1,407

There is no reason to believe that these feeble-minded are different from those dealt with by the Metropolitan Asylums Board in some one or other of their institutions, and our own observation detected a general similarity.

215. Besides the powers we have mentioned the guardians have also the use of the institutions of the Metropolitan Asylums Board. Amongst the persons, certified and uncertified, whom the guardians may recommend to the Metropolitan Asylums Board, there are certified persons of unsound mind who, from the point of view of the mental disorder from which they are suffering, are quite the same as those who are admitted to the lunatic asylums of the county of London, though, in fact, they are dealt with by the Metropolitan Asylums Board.

Mann, 4978. Vol. I., p. 280. c. 1. Rotherham, Vol. I., 8762.

In addition to these, there are also cases of defective children known to the education authorities, some of which at the age of sixteen come for care upon the boards of guardians and so upon the Metropolitan Asylums Board; and further there is, as the evidence shows, yet another considerable group of children under sixteen who cannot be certified as suitable for admission to the special classes of the Education Committee of the County Council, or who, after sixteen, not being passed on to any institution, remain as idiots and imbeciles or feeble-minded in the general population.

216. To judge, therefore, of the circumstances of London in reference to the care and treatment of the mentally defective, it is necessary to take into account all those authorities by whom such persons, the certified and the uncertified alike, are educated or maintained. These authorities may be considered as separate units, each fulfilling a different function in one common organisation or they may be considered as separate units which are not co-ordinated and are each fulfilling the same or similar functions.

* With regard to the information contained in this Summary, it should be mentioned that the registers kept in the Poor Law unions do not specifically provide for a record of persons who could be classed as feeble-minded but not certifiable as insane. The particulars given in the returns are based on the opinion of the medical officers in the matter.

CHAPTER IX.

Institutional Disorganisation as to the Mentally Defective.

217. In a previous chapter we referred to the question of detention and certification in relation to Poor Law administration outside London. We have now to consider it in relation to London. The conditions are different, but in general the system that we suggested will apply equally. As an indication of the method of admission and certification in connection with the Metropolitan Asylums Board, we would take first several classes of cases, as, for instance, the harmless chronic or imbecile, the senile, and the "unrecovered cases," and then we would follow out the procedure adopted in a simple case in relation to the several authorities concerned.

Want of Co-operation between the Authorities as to the harmless, chronic, or imbecile class.

218. The Metropolitan Poor Act, 1867 (30 & 31 Vict., c. 6), enabled the Local Government Board, or rather the Poor Law Board, as it then was called, to form the Metropolitan Asylums Board to provide asylums for London for the reception of the sick, insane, or infirm or other class or classes of the poor chargeable to unions or parishes in the Metropolis. Two conditions were insisted on by the Order. The insane paupers to be sent to the Metropolitan Asylum Board's institutions were to be "such harmless persons of the chronic or imbecile class as could be lawfully retained in a workhouse." "No dangerous or curable persons could be admitted, such as would under the statutes in that behalf require to be sent to a lunatic asylum." And next (by Order dated April 2nd, 1897) provision might be made for "children who, by reason of defect of intellect, could not properly be trained in association with children in ordinary schools." Such children (by Order, March 4th, 1903) might be retained until the age of twenty-one, but whether children or adults, the class with which the Asylums Board was authorised to deal was the "pauper class," that is, "persons for whose maintenance the guardians of the poor are or make themselves responsible."

219. This Act and these Orders suggest that a division of labour between the asylums authorities, the Poor Law, and the education authorities was intended. To the asylums authorities under the Lunacy Act were to go the dangerous or curable cases, and to the asylums of the Metropolitan Asylums Board were to go the harmless chronic insane or imbecile. It follows from this that as the Asylums Board could, if they desired, make separate provision for "feeble and decrepit old people" as "sick" or "infirm," these, if the suggested classification were to be enforced, should not be sent to the institutions of the Board, which were established for the harmless chronic "insane" or imbecile; but that the institutions created for the latter class should be definitely reserved for them, and them only. It follows further that under the above-quoted Order, all these harmless chronic insane and imbecile persons should be sent not to the asylums of the County Council, the lunacy authority, but to the asylums of the Metropolitan Asylums Board, the authority for dealing with harmless chronic and imbecile cases. Nevertheless, in both directions, apparently, there has been transgression. Not only have the "feeble and decrepit old people, who, it is stated, are not really insane" been sent to institutions of the Metropolitan Asylums Board built and intended only for imbeciles and the harmless chronic insane, but they have also been sent to the asylums of the County Council, which, according to the Order, were primarily intended for the dangerous and the curable.

220. The instructions thus laid down by the Local Government Board, and, apparently, in great measure ignored, came into force, it must be remembered, at a time when the only local bodies that could be adapted to meet the wants of a growing administration were the boards of guardians, and this involved another difficulty. The new arrangements under the Metropolitan Poor Act were made for the "pauper class" only, and no similar arrangements were made for those who could afford to pay for themselves or their dependents and who were not in any strict sense of the term "paupers." But for them, too, some provision was necessary. The same difficulty occurred in regard to the admission of persons suffering from infectious diseases to the institutions of the Metropolitan Asylums Board. At first these institutions were open to paupers only.

Want of Co-operation between the Authorities as to the harmless, chronic, or imbecile class—*contd.*

Later, that restriction was found to be unworkable, for the institutions were intended for the general use of the community and could not serve their purpose unless they were so used; and in this instance the restriction as to pauperism had therefore to be set aside.

221. Hence, on this ground and on the lines on which we have previously argued the case, it appears to us that, if there is to be co-ordination between the authorities and agencies concerned, it is essential that the care of the mentally defective should be made a duty not of the Poor Law authorities, but of specially qualified authorities organised with that object. It follows, further, that if the care of the mentally defective were transferred to another authority, on that authority should devolve, not only such duties as those included in the Metropolitan Poor Act of 1867, but those duties also, to which we first referred, which the guardians throughout the country possess for providing for the maintenance of this class in rate-supported or in voluntary homes.

Metropolitan Asylums Board and the local education authority.

222. As between the Metropolitan Asylums Board and the Education Committee of the London County Council there arises a question quite similar to that which we have discussed as between the Metropolitan Asylums Board and the Asylums Committee of the Council. The residential homes of the Metropolitan Asylums Board duplicate for so-called defective pauper children the homes which have been established by the Education Committee for school children who are equally defective, though not technically "pauper." Yet if it is desirable that the mentally defective children of whom the Board have charge should attend the special classes of the Education Committee, and should not, as some of the witnesses have suggested, be admitted at a very early age into the Darenth industrial colony or some similar institution, and there receive all their education, it would seem best and most economical to have one instead of two sets of ancillary homes, to be used alike by all the feeble-minded of the same mental grade.

Senile cases, certification and discharge.

223. The certification and discharge of senile cases is another matter to which several witnesses have drawn our attention. Dr. Campbell, the medical superintendent of the Caterham Asylum of the Metropolitan Asylums Board, states that:—

Metropolitan Asylums Board Annual Report for 1905, pp. 232, 225.

"The aged, feeble, and helpless condition of those sent down for care and treatment in this asylum has been the subject of comment in past annual reports, but in no previous year (in his opinion) have the admissions been as unsatisfactory as during the past twelve months."

And of Tooting Bec, also, an asylum under the Metropolitan Asylums Board, Dr. Beresford, the medical superintendent, writes:—

"The character of the admissions has comprised a large proportion of very feeble and decrepit old people. . . . At the present moment 489 [out of about 714] of our inmates are of faulty habits. These figures convey more eloquently than the longest report the endless work and ceaseless anxiety which the care of patients of this type entails to those in charge of them. The healthy strong congenital case has been conspicuous by its absence. Whether they are retained by the workhouses 'as hewers of wood and drawers of water,' or whether they are sent to the asylums of the London County Council, I have no very definite information; but the fact remains that they do not come here, and that Tooting Bec should be called an imbecile asylum does not convey a correct statement of fact. In the adult wards of this institution there is not, at the present moment, a higher percentage of congenital cases than one would find in any county asylum."

Beresford, Vol. I., 5433, 5434.

224. These asylums, then, it appears, are being used not for imbeciles so much as for "very feeble and decrepit old people," whom the guardians pass on to clear their workhouses of troublesome cases. That they get better attention there is admitted. They are nursed as in a hospital, and under very different conditions from those which they have left, as is illustrated by the fact that on the female side, "out of 302 admissions, ninety-four were sent in from the parishes with lice in their heads." But the institution which was established for helpless imbeciles requiring infirmary treatment is thus being diverted to the use of old or rather moribund people.

Beresford, Vol. I., 5484, 5487.

"The average age on the female side is seventy-five, and on the male side seventy-four." "Many cases come to Tooting Bec who have been in bed for months and months and months, who have been got up each day."

Mr. Helby, now Chairman of the Metropolitan Asylums Board, stated :— Senile cases, certification and discharge—*contd.* Helby, Vol. I., 5293.

"Since Tooting Bec Asylum has been opened the Boards of Guardians appear to send all the senile decay people to us, certifying them as imbeciles—a most cruel thing. Our Tooting Bec Asylum is practically nearly full of what are termed imbeciles of that character, nothing more nor less than old men and women suffering from senile decay. One of the guardians is a justice of the peace, who calls in a couple of medical officers, and they certify this poor old soul because she is troublesome and dirty, and so forth, and thus she becomes an inmate of an asylum. To my mind it is very cruel; not only so, but it is a great mistake, because in congregating this class of patient together the expenditure is so greatly increased. In my opinion the proper place for this class of patient would be an infirm ward in the workhouse infirmary, where the relatives could visit them. The cost would also be less."

225. But further, on the side of the asylum authorities of the London County Council there is the same complaint. Dr. Mott, Director of the Pathological Laboratory of the London County Council, says :— Mott, Vol. I., p. 455, c. 2. Tables as to aged patients. Report of the Asylums Committee of the London County Council, 1903, p. 22.

"The pressure for accommodation in the asylums is partly due to the admission of aged patients suffering with mild senile dementia, softening of the brain, etc., who have loss of memory and are sometimes noisy and troublesome and unable to take care of themselves."

In the four years, 1899 to 1902, 590 patients were admitted to the London county asylums over seventy years of age.

"All the patients in workhouses who are feeble-minded, whose mental defect is fairly obvious, in London come into the Metropolitan Asylums Board's institutions. They do not want them in the workhouse, and, if they can be moved on, the workhouse people move them on. The accommodation in London workhouses is limited: it is too small."

rlock, I. I., 8–8839.

Generally speaking, this is true, though apart from these cases it was found on special inquiry that there were in addition to the feeble-minded persons admitted to the asylums of the Board 1,181 others who were in the workhouses.* Appendix, Vol. V., p. 71.

226. It results from this pressure, as we have seen, that institutions intended for imbeciles are turned into institutions for senile and other cases, and there is an extreme insufficiency of accommodation in the county asylums for lunatics. London is more "under-asylumed" than Lancashire, which is itself "very much under-asylumed." "We have always had patients waiting to come in," Sir John McDougall said. "Many hundreds?" he was asked. "Yes," he answered, "if you include those boarded outside, we are always behind." To neutralise this pressure at the county asylums as much as possible there is a large discharge of cases that have not really recovered. Insufficiency of accommodation for lunatics in asylums. Marriott Cooke, Vol. I., 6465-6466. McDougall, Vol. II., 17503, 17504.

"Owing to the pressure of accommodation and legal difficulties of retention, a considerable number of patients have to be discharged annually who would be better retained in asylums. . . . If the friends press and they are desirous that they (the patients) should be taken out, they are sent out on a month's trial." Mott, Vol. I., p. 455, c. 2. Vol. I., 8084.

t, Vol. I., 457-458.

227. If we examine the recurrent cases we find that of 8,933 persons discharged as recovered in the eight years, January 1st, 1895, to December 31st, 1902, 1,119, or 12.52 per cent., were re-admitted *within twelve months of their discharge* (up to March 31st, 1903). And a further anomaly: while this method of "passing on" is in progress as between the guardians and the Metropolitan Asylums Board, and the guardians and the asylums of the London County Council, the board and the council are each in great measure dealing with the same class of case. Thus, the opening of the Tooting Bec Asylum by the board accounted in some measure for the diminished increase of the certified patients dealt with by the Asylums Committee of the County Council, as patients who had been sent to this asylum might otherwise have found their way into one of the county asylums; and the Asylums Committee by the courtesy of the board were able to draft 198 patients to the Tooting Bec Institution, "these patients being thus placed out of the category of certified lunatics in asylums." Recurrent and unrecovered and senile and imbecile cases. Fifteenth Annual Report of the Asylums Committee of the London County Council, p. 6.

228. This side of the case, the relation of the Asylums Committee of the County Council to the guardians of the poor on the one hand, and the Metropolitan Asylums Board on the other, is very fully dealt with by Sir John McDougall, who was for sixteen years a member of the Asylums Committee of the London County Council, and for three years Chairman of the Council; at the risk of some repetition, it is well, we think, to state his views in some detail.

*With regard to the information contained in this Summary, it should be mentioned that the registers kept in the Poor Law Unions do not specifically provide for a record of persons who could be classed as feeble-minded but not certifiable as insane. The particulars given in the Returns are based on the opinion of the Medical Officers in the matter.

Recurrent and unrecovered and senile and imbecile cases—*contd.*

McDougall, Vol. II., 17629.

17647.

17541.

17542.

17544.

Vol. II., p. 374, c. 1.

17564.

17551.

17757-17760.

17562.

Vol. II., p. 373, c. 2

Patients were sent to the asylums of the county council who were senile and not strictly lunatic. "I object to the pauper dement or senile being sent unnecessarily as a lunatic to an asylum. I think a little care and treatment, watching them in the workhouse or an associated workhouse, is quite sufficient." "They could be kept with all the care and all the nursing you could give them in the workhouses . . ." "There is a number of patients now certified that need not be certified." "Nine-tenths of the patients come through the workhouses." The old senile dements are sent to the county asylums practically because some one wants to get rid of them. A great number of the patients complain very much, and the friends complain very much, that they are sent without the knowledge of their friends." They represent "very nearly one-third of those we receive. We have hundreds and hundreds now that we could dispose of if we had asylums similar to the imbecile asylums belonging to the Metropolitan Asylums Board." "It is a serious matter affecting the relatives and as touching on the question of heredity, to brand as a lunatic a man or woman whose faculties are simply decayed by the advance of years." The County Council has no option but to receive the cases, if they are presented to them properly certified, "but we have written many times to the various boards of guardians, endeavouring to stop the import, but we cannot send a patient that we think might be kept in a workhouse back to the workhouse unless the workhouse medical man will certify that there is proper accommodation for him there, which we can never get done." And then as to the Metropolitan Asylums Board Sir John McDougall stated that between June, 1901, and February, 1903, —when the Tooting Bec Asylum was opened—it was agreed that "upon the transfer of a patient from one of the board's asylums, a patient from a county asylum would, if required, be immediately received." But when the Tooting Bec Asylum was opened for the further reception of all imbeciles, the board for some reason put an end to the exchange of accommodation and no longer sent in fortnightly lists of vacancies. Since then there had been no systematic distribution of the different classes of patients between the two bodies, by which the imbeciles were sent only to the institutions of the Asylums Board, the acute and dangerous patients only to the county asylums. He thought that at the asylums of the County Council they could pick out many patients, chronic patients, chronic feeble dements, who might be sent to cheaper asylums. "Some 4,000 to 5,000 harmless lunatics ought to have been sent direct to the Metropolitan Aslyums Board." Immediately any patient in the Asylums Board asylums gets troublesome or dangerous, the patient is certified for detention in a lunatic asylum, and is removed to one of the London County Council asylums. "There is thus a frequent interchange of patients between the two bodies, and I would say that, in my opinion, this kind of dual control is most unsatisfactory."

McDougall, Vol. II. 17547.

229. There is thus a pressure put upon the asylums of the County Council because the Poor Law guardians send their imbecile and senile cases to them, and because there is no distribution of these cases as between the Metropolitan Asylums Board and the County Council. The Asylums Board does not meet the need itself by providing for all harmless and chronic paupers; and thus the County Council, sorely in need of accommodation for acute and dangerous cases, cannot transfer the imbecile cases which block their establishment to the board that is primarily responsible for making provision for them. And so it comes to pass that, as Sir John McDougall says: "As far as I can judge there is no line between a lunatic and an imbecile of later age except that a very tiresome imbecile is a lunatic; a very quiet lunatic is an imbecile—that is the practical result of it."

230. These statements are supported by figures which show that the increase of lunatics belonging to the County of London is very large; that the lunatics have of late been transferred year by year from the guardians to the County Council asylums, and now few remain under the care of the guardians; that the pressure falls less and less upon the Metropolitan Asylums Board, and more and more upon asylums of the County Council, and that an increasing number of those who are sent as lunatics to these asylums are aged people.

231. The population of London has increased between 1890 and 1905 by 489,209, or 11·8 per cent.; the number of certified pauper lunatics for whom the council had to find accommodation increased from 10,100 to 17,770, or at the rate of 75·9 per cent. If the number of all classes of pauper lunatics be totalled—those in the Metropolitan Asylums Board asylums, those in workhouses and those with relatives and friends—the increase is from 16,358 to 24,652, or 50·7 per cent. The demand for accommodation is thus outstripping largely the increase of population.

Pauper lunatics and division of work as between the County Asylums Committee and the Metropolitan Asylums Board.

232. The following table indicates the movement of pauper lunatics :—

McDougall, Vol. II., p. 372, and p. 373.

London Pauper Lunatics Resident.	1st January, 1890.		1st January, 1905.		1st January, 1906.*	
	Numbers.	Per Cent.	Numbers.	Per Cent.	Numbers.	Per Cent.
In County Asylums and Licensed Houses.	10,100	61·74	17,770	72·08	18,130	72·64
In Imbecile Asylums - - -	5,566	34·03	6,450	26·16	6,411	25·69
In Workhouses - - - -	408	2·49	280	1·14	264	1·06
With Relatives and Friends - -	284	1·74	152	·62	152	·61
	16,358	100·00	24,652	100·00	24,957	100·00

The pressure on the County Council asylums thus continues to increase, yet not, in 1905 or 1906,† at the high rate of former years, while of the whole number of persons certified as "insane" a smaller proportion of "imbeciles" is maintained by the Metropolitan Asylums Board—though the distinction between those who are properly "imbecile" and should be maintained by the board, and those who are "insane" and should be maintained by the Council, is not preserved. And in general confirmation of this, we may mention that we learnt from Dr. Tredgold, who spent two years studying the various aspects of mental defect under the County Council, that in the asylums of the County Council there were during that period about 700 idiots and imbeciles in a total population of 14,000, or roughly about 5 per cent.

Tredgold. Vol. I., 7281. p. 399. c. 2.

233. Lastly, in a Return made in the year 1903 of those in that period admitted to the County Council Asylums, it appeared that out of 4,502 admitted, 483 were sixty-five years of age and upwards, and of those 311 had never been previously certified. Hence, as in the case of the Metropolitan Asylums Board, so in the case of the county asylums, those institutions appear to be becoming more and more a refuge of the aged, whose minds and bodies are alike in decay.

McDougall, Vol. II. p. 374, c.1.

234. All this demonstrates that there is no systematic division of labour between the board and the council, and that they deal with the same class of case to a very large extent. It results that many are certified and dealt with as lunatics unnecessarily, inasmuch as they do not need the special care and treatment which a lunatic asylum is designed to provide. This is a strong argument for unification of control and uniformity of certification. But the financial arrangements of the administration of the Metropolis represent a further element of difficulty. They put a premium on the Poor Law Guardians sending out of the workhouses all cases that can be certified. This is very clearly shown by Sir John McDougall :—

Financial considerations affecting the policy of the guardians in sending cases to the county asylums.

McDougall, Vol. II., p. 374 c. 1.

"The whole cost of the maintenance of pauper lunatics, paid by the guardians, is, after allowing for the grant, borne by the Common Poor Fund, and the grant of 4s. per week is, in effect, paid into the Common Poor Fund, and acts as a relief to the rates of London as a whole. In the case of London, however, the fact that the whole cost of lunatics is centralised, while the cost of ordinary paupers is only partially centralised, offers a strong inducement to the guardians to send paupers from the workhouse or infirmary to county asylums. The same remark applies to the sending of paupers to the asylums of the Metropolitan Asylums Board, as the cost of those is also wholly centralised."

* The Seventeenth Report of the Asylums Committee of the London County Council to March 31st, 1906, p. 1.

† In 1906 the increase was 305; the corresponding increase in 1905 being 704; Sixteenth and Seventeenth Reports, Asylums Committee of the London County Council.

Financial considerations affecting the policy of the guardians in sending cases to the county asylums—*contd.*

"The average cost of the maintenance and accommodation of indoor paupers in London Unions in 1902–3 (so far as it can be ascertained from the published Local Taxation Returns) works out at £35 9s. 3d. per head. Of this cost an amount equal to £20 4s. 5d. per head is borne by central funds by means of the county grants and Common Poor Fund. The remaining cost, amounting to £15 4s. 10d. per head, is borne by the guardians on local rates. When, therefore, a pauper is transferred from a workhouse or infirmary to an asylum, he becomes chargeable to London as a whole and the guardians save this expenditure of £15 per annum, or at least that part of it which represents actual maintenance (after deducting the grant from the Common Poor Fund of 5d. a day, or £7 12s. 1d. per annum) as distinguished from charges which are more or less permanent, such as debt charge, maintenance of buildings, etc.

There is a thus a strong financial reason for sending as many paupers as possible to asylums. This inducement appeals most strongly to those unions which are pressed for accommodation and have to board out some of their paupers, as in such cases the whole cost of maintenance and accommodation would be saved by the transfer. While the individual unions thus gain a financial advantage by sending paupers to an asylum, such a transfer throws additional burdens on London as a whole because the cost of maintenance and accommodation is higher in the case of inmates of asylums than in the case of inmates of workhouses. Thus in the year 1902–3 the average cost of lunatics in the London County Council's asylums works out at £42 7s. 10d. per head, while the cost of the inmates of the imbecile asylums of the Metropolitan Asylums Board for the same year is estimated at £44 per head as against £35 9s. 3d. per head in respect of ordinary indoor paupers.

The area responsible for the patient has, of course, to bear its rateable value proportion of this additional cost; but this would be a very small matter as compared with the direct saving referred to above."

McDougall, Vol. II., p. 374, c. 2.

235. The effect of this financial arrangement—applied to one particular class, the insane—would appear to be, that those who are considered insane increase in number, and that many who were not formerly so called or considered are placed in that class and so dealt with. The assistance from the Exchequer does not aid the mentally defective in all their sub-classes, that is, for instance, as imbecile or feeble-minded; it tends to push into the one sub-class "lunatic" all those cases which the guardians would wish to transfer. Be this done rightly or be it done wrongly, these cases would not all be termed "lunatic," if there were other recognised classes in which they might be placed and other suitable institutions to which, if it were right, they might be sent; nor would admission to an asylum then remain a form of treatment which is practically adopted in preference to all others.

McDougall, Vol. II., 17607–17611.

236. Another cause of disorganisation, according to Sir John McDougall, is the method of discharge from the asylums. "Unrecovered" cases are frequently discharged. This is partly the result of the need of more accommodation, partly the result of the policy adopted by the Visiting Committee of the London County Council, as they believe, in accordance with the Lunacy Act of 1890.

By Sec. 38 of the Act of 1890 a reception order remains in force for a period of one, two, three, and five years respectively, subject to a special report of the medical officer of the institution or of the medical attendant of the single patient as to the patient's mental and bodily condition; and a certificate that the patient is still of unsound mind or a proper person to be detained permits of his being detained. But if, in the opinion of the Lunacy Commission, the special report of which a copy is sent to them, does not justify the certificate, they make further inquiry, or if the patient is in an asylum, they ask the visiting committee of the asylum to do so—leaving them to discharge the patient or give such directions regarding him as they think proper. This Section would seem to give to the Visiting Committee full discretionary power to discharge the patient on revision. In practice, however, this does not represent what is desired by the Visiting Committee of the London County Council, and what they believe would prevent unnecessary and injurious discharges. Their scheme would be on admission to refer patients not direct to an asylum, but to a receiving house where "we should see a great deal of weeding out," for instance, "some drink cases which need not be certified when they are almost recovering medically before they are sent to an asylum." On discharge, on the other hand, they would desire to control the patient after the passing of the actual attack of insanity, when ordinarily the discharge would take place. "Even after persons seem fairly well," they might advantageously be under control for some months afterwards, and there might be "a stepping-stone between actual insanity and discharge." Then, when they were actually discharged, they would be kept under the friendly supervision of an after-care association. Now, when under the 38th Section of the Lunacy Act, 1890, a continuation certificate is sent to the Lunacy Commissioners and the facts do

McDougall, Vol. II., 17670.

17798.

17781.

17783.

McDougall, Vol. II., 17819-17820.

not in their opinion justify it, the document has to be forwarded to the Visiting Committee for inquiry and decision by them, and the latter often give the patient the benefit of the doubt and discharge him with injurious results.

Financial considerations affecting the policy of the guardians in sending cases to the county asylums—*contd.*

237. On this point our opinion is that, in the case of certified lunatics, the present law allows sufficient powers for the prevention of the discharge of "unrecovered" cases, if the medical officer bases his certification not on the actual and momentary state of the patient, but on his knowledge of the case as a whole, and the anticipations in regard to it which the facts warrant. In regard to this no legal limitation is imposed on the discretion of the medical officer: and it is of the highest importance that nothing should be allowed to interfere with his discretion to detain persons whose release would be a danger, although, for the moment, they appear to be rational and tranquil. But, unfortunately, there is another reason for the discharge of "unrecovered" cases, the pressure on accommodation, to which reference has already been made.

Mentally defective children.

238. We have now to pass to the children; and in their case too there is a similar want of co-ordination. In order that some of the mentally defective children cared for by the Metropolitan Asylums Board may attend the special classes of the Education Committee, the Board has opened residential homes for these children near the special class centres. The Education Committee for the same purpose has also opened residential homes for the same class of children, who are not under the Board. The Board may not take charge of mentally defective children under five years of age, nor keep them after twenty-one, unless they are certified as lunatics or idiots. The Education Committee, on the other hand, receives the children into its special classes between the ages of five and sixteen; but at sixteen no provision for them is forthcoming, however defective they may be, unless a board of guardians obtain for them admission into an institution of the board until the age of twenty-one. And, again, if at the age of seven they are disqualified for attendance at a special school as not "capable of receiving benefit from instruction in a special class," then, unless their relations or friends are able to maintain and look after them, they are left uncared for, if the guardians do not intervene, which, it is stated, they are often very unwilling to do. It has been ascertained directly," so the evidence runs, "that in some cases these children have been refused, and the guardians' refusal not infrequently has been backed up by a certificate from their own medical officer, while in other cases the refusal has been backed up by such statements from the guardians or relieving officer to the parents, that they have refused to allow the child to be submitted to the hardships they were afraid of; and so these cases remain about the houses and streets, meanwhile degrading and exhausting the whole family in which they live.

Regulations. Board of Education, 1907, Cd. 3636.

Kerr, Vol. I, p. 440, c. 2; p. 433, c. 2; 7958, 7961, 8007.

239. Our general conclusion on this branch of the subject is that there is in London a division of authority and a want of administrative accord which is fatal to any successful treatment of the problem, and which is the strongest argument for some such settled uniformity of procedure and unification of authorities as several of our witnesses have very strongly advocated.

Procedure for certification, etc., under the Lunacy Act, etc.

240. We would now consider in more detail the questions which are raised by a study of the table printed above (Par. 210), and by these general conclusions. We will follow out the procedure in a simple case.

First, we may take those cases in which the person has been brought to the workhouse by the relieving officer, and may or may not be there retained as a lunatic. "Lunatic" means an idiot or person of unsound mind"; and "workhouse" "includes an asylum provided for reception and relief of the insane under the Metropolitan Poor Act, 1867, and the managers of every such asylum shall exercise the powers and perform the duties by this Act conferred and imposed upon the guardians of the union to which a workhouse belongs."

The Lunacy Act, 1890, 53 and 54 Vic., c. 5, Sec. 341.

If the lunatic is to remain in the workhouse, the medical officer of the workhouse "certifies in writing (*a*) that such person is a lunatic, with the grounds for the opinion; (*b*) that he is a proper person to be allowed to remain in a workhouse as a lunatic; and (*c*) that the accommodation in the workhouse is sufficient for his proper care and treatment, separate from the inmates of the workhouse not lunatics, unless the medical officer certifies that

The Lunacy Act, 1890, Sec. 24.

Procedure for certification, etc., under the Lunacy Act, etc.—*contd.*

the lunatic's condition is such that it is not necessary for the convenience of the lunatic or of the other inmates that he should be kept separate." And the medical officer has to state the grounds of his opinion that the person is a lunatic.

Lunacy Act, 1890. Form 11.

On this certificate, which is sufficient authority for detaining the lunatic for fourteen days, supported by a further certificate under the hand of a medical practitioner not being an officer of the workhouse, the relieving officer may apply to a Justice of the Peace, and the Justice may give an order of detention to the master of the workhouse to the effect that the pauper in the said workhouse is "a lunatic, or idiot, or person of unsound mind," and "a proper person to be taken charge of under care and treatment in the workhouse, and being satisfied that the accommodation in the workhouse is sufficient" for that purpose, either separately from other inmates who are not lunatics or not apart from them; and that the master of the workhouse should take charge of him, and, if the workhouse medical officer should certify it to be necessary, should detain him as a patient in the workhouse. A statement of particulars signed by the relieving officer follows.

On the other hand, if the lunatic is not to be detained in the workhouse, but to be sent to an asylum, the justice (having called to his assistance a duly qualified medical practitioner) may make an order of reception in similar terms, and may direct the superintendent of the asylum of the county to receive the pauper lunatic as a proper person for detention in an asylum. A statement of particulars by the relieving officer in this case also follows. This would be the normal procedure in the case of pauper lunatics.

Mann, 4978. Vol. I., p. 282, c. 1, and Metropolitan Asylums District Asylums Amended Regulations Consolidated. Art. 2 and 3 and forms. Local Government Board Order, Feb. 20th, 1875.

241. We turn next to admissions to the asylums of the Metropolitan Asylums Board. In the case of these admissions the medical officer of the workhouse certifies that he has personally examined the individual, and that he is, in his opinion, a chronic and harmless lunatic, idiot or imbecile, and, as such, might be lawfully detained in a workhouse, and a fit person for admission into the Metropolitan Asylums District Asylum at . . . . . ; and that he has formed his opinion on (1) facts observed by himself, which he states; (2) on facts communicated to him by others—which he states, together with the names of those from whom they have been ascertained. This certificate is accompanied by an admittance order from the clerk of the union sending the pauper, and a report from the chairman, vice-chairman or member of the visiting committee of the board of guardians from whose union the pauper is sent, stating that he is satisfied that the individual is a proper person to be sent to that asylum.

Mann, Vol. I., 5010, 5011, 5012, 5070, 5098.

242. There are thus two concurrent methods of certification. The "certificate" of the medical officer, the "order" of the clerk, and the "report" of the chairman just referred to are sufficient to transfer a lunatic who is "chronic and harmless" from the workhouse to the asylum of the Metropolitan Asylums Board. But they are not enough to detain him. He has only been removed from one kind of workhouse—the ordinary workhouse—to another kind of workhouse, the asylum-workhouse, as defined by the Lunacy Act of 1890 (*see* above). Consequently he retains his right of free egress, subject to the notice of twenty-four hours. To detain him at the asylum workhouse, an order for detention under Sec. 24 of the Act of 1890 is necessary, just as it would be required if he were detained in the workhouse; and though the person might remain uncertified in the workhouse for a long period, yet if he is removed to one of the Boand's asylums he must be certified. And thus, as we have seen, under the guise of "chronic and harmless lunatic or idiot" and "lunatic or idiot or person of unsound mind," old paupers, long bed-ridden in a workhouse, are transferred to the Board's asylums.

Mann, Vol. I., 5060.

Adrian, Vol. I., 103.

Mann, Vol. I., p. 282, c. 1.

Mann, Vol. I., p. 282, c. 1. 5015.

243. The complication is still greater in the case of children.

"In the Lunacy Act of 1890 there is no mention of age, so that strictly speaking every lunatic, whether a child or an adult, should be certified," that is, if these persons are to be detained, they must be detained as lunatics in an asylum workhouse. The Lunacy Commissioners themselves, however, were not accustomed to require certificates in the case "of idiot children under sixteen years." So the Asylums Board did not require the certificates in these cases. But after the age of sixteen these persons could take their discharge, unless they were certified—that is, just at the period when "this training was producing the most substantial results," and, it may be added, the danger of discharge was greatest. This was unsatisfactory, and hence each child under sixteen is now certified as "lunatic, or idiot, or person of unsound mind," and unless he become chargeable to some country union, or be discharged for

Mann, Vol. I. 5015.

certain habits which are regarded as very unsuitable for a child who mixes with other children, he goes to the over-sixteen colony at Darenth. Of these "imbecile" children the Asylums Board cannot take charge till they are five years of age. Accordingly, if they are placed in the guardians' hands and their parents cannot take proper care of them, they must, unless they are boarded-out, remain in the workhouse or infirmary till that age.

Procedure for certification under the Lunacy Act., etc.—*contd.*

Rotherhar Vol. I., 8759.

244. There is yet another distinction. In the case of "feeble-minded" children—the Asylums Board deal with children of seven years of age and upwards. In their case, as in that of adults, two Poor Law certificates are necessary, one signed by the clerk to the board of guardians sending the child, the other by the medical officer, "to the effect that the child is one who by reason of defect of intellect cannot properly be trained in association with children in ordinary schools." There is not, as in the case of "imbecile" adults, any report from the chairman or member of the visiting committee. But, by its medical officer, the education authority has to give a further certificate that the child "is likely to be improved by the training given in the special classes," and then the child, having been admitted to one of the Asylums Board's residential homes can also attend the special classes. At sixteen, however, the child can no longer attend the special classes—and then, without further examination by the medical officer of the education authority, but on the order of the medical officer of the board he is transferred to the Industrial Colony at Darenth. But, if he has not already been certified under the Lunacy Act to ensure his detention he must now be so certified as "lunatic or idiot or person of unsound mind." For child and adult alike, this conjunction of certificates is necessary to lodge him and to detain him. For the child at the special class, the education authority's certificate is also necessary. But for the child who is attending a special class, and is not in a residential home of the Asylums Board and under their charge as a "pauper," there is no home available as a matter of course after sixteen. His friends must have him certified as "lunatic or idiot or person of unsound mind" and he must become a "pauper" to gain admission.

Local Government Order, April 2nd, 1897. Mann, Vol. I., p. 282, c. 1 and c. 2.

245. It is stated that cases of misdirection, due to the opposite views of medical men attached to different authorities sometimes arise, and one instance was mentioned, which, though exceptional, indicates the deadlock that may occur in these circumstances. The child in question, maintained by a board of guardians, was rejected for the special schools of the education committee as being an "imbecile." He was, therefore, retained by the guardians and sent to the Asylum Board's Reception Home. There, with a view to permanent detention it was necessary to have him certified under the Lunacy Act. "Under the present practice of applying at once for its certification under the Lunacy Act for permanent detention, we found it impossible to retain the child, on the ground that our own medical superintendent cannot sign a fourteen-day order." He therefore called in the assistance of an outside medical practitioner, but this medical man, very naturally, would not certify for the permanent detention of the child as a "lunatic." Hence at the time at which our evidence was received the child was too "imbecile" to be educated at a special class and for that purpose received into one of the board's residentiary homes, and not "lunatic" enough to be admitted into the board's industrial colony and trained there. This case is "quite exceptional, but still there are children just on the border line between the two classes with whom it is very difficult to deal. In London very much depends on the difference between the different medical officers in the different districts."

Mann, Vol. I., 5098.

Mann, Vol. I., 5098.

Mann, Vol. I., 5102, 5103. Helby, Vol. I. 5152, 5361.

246. In connection with the education authorities there is a similar difficulty, when their medical officer has, under the Elementary Education (Defective and Epileptic Children) Act, 1899, certified that a child should be educated in special classes, the parents may obtain certificates from local practitioners to the effect that the child is fit for education in an ordinary class. These certificates come, on the parents' appeal, before a magistrate, who on occasion sends for a teacher, and on his evidence and that of the certificate, decides whether the certificates of the medical officer should be supported or set aside.

Kerr, Vol. I., p. 436, c. 1.

Unification of Authorities necessary to avoid conflicting certification.

247. We cannot but conclude that there should be such a unification of authorities as should operate, so as to dispense with this duplication or even triplication of certificates and Orders, from the officers of the boards of guardians and the Asylums Board, the education authority, and the justice of the peace under the Lunacy Act. The children in the different institutions and under the different authorities appear to be more homogeneous than the system of certificates that separates and classifies them. Mr. Helby, who is now chairman of the Metropolitan Asylums Board and was for six years a member of the London School Board, says in regard to the similar characteristics of the children maintained in the institutions of the Asylums Board and those taught in the special classes by the Education Committee of the London County Council—

Helby, Vol. I., 5152, p. 296, c. 2.

> "At the present moment my experience has been this, that you may get a medical man in one room and another in another room, and the same patient may go before one who would certify him as only being feeble-minded, and the other would certify him as being imbecile. I have seen it over and over again. . . . . I have gone, for instance, when I was on the School Board, and seen what they call the 'defective' children, I have seen also those which are feeble-minded under the Children's Committee of the Asylums Board, and I have seen also very many of those and examined them at the Darenth Improvable Schools, and I am bound to say this, that I have seen some of those, and examined them, spoken to them and so forth, at Darenth Asylum, where they are under detention, and found a better class of child than those whom I have seen either at the School Board Defective Schools or under the Children's Committee."

This corresponds closely with the view to which we have been led by our personal experience.

For children so closely akin in mental ability and defect one system of administration, certification and detention may well suffice.

Discharge from Asylums, etc., of the Metropolitan Asylums Board.

248. Of the present system of discharge from the asylums and homes of the Asylums Board, the inconvenience of which is prevented in part by the contrivance of certifying the inmates under the Lunacy Act, there is also criticism. The power of discharge which the guardians have is used much too freely, it is stated.

Sherlock, Vol. I., 8870.

Dr. Rotherham, the medical superintendent of Darenth Asylum, says :—

Rotherham, Vol. I., 8752. Rotherham, Vol. I., p. 509, c. 1. Mott, 8051, 8052. Vol. 1. Shuttleworth, Vol. 1., p. 573, c. 2.

> "I can have a notice sent down by the board of guardians, ordering me to deliver over a patient I have got next morning to the patient's friends; and the guardians will make no application to me first to know what condition the child is in, whether it is fit to be discharged or otherwise. I had a notice a little time ago which ordered me to discharge a very bad epileptic who was not fit to be taken away by the friends, but I was quite helpless. I had to let it go."

249. In view of these difficulties it has been suggested that certificates should be made by a special board of medical men, who should have a special knowledge of this type of case, "defective children, including epileptics," and that the power of discharge should also be in their hands; that some simple process of certification should be adopted applicable to all classes of the feeble-minded and replacing the cumbrous procedure at present required under the Lunacy Act, 1890; that for permanent renewable detention there should be a magistrate's certificate, with subsequently a fresh certificate given by the medical superintendent of the institution every three years until the patient reaches twenty-five years of age; and that no further certificate should be necessary after that time; and that "there should be a very much more careful selection of children (for special schools) than is possible at present." "We want," Dr. Kerr says :—

Sherlock, Vol. I. 8864. Rotherham, Vol. I. 8745. Rotherham, Vol. I., p. 509, c. 1. Kerr, Vol. I., 7843. Kerr, Vol. I. p. 439, c. 2, 7943. Bond, Vol. I., p. 469, c. 2.

> "An hour spent on them perhaps one week, and an hour the week afterwards, in the case of special children. Nine-tenths you can settle at once, but probably one-tenth would require careful medical inspection and supervision with a view to classification."

Further, it is suggested that there should be a recognised "standard of imbecility," in order that, where a child is certified to be imbecile by the medical officer of the Education Committee he (or she) may not be refused by the medical officer of the guardians on the ground that he (or she) is not imbecile enough for admission to an institution; and that the public authority or authorities should take into consideration the total needs of the cases as brought out by a study of their life-history at various ages, and that if possible the provision of those needs be entrusted to a single authority.

250. We have now to consider the work of the Metropolitan Asylums Board, especially in reference to the residential homes for defective children which are associated with the special classes of the Education Committee of the London County Council and to the Darenth Industrial Colony; and we have also to consider the work of the Education Committee in this department.

CHAPTER X.

Educational and Industrial Institutions of the Metropolitan Asylums Board.

251. To two types of institutions managed by the Asylums Board we would draw special attention; the residential homes and the industrial colony at Darenth.

The Residential Homes.

252. There are seven homes of the board for defective children: three for boys and three for girls, and one—an experimental home for elder cases up to twenty-one years of age. In the last there is accommodation for forty-three pupils. The others are small homes, with from ten to twenty-two inmates. The board has thus had considerable experience in this branch of work.

Annual Report Metropolitan Asylums Board 1905, pp. 28 and 41.

The Hon. Maude Stanley, who is Chairman of the home for feeble-minded girls at Lloyd House, gave us an account of the residential homes. She said that at Lloyd House there were twenty girls, and in an adjoining house eight.

Stanley, Vol. I., 7217 and 7218.

We send them every year to the seaside for four weeks to one of the homes belonging to the Metropolitan Asylums Board during the school holidays. When they do not go there, they are taken out for excursions. Everything is done to try and brighten them up. I took them once to see Westminster Abbey. They have been taken to see other places to try and give them fresh ideas. In the home we give them work to do. They do some washing and cleaning on Saturdays, and some needlework, they have a lesson in musical drill once a week. They do that very well. They are very happy here, and they have no wish to leave the home.

Vol. I., 7236.

By keeping the children in special homes and allowing them to go out to the public elementary schools in the neighbourhood, they "get the advantage of mixing with other children in the day schools;" while they are also under "the kindly supervision of the matron and servants in the home. These children are very affectionate children."

Turner, Vol. I., 8617.

Classification of cases in residential homes and early training.

253. Miss Turner, who was medical attendant at five of those residential homes, said that she classified the children as (1) very mentally deficient; (2) mentally deficient; (3) backward; (4) normal; (5) over bright and eccentric. She had classified them after special investigation. Most of the children had been already in truant schools. A great number had been charged before for small offences, playing truant, being beyond control, and many had already been in truant schools from six months to two years. Of 100 boys and twenty-eight girls, she thought that only 19 per cent. ought to be in special schools. "Ten per cent. were absolutely deficient, and some could be certified at the present time as imbeciles." About 20 per cent. would require permanent detention, but probably only half the number if they had been taken early." And on this point Miss Turner insisted. She thought there would be a considerable number of backward children who, if dealt with early, would only require temporary detention, at the very most a year or two's training.

Vol. I., p. 502, c. 2. Vol. I. 8624. 8628. 8631.

Vol. I., 8676–8678.

"If it is a bad case that wants attention the child should get a chance of early training. I should have it certified and sent to a colony, but if not a bad case I should see that the surroundings are healthy. In my opinion seven years old for a deficient child is too old to start treatment; a deficient child ought to be taken in hand long before that. With many of the children I have had in these homes, and privately, the mothers have said that they noticed things were wrong from the beginning. . . If the mothers notice this (and they are not so quick to notice these things in their own children) I think that proves that deficiency may be noticed early and ought to be under treatment early."

Turner, Vol. I., 8695–8698.

There might be total recoveries, "if they were started young enough. That has been the difficulty all along. We have had them so old, after they have formed all their habits and been in unhealthy surroundings too long. Then it takes twice the time to get them into decent ways of living than if we had them quite young." "Five is really too old to start special training; three would be better." The home was necessary for "bringing up," which was of more importance than head training. In the home that would be provided in the first instance by kindergarten teaching.

8702.

Mann, Vol. I., 5029.

Cost in small residential homes.

254. The cost of maintenance in these small homes was naturally high, viz., £37 1s. per head in addition to the cost of education, which is provided by the special schools.

Turner, Vol. I., p. 500, c. 2., and 8714.

The beneficial effect of employment.

255. In regard to results under present conditions, witnesses have stated before us, that these feeble-minded grown-ups, at eighteen or nineteen, could really do as good work as an ordinary average person of the servant class, "under supervision"; but for other reasons one could not risk it." Drafted into a

The beneficial effect of employment—*contd.*

large home—such as the home for "ophthalmic" children, they can do other things besides laundry work; they can help in cooking and housework. There would not be enough work for them to do, if the adult homes were by themselves. The productive work that they can do, if carried on in an institution—their work as servants—is quite as good as that of an ordinary intelligent person.

Stanley, Vol. I., 7263. Hargreaves, Vol. I., p. 322, c. I.

This view was fully confirmed by Miss Hargreaves, who was matron at Rochester House, which was opened in 1901 for improvable imbeciles—ninety-six males and sixty females. There the children had been carefully selected as improvable, but they included instances of marked imbecility. There were two buildings, one for males and the other for females. In amusements and outdoor recreations all joined. Supervision was exercised in such a manner that the children seemed scarcely aware of it. This gave them self-confidence and helped them to work on their own initiative. All the children were under training in the school, or the workshops, or engaged in household work, the kitchen and the laundry. Simple kindergarten instruction and elementary lessons in the three R.'s formed the basis of the education, with object and nature lessons. And much was taught by drawing. "Manual work was begun as soon as the child showed any aptitude in that direction."

Vol. I., p. 322, c. 2.

"I am of opinion that boys learn a trade much more quickly and more easily if their tuition is commenced early, provided that their strength is not overtaxed. and that sufficient relaxation is given."

Vol. I., p. 323, c. I.

5907. 5908. 5976,

As far as possible the boys and girls did the work of the place. An assistant gardener was dispensed with, and the boys did his work; others helped the handyman; one paid woman and six girls did the work of the laundry; the cook with the assistance of five girls did all the cooking and work in the kitchen. So in the needlework room. On the male side, when the institution was opened six girls were sent over daily to make beds, etc., in the boys' dormitories. The boys had now been taught to do the work themselves. With this, as part of the method of education, systematic recreation was carried out on a large scale, and book learning was at a minimum.

Financial Results of Training. Vol. I., 5898. 5926, 5923.

256. This training in employment had an important financial result. It was found quite unnecessary to engage the paid labour which it was intended to have when the premises were acquired; and as the children grew and improved, they would take the work off the hands of yet other servants. Miss Hargreaves said:—

"From careful study of the working of Rochester House during the four years it has been open, I am of the decided opinion that at the end of eight years the same staff would be quite capable of dealing with double the number of children."

Vol. I., p. 323, c. I.

The average annual cost, with only 156 inmates, is not more than £29 9s. This is attributed "entirely to the training of the inmates and to the great amount of work in the institution performed by them." The success of this institution received immediate recognition, and now with equal advantage, but on a much larger scale, the same method is adopted in the Darenth Industrial Colony to which the children from "Rochester House" have been transferred.

The Darenth Industrial Colony. Mann, Vol. I, 4998.

257. A "colony" for this purpose may be defined as an institution where the central buildings and the infirmary, and so on, are on the smallest scale necessary, and where the living and working arrangements are of an economical description, and the inmates spend most of their time in workshops or working on the land. It would lie within one curtilage, and the children in it would be separated from normal children.

Annual Report of the Metropolitan Asylums Board for 1905, p. 234. Helby, Vol. I., 5214–5242. Mann, Vol. I., Table p. 261.

The Darenth institutions may be said in some measure to represent the first experiment of uniting in one colony improvable children, young persons over sixteen, and adults, an experiment which is not yet fully made, but is in process of development. The buildings stand in 164 acres of land, and are placed on an open, breezy hill slope. Besides pavilions temporarily used for unimprovable children, there is an asylum for improvable adults and houses and workshops for the colony. Altogether there are about 1,900 persons, excluding the staff. About 500 of these, under sixteen, are in the schools; another 400 helpless and hopeless cases are in the pavilions, and in the industrial colony there are about 1,053. Of these there were 440 males and 315 females usefully employed. These give not more than two hours a day at most to non-manual work. There is an upholsterer's shop where furniture is upholstered for other

institutions of the Asylums Board; a shoemaker's and a tailor's shop, a brush shop, a basket shop, and, besides other employments, work under an "industrial painter" and an "industrial carpenter" under whom the inmates work for other Asylums Board establishments. Their work, in the year, in the painting of buildings was valued at £550. The inmates also take a large part of the work in the kitchens and laundries. "Up to within the last six months a large number of the adult imbeciles were simply wasting their time, though they were capable of doing work," Mr. Helby said. Yet an industrial colony should, in his opinion, in the course of time be made to a large extent self-supporting. The Darenth Industrial Colony—*contd.* Helby, Vol. I., 5183, 5188, 5210.

"The children could be very greatly improved," Dr. Rotherham, the superintendent, said; "they could do anything mechanical so long as they were looked after. They could not initiate anything at all; they were only good when they were being constantly supervised." For instance, one patient now at Darenth was worth to the institution 15s. a week as a labourer, and a few others were getting on nearly as well perhaps. Out of 425 male patients, 412 were at present working. "Quite half of those were doing something towards their own maintenance, and the others are beginning to help to do something, and in time will do something, towards their own maintenance." Rotherham, Vol. I., 8773–8779.

258. Parallel to this evidence of improvement is as strong evidence of deterioration if the children are withdrawn from instruction and supervision. "Those who go back," Dr. Turner says, "should be looked after. They go back to surroundings probably bad, to parents afflicted just in the same way as the children, probably neurotic or of the criminal class, whose influences accentuate the very thing you want to eradicate." And Mrs. Burgwin, Superintendent of the Special Schools under the London County Council, says of the children in special classes on their leaving: "Some of them have been certified and taken away, others have been had up for petty thefts, or cruelty, or fighting in street brawls. They are subject to spasms of anger. Some of the girls drift into the maternity wards." Turner, Vol. I., p. 500, c. 2. Burgwin, Vol. I., 8572.

259. In 1904 the cost of maintenance in the colony, including the unimprovable children, the adults, and the improvable children, was £31 4s. a head. This included all charges except central charges and capital expenditure and rent. Cost in the "Colony" at Darenth.

Answering a question in regard to the colonies abroad, Mr. Helby said that the inmates could do a lot of building themselves in their own industrial colony, could gradually work it up, and so could get it established for half the cost. Labour at the present time, with the trade union rates of wages and hours of labour, render it most difficult to know where you are. It is not only a question of the rate of pay; but you have three men to do the work of two. That would mean a considerable saving. The cost of maintenance at Darenth (1905) was 10s. 6·8d. a week. The more the colony became industrial the more this could be reduced. In an entirely industrial colony the cost of maintenance might be reduced 50 per cent. Mann, Vol. I., p. 284, c. 2. Helby, Vol. I., 5236. 5200, 5286. Annual Report of the Metropolitan Asylums Board, for the year 1905, p. 117,

260. The superintendent of such a colony, Mr. Helby said, should be a non-medical man with a medical assistant, as so much of the work was administrative. But another and well-informed opinion was that the medical man should be supreme and that there should be a steward who should consult the medical man on all details connected with the food supply and matters of that kind. Helby, Vol I., 5316. Beresford. 5457.

261. From this evidence we may conclude, in regard to the residential homes, that in most instances early treatment—treatment before school age, and often from the age of three—is necessary to produce satisfactory results in the case of mentally defective children; and that such early education in habits might be to some extent preventive; that the response of those children to manual and industrial work is frequently very quick and effective, and that by training they may, as they grow older, meet an appreciable part of the cost of their maintenance; that work may be done by the inmates of one home or colony for other homes or colonies by a division of labour and by attaching the institution for the mentally defective to one department supervised by one authority; that the colony system is likely to produce the best moral and economic results; and that the cost of initiating it may be greatly reduced if it is adopted gradually, General conclusions as to residential homes.

the inmates themselves being employed in building, equipping, and creating the colony. It does not seem to us necessary that such a colony should be quite close to London. It should not be impossible to bring the cost of establishing down to £100 a bed, and the maintenance below the 10s. 6·8d. which the inmates of Darenth (including the unimprovable cases) now cost.

Sherlock, Vol. I., p. 514, c. 1. *See* Pars. 702–705 below.

The question remains of the comparative value of the residential home, but of this we shall judge better when we have reviewed the position of London in regard to the provision made by the Education Committee for the mentally defective.

CHAPTER XI.

The Education Committee of the London County Council and the Mentally Defective.

Procedure in examination of children and classification. Kerr, Vol. I. p. 434.

262. The procedure of the medical officer attached to the Education Committee of the London County Council in detecting the children suitable for the special schools may be said to begin with the notification of cases to the officer by head teachers, divisional superintendents, charitable bodies, managers, and others.

A family history in regard to each child is filled up, and a "nomination" for him allocated to the centre nearest the child's home. When a sufficient number of "nominations" have been sent in a medical examination is held. Ten of these examinations are held weekly, and twenty children are asked to attend each examination. The medical officer's decision on the future education of each child is entered on a card. The cards are forwarded to the education officer, and the decisions entered in a register. From this register the classified returns of blind and deaf children, defective children, etc., are made up.

The classification of mentally defective children in the London schools.

263. The Elementary Education (Defective and Epileptic Children) Act of 1899 empowers a school authority to provide for the education in special classes of children who, *not being* imbecile, and not merely dull or backward, are incapable of receiving proper benefit in the ordinary public elementary schools. This definition implies a classification into three divisions at least: (1) Those who are imbecile, and unsuitable therefore for even "special education"; (2) dull or backward, yet not requiring "special" education on that account, but presumably suitable for the ordinary school; and (3) "special class children."

Kerr, Vol. I., p. 434, c. 1.

264. Dr. Kerr, Medical Officer (Education), of the London County Council, classifies the children into four groups:—

(1) "Merely dull or backward," as in the Act. These he classifies as having "spurious mental defect"—"a large class of cases in which it is doubtful whether they should be sent to an ordinary school or to a special class." These are cases of children in whom there is a want of spontaneity, due to environment, want of natural education, exhaustion from want of proper rest and sleep, and debility for want of proper nourishment. In these cases there is little abnormal to note. He concludes that some intermediate school is required for this group. Accordingly at the outset we find a want that is not met, but the recognition of which is the outcome of the Elementary Education (Defective and Epileptic Children) Act, 1899.

(2) His next class is "true mental defect." These cases are those which are suitable for a special class. Here are two divisions: (*a*) In one the characteristic is not a want of spontaneity, but a general want of development of the higher brain functions. In the other (*b*) "feeble-mindedness" appears "chiefly in relation to special faculties with comparatively normal development in other ways." "Socially this class embraces the criminal and moral defective in other ways, and also may include children who have hitherto been in some cases treated as imbecile."

(3) and (4) The third and fourth classes are at the lower end of the scale: they are divisions of the group of children excluded from 'special' teaching under the Act—the "imbecile" children. The children in the third class are so very defective that it is doubtful if they are good enough for the special classes. They

are sent to the special classes on probation. If they are proved unsuitable for these classes on probation, they fall into the fourth class—imbecile—and are refused. The classification of mentally defective children in London Schools—*contd.*

The corollaries of this classification are several:—

I. There should be a division of the mental defectives Class (2), into special classes, according as the children suffer, as stated above, (*a*) from general want of development of the higher brain functions; or (*b*) from abnormal development of special faculties with comparatively normal development in other ways. In 1905 there were three * special schools for elder boys, and two residential schools, one for defective deaf mutes and one for defective blind children; and there was also a residential school for elder morally defective girls.† But there appears to be no general classification of special education on the lines here noted; and yet the difference between these two groups (*a*) and (*b*) is distinctive and vital from the point of view of education and development.

II. The next corollary is the necessity of establishing a reception or classification home, which, in competent medical hands, would serve as a centre for observation; and Cf. Recommendation LXXXII., *below.*

III. The third is the adoption of a sufficient system of dealing with the "imbecile" children, the final residue of the unfit. To the need of this we have already drawn attention.

265. There was in London on December 23rd, 1904, accommodation for 4,446 children in special schools for the mentally defective, and 4,191 of these children were on the roll ‡. It was proposed to increase the accommodation so that it might serve for 5,346 children. This represents a considerable increase, but it is clear that a further question will have to be met, as Dr. Kerr's classifications also suggest. Special schools do not meet the need of many children. Even at the age of twelve, residential homes are required for many. "After the age of twelve a considerable number of children would be better if under complete control in small residential homes;" and Dr. Kerr adds, "by this age it is also possible to assess the child's future capacity in providing for itself." At the age of twelve, out of 455 mentally defective children examined, 126, or 27 per cent., were found to be "only fit for custodial treatment in the future." And the tendency of the education committee is, it would seem, to come to this conclusion in regard to an even larger proportion of cases. Accommodation in London for mentally defective children. Lawrence, Vol. I., p. 426. Kerr, Vol. I. p. 435, c. 1

266. The school board proposed six custodial (or residential) homes for: (*a*) mentally defective children who, but for their defect would be committed to industrial and truant schools; (*b*) mentally defective children living in very bad homes; (*c*) mentally defective children whose regular attendance it is not possible to secure at day schools; (*d*) mentally defective children living so far from any special school that it would be impossible for them to attend; (*e*) certain defective children known as moral defectives; and (*f*) elder children. The Education Committee has now, as stated above, two homes for cases of double defectiveness—the conjunction of blindness or deaf mutism with mental defect—and one for morally defective girls. And the residential home is now being used for at least two of the classes suggested by the school board "for cases of children very difficult to train in the ordinary special school; that is to say, who upset the class and cause a good deal of waste of time and education to the other children," and for "children who have particularly bad homes." "These children," it is added, "are very amenable so long as we have them in the school, but they would at once relapse into unfortunate habits even in the matter of going to and fro to their homes." "They go to a neighbouring school under the guidance of a matron who takes them there and back in the morning and evening." Residential homes of the Education Committee. Kerr, Vol. I., p. 435, c. 2, and p. 437, c. 1. Lawrence, Vol. I., 7655 and 7657.

267. This statement indicates, we think, the general movement of thought in the matter. In many instances the special class or school does not furnish all the conditions for the formation of habits and conduct, which in many instances are the supreme necessity Hence a more complete method has to be tried. For those who suffer only from "mere dulness" the intermediate class may suffice Special schools and classes do not meet the needs of many of the mentally defective children.

* There are now 9. (Information supplied by London County Council.)

† This Home was closed in 1906. (Information supplied by London County Council.)

‡ From the List of Certified Schools on August 1st, 1907, published by the Board of Education, it would appear that, at that time, accommodation had been provided in London for 4,946 mentally defective children.

3970.

Special schools and classes do not meet the needs of many of the mentally defective children. —*contd.*

and also for those who suffer from "general want of development of the higher brain functions;" but it will not meet the needs of those whose feeble-mindedness is found "chiefly in relation to special faculties with comparatively normal development in other ways." Hence with further differentiation it is likely that more special homes will be proposed and established, or different and more various methods of supervision introduced. Thus now some witnesses urge that the age of education should be raised from sixteen to twenty-one in the special schools, as, under an order of the Local Government Board, it has already been raised in the schools and industrial colony of the Asylums Board, and such a proposal would entail yet further "special" and probably residential accommodation.

Fleming, Vol. I., 2
Tredgold, Vol. I., p. c. 1.
Lawrence Vol. I., p. c. 2.
Kerr, Vo I., p. 436 c. 2.

268. It will thus be seen that in London the special school or class stands for less than it did. Under the Act of 1899 the three courses are suggested—special classes; boarding homes near special classes or schools: and "day or boarding special schools"; and experience is attaching more and more importance to the last proposal, especially if the scheme of instruction is modified as suggested. The evidence of the Metropolitan Asylums Board is to the effect that it is doubtful whether the children whom they maintain in rather expensive small homes near the special schools of the education committee would not be better educated if they were in boarding homes in an industrial colony; and it strongly supports the view that early training before seven years of age, and before the children would come under the education committee, is desirable, often, indeed, quite essential, if there is to be any real amelioration. If this be the case, instead of the children at the special schools being retained under the control of the education committee till sixteen, and at that age, as many witnesses propose, handed over to another authority, it is evident that many must be placed in custodial homes or colonies long before that age—at eleven or twelve or earlier. In these circumstances, if there be a transfer of the children from the education committee to some other authority, it would probably be made at any age that might be desirable in the individual instance, as the occasion arose. At present some hold that "a great deal of the education between fourteen and sixteen is practically waste—the child cannot learn." It follows that with these changes the whole importance of the line of demarcation at sixteen disappears. Instead of discharge and transference at sixteen or twenty-one, all practically are agreed that in many of these cases there should be detention or continuing control on a renewable certificate. It may thus be said that the whole aspect of the question has altered since the Act of 1899, in London at least, where the system of special schools has been established on a larger scale than anywhere else in the country.

Elementary Education (Defective and Epileptic Children) Act, 1899, 62 & 63 Vict., c. 32, Sec. 2.
Helby, Vol. I., 5143, p. 296, c. 1.
Kerr, Vol. I., p. 435, c. 1, 7924, 7993, 7998, 8000.
Dendy, Vol. I., 853.
Berry, Vol. I., p. 543, c. 2.

269. It follows, further, that the method of transferring mentally defective children to special homes or colonies should be as simple as possible; and we think that if, in accordance with the conclusion which we adopted in regard to the counties, the Asylums Committee of the London County Council were specially organised and reinforced as the local authority to carry on this extended work, there would be such a coalition of interests as between that committee and the education committee that all difficulty in the transfer of children would disappear. This would no doubt entail the non-pauperisation of the parents of mentally defective children who require special education, but that, too, we recommend. Probably, in the future, more reliance will be placed upon the education of these children at an early age, and often continuously, in colonies like that at Darenth and Sandlebridge, than in scattered residential homes. On this plan, however, at whatever age a child was ascertained to be unsuitable for the special school of the education committee he would pass to the residential school or colony maintained, or contributed to, by the county asylums committee. The local authority for the care of the mentally defective would, as we have said before, be made responsible for the care and supervision of all such cases, and it would be enabled to arrange for their maintenance, education, training, and control, directly by, or on contract with, any authority, body, or person that, subject to approval, they may think fit. In this way, the local authority would be able to contract with the local education authority in regard to the children that should attend special schools or classes under their care. Thus, in a manner, both authorities would deal with education, for in the case

Recommendation XCII.
Recommendation XLII.
Recommendations LXXIX–LXXXII.

of the feeble-minded education lasts far into life, and, indeed, passes unconsciously into prolonged supervision. Special schools and classes for the mentally defective might thus, under contract, remain in the hands of the education committee where the special class system has been developed, whilst institutional training and supervision would be undertaken by the asylums committee. This, on the basis of there being one central authority in charge of all cases of mentally defective persons, appears to us to be the best administrative division.

Special schools and classes do not meet the needs of many of the mentally defective children—*contd.*

270. But one question remains. If this division of administrative control is to be effected, divergency in decisions as to admission or non-admission to homes or colonies must be avoided.

There must be consultation in common amongst the authorities concerned The central point for this purpose might be the register. The certification of the mentally afflicted connects itself with the family history and the register of the education authority; and the information there entered, augmented from time to time, would be the basis of all future certification, and would be available for many miscellaneous purposes, as, for instance, as part of the prisoner's record, if, as a juvenile offender or later, a mentally defective person were arrested, and brought before the courts, or for the transfer of a person from one institution to another, as, for instance, from a residential home to a colony, or from a colony to an asylum.

Prevention of divergency in decision as to mental defect.

271. Of the extent to which provision would have to be made in London the results of the special classes may give some indication. It is said that at present about a third of the children on leaving school are able to maintain themselves materially or partially; and tables have been prepared to show what the numbers are. These tables considered together, suggest what the claims of the future may be. "Dr. Collie has based his Report chiefly on what the children will do on leaving school"; Dr. Berry has adopted a "very strict interpretation, and explains that many of her second class" will contribute partially to their support and might be custodial cases; Dr. Thomas has selected the children in view of their whole social prospects; and Mrs. Burgwin with reference to "heredity and home conditions."

Provsion required for mentally defective children. Dr. Collie, Dr. Berry, Dr. Thomas and Mrs. Burgwin in Dr. Kerr's evidence, Vol. I., p. 441

			Boys.			Girls.			
			Able to earn their own living. A.	Contribute materially to support. Require after treatment. B.	Will not contribute materially. Custodial treatment. C.	Able to earn their own living. A.	Contribute materially to support. Require after treatment. B.	Will not contribute materially. Custodial treatment. C.	Remarks.
Dr. Collie: Bath Street and five other schools.									
410 Children	Boys 221	Over 12	42	6	18	46	9	7	62 per cent. of the Boys.
	Girls 189	Under 12	97	22	36	81	19	27	67 per cent. of the Girls likely to be self-supporting.
Dr. Thomas: Boundary Lane and eight other schools.									
357 Children	Boys 223	Over 12	32	36	36	18	19	20	32 per cent. of the Boys.
	Girls 134	Under 12	41	44	34	21	26	30	29 per cent. of the Girls likely to be self-supporting.

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The Education Committee of the London County Council and the Mentally Defective.

Provision required for mentally defective children—*contd.*
Kerr, Vol. I., p. 441.

	Boys.			Girls.			
	Will contribute materially to livelihood.	Will contribute partially.	Custodial treatment.	Will contribute materially to livelihood.	Will contribute partially.	Custodial treatment.	Remarks.
Dr. Berry: Capland Street and six other schools.							
*95 Children { Boys 67† / Girls 28 } Over 12	34	26	7	11	12	5	39 per cent. of th Boys will contribu materially to live hood, and 60 p cent. of the Girls.

* This group includes many who would be suitable for custodial homes, but who still with assistan outside could do something towards earning a living.

† Most of the boys will get work, but it is doubtful if they will rise beyond the position errand boys, hawkers, and labourers.

Kerr, Vol. I., p. 441.

	Boys.			Girls.			
	Able to earn their own living. A.	Contribute materially, require after-treatment. B.	Will not contribute materially, Custodial treatment. C.	Able to earn their own living. A.	Contribute materially, require after-treatment. B.	Will not contribute materially, Custodial treatment. C.	Remarks.
Mrs. Burgwin: Abbey Street, Bethnal Green, and St. John's Road, Hoxton.							
122 Children { Boys 69 } Over 12	9	10	7	3	4	13	33 per cent. of t Boys and 23 p cent. of the Gi would be able to ea their own living.
{ Girls 53 } Under 12	14	19	10	9	11	13	

272. The different results of the examination of the children in these groups of schools are remarkable. Dr. Collie reports 62 per cent. of the boys and 67 per cent. of the girls in the Bath Street Schools to be likely to be self-supporting—taking, as we understand it, the test of what the children will be able to do when they leave school, that is, at the age when the demand for the cheap labour of children is greatest. Later on, as several witnesses have said, they might be able to earn little or nothing. This percentage of estimated success is indeed very high, if tested by other records such as those of Mrs. Owen Fleming, the manager of a "Special School," in Southwark, which cover a long period of observation. Dr. Thomas has made his examination in view of the whole social prospects of the child, and he returns only 32 per cent. of the boys and 29 per cent. of the girls as likely to be self-supporting, showing, as we understand him, that this much smaller number of mentally defective children is likely to be self-supporting continuously. Dr. Berry's return is stated to be drawn on a very strict interpretation of the facts; and it is noticeable that she concludes that a much smaller number of the boys than of the girls will contribute to their own maintenance. Mrs. Burgwin, judging from "heredity and home conditions," practically comes to the same conclusion as Dr. Berry in regard to the boys, but grades the girls who would be able to earn their living at 23 per cent., rather less than Dr. Thomas's figures. Taken together, these statements suggest that on a careful and continuous scrutiny of cases only a very small proportion of feeble-minded children, probably less than one-third, will be able to support themselves materially or partially.

273. In view of such figures as these, provision and supervision for this class in their after-school life is of overwhelming importance. It affects especially the large section of those who are not able to support themselves in life, the 60 or 70 per cent., and who will either require custodial treatment, or, being able to contribute only partially to their own support, will often require "after treatment." And another question arises which further affects the utility of the special schools as means of enabling the children to support themselves, as far as their abilities will enable them to do so. From the tables of the ages of children in special schools it appears that the attendance of boys at special schools falls off steadily after the ninth and tenth year. In that year it reaches its maximum —345. At twelve (twelve to thirteen) only 236 of that age are attending. In the girls' department there is also a decrease—a rapid fall from 244 to 192 between the years ten to eleven and the years eleven to twelve; and at twelve (twelve to thirteen) only 189 of that age are attending. Accordingly it seems that before twelve there is a considerable withdrawal of mentally defective children—boys and girls, who cannot nearly all of them have been moved up into the ordinary schools, and so must slip out of sight. For the rest, the following table states the position:

Provision required for mentally defective children—*contd.*

Lawrence, Vol. I., p. 429.

MENTALLY DEFECTIVE CHILDREN.

	Over 12.	Under 12.		Over 12.	Under 12.
Boys in school - 2,057	572	1,485	Girls in school - 1,501	472	1,029
Boys examined - -	135	307	Girls examined - - -	119	237
Requiring custodial treatment.	61	80	Requiring custodial treatment.	40	70
Proportional number of boys requiring custodial treatment among mentally deficient boys at schools. (Special).	258	386	Proportional number of girls requiring custodial treatment among the mentally deficient girls at schools. (Special).	158	303

274. If then, those inquiries which have been made by specially skilled persons be considered approximately correct, it would seem that custodial provision would have to be made for 644 boys and 461 girls; and in view of the fact that there is a large declension in the number of boys and girls attending school in the last three or four years of the school life, it would seem noteworthy that so much larger a provision should have to be made for children under twelve than for children over twelve, a fact that appears to confirm the opinion that the transition step from the class or probationary system to the institutional is reached in most cases much before sixteen, the age at which feeble-minded children have now to leave the special classes.

275. On the assessable value of London the expense of making provision for such cases as need institutional treatment, and the further similar expense of providing for other classes of mentally defective is a comparatively small charge, while the unification of authorities and the simplification of organisation and procedure should lead to considerable savings in some directions. Thus, for instance, a single contracting body, working on the lines of the Metropolitan Asylums Board, might make contracts for the supply of provisions on such a basis that with the full and useful employment of all inmates and a simple diet the cost per head for maintenance might be reduced to five or six shillings a week, at least for large institutions, houses and colonies of the type we are now considering.

Legge, Vol. I., 1253.

Lewis, Vol. II., 11280.

CHAPTER XII.

CONCLUSIONS AND RECOMMENDATIONS.

276. We find no points of difference in regard to London which would lead us to recommend for it a scheme different from that which we have recommended for England generally. There, as elsewhere, the care of the mentally defective should, we think, be brought under one local authority. On this point our

Sherlock, Vol. I., 8951. Beresford, Vol. I., 5480.

Allen, Vol. I., p. 413, col. 2, 7591–7593, 7605.
Mott, Vol. I., p. 455, col. 2.
Bond, Vol. I., p. 469, col. 2.
Burgwin, Vol. I., p.484, col. 1 & col. 2.
McDougall, Vol. II., p. 373, col. 2 and 17571.
Downes, Vol. I., 1899.
Kerr, Vol. I., p. 439, col. 2.

evidence has been unanimous. Apart from the Education Committee, there are at present in London two local authorities dealing with mentally defectives, viz., the London County Council and the Metropolitan Asylums Board, the latter a Poor Law body. We have given, in Chapter VI. above, our reasons for concluding in general that a Poor Law authority cannot suitably undertake the care of the mentally defective, and, for these reasons, we are unable to recommend that the Metropolitan Asylums Board should be the local authority in London to deal with them. We recommend, therefore, that in London, as elsewhere, the care and control of all mentally defective persons should become part of the duties of the County Council acting through a Statutory Committee for the care and control of mentally defective persons. This committee would take the place of the Asylums Committee of the Council. The existing asylums of the Council and the institutions of the Metropolitan Asylums Board which have been established for the care of any class of mentally defective persons, would be under the control of this committee, which would also have the oversight of their education and of all public and voluntary provision made on their behalf. There would be a central system of certification with which the managers of the different institutions would be associated, so that children suitable for admission to an institution or to a special school would be admitted to one or the other directly by the decision of the same committee, without being subject to the decision of the officers of other intervening authorities, such as the Poor Law guardians or the Education Committee. The committee for the mentally defective, subject to report to the Board of Control and approval by them, would be able to provide for its wards by contracting on their behalf that they should be placed and maintained under such conditions as they may think desirable, in Poor Law, voluntary and other institutions, or they may furnish the necessary accommodation themselves. With the Education Committee they might arrange, as seemed best, to take over or hire the special schools from them, or to contract with them for the education of mentally defective children at a fixed rate. As elsewhere, there would be a medical officer appointed by the committee for the care and control of mentally defective persons, and he or a certifying medical practitioner, on the lines of Recommendation XXXVI. would ensure unity of method in certification, as far as possible. For the transfer of cases from one institution to another there would be a simple method of certification. (*See* Recommendation LX.) For London, therefore, no special recommendations are necessary, except one only, which is required in order to arrange the transfer of the institutions of the Metropolitan Asylums Board to the County Council. This recommendation is as follows :—

Recommendation XLII.

Recommendations LXXIX–LXXXII.

Recommendation XXXV.

Recommendation XCVI.

"That, notwithstanding any existing Statutes, the general Act for the care and control of the mentally defective should provide that in the case of the administrative County of London :—

(*a*) The institutions of the Metropolitan Asylums Board for mentally defective persons should be transferred (on such terms, and subject to such arrangements as may be provided in the Act) to the London County Council for the use of its Statutory Committee for the care of the mentally defective, on whom the duty to make suitable and sufficient provision for the care and control of the mentally defective in the administrative County of London, will, by the said Act, devolve.

And that (*b*) all grants now payable to the Metropolitan Asylums Board and to Boards of Guardians from the Metropolitan Common Poor Fund and from the Exchequer for the maintenance of lunatics or imbeciles, and any sums in future payable from the Exchequer on account of mentally defective persons, or epileptics not mentally defective, should, after the passing of the proposed Act, be payable to the London County Council for the use of the Statutory Committee for the care of the mentally defective (*see* Recommendations XXVIII.–XXXIV. and XC. below)."

PART III.

THE EDUCATION AUTHORITIES AND MENTALLY DEFECTIVE CHILDREN.

CHAPTER XIII.

The Law Relating to the Education of Mentally Defective Children and the Movement in Favour of it.

277. The compulsory Elementary Education Acts imposed on all children the obligation to attend school, and presently revealed the fact that there were a large number who, on account of mental or physical defect, could not be suitably educated in the large classes of public elementary schools. The children who suffered from obvious physical defects were the first to whom public attention was drawn, and a Royal Commission, which reported in 1889 on the Blind, the Deaf and the Dumb, was appointed to consider what steps should be taken for their care and education. Pooley, Vol. I., 204, 217 and 234.

This Report resulted in the passing of the Elementary Education (Blind and Deaf Children) Act of 1893, which made it a legal obligation on the part of the parent to cause his child to "receive instruction suitable to it," and it was made the duty of every school authority to provide suitable education (including industrial training) for blind and deaf children. The provisions of this Act have been satisfactorily carried out, and it is probable that few blind or deaf children are now left without suitable education. Pooley, Vol. I., 205.

278. The Report of the Royal Commission on the Blind, the Deaf and the Dumb contained the following recommendation :— Report of the Royal Commission on the Blind, Deaf and Dumb, 1889, par. 724, p. cvi.

> "That with regard to feeble-minded children, they should be separated from ordinary scholars in public elementary schools, in order that they may receive special instruction, and that the attention of school authorities be particularly directed towards this object."

Acting on this suggestion, the school authorities in London and seven provincial towns organised special classes for feeble-minded children. These were found to be a heavy charge on local expenditure, as they received no special Government grant, and representations were made by the London School Board and other school authorities in favour of special legislation for feeble-minded and epileptic children.

279. A Departmental Committee on Defective and Epileptic Children was appointed in 1896, and the terms of their reference were :— Report of Departmental Committee on Defective and Epileptic Children, 1898. (p. 1, par. 1.)

> "To enquire into the existing systems for the education of feeble-minded and defective children not under the charge of guardians, and not idiots or imbeciles, and to advise as to any changes, either with or without legislation, that may be desirable :
>
> "To report particularly upon the best practical means for discriminating on the one hand between the educable and non-educable classes of feeble-minded and defective children, and on the other hand between those children who may properly be taught in ordinary elementary schools by ordinary methods and those who should be taught in special schools :
>
> "To enquire and report as to the provision of suitable elementary education for epileptic children, and to advise as to any changes that may be desirable."

280. To show the kind of children who were thought by this Committee to form the object of their enquiry, the following passages may be quoted :— Type of Children under Consideration.

> "*Existence of feeble-minded children not imbeciles.*—That children exist who, on the one hand, are too feeble-minded to be properly taught in ordinary elementary schools by ordinary methods, and, on the other hand, are not so feeble-minded as to be imbecile or idiotic is assumed in the terms of reference to us. With this assumption we are in entire agreement. From the normal child down to the lowest idiot there are all degrees of deficiency of mental power ; and it is only a difference of degree which distinguishes the feeble-minded children, referred to in our enquiry, on the one side from the backward children who are found in every ordinary school and, on the other side, from the children who are too deficient to receive proper benefit from any teaching which the school authorities can give. . . . Thus the feeble-minded children referred to in our enquiry exist as a distinct class from imbeciles ; they are not, in fact, certified as imbeciles, they are not provided for as imbeciles ; they are not classified as imbeciles by most scientific authorities ; and they differ, both from ordinary children and from imbeciles, in the treatment which they require during their school life." Report of Departmental Committee (p. 3, par. 13) Report of Departmental Committee. (par. 12, pp. 3 & 4.)

With regard to *epileptic children*, the Departmental Committee say :—

> "'Epileptic children,' as used in the terms of reference, we have understood as covering children of all degrees of mental power and all degrees of epilepsy." (par. 12, p. 3.)

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Type of Children under Consideration.

Report of Departmental Committee on Defective and Epileptic Children, 1898—*contd.*

281. The Departmental Committee give it as their opinion that :—

> "Approximately 1 per cent. of the children of the public elementary school class appear to be feeble-minded. An exact estimate will only be possible when more complete measures shall have been taken for discriminating and dealing with them."

They further state :—

> "The number of epileptic children appears to be currently estimated at 1 per 1,000, excluding epileptic lunatics, but otherwise including all cases, mild or severe. . . . Of those afflicted with epilepsy one-sixth are estimated to be severely afflicted."

(p. 9, par. 22.)

282. Their principal recommendations were that every child who by reason of physical or mental defect is not attending school should be examined by a medical officer appointed by the school authority. He should sign a certificate, stating whether the child is capable or incapable of receiving proper benefit from instruction (i) in ordinary schools, or (ii) in special classes for feeble-minded children. They further suggested that, if the medical officer should be of opinion that the child is imbecile, he should sign a certificate to that effect, and that the child should be excluded from school on that certificate. They suggested that this certificate might be used for the purpose of admitting children to Darenth or to certified institutions for imbeciles, as there was a difficulty in obtaining admission to Darenth by means of a certificate of the medical officer of the guardians. They said :—

(Par. 22 and 23.)

> "It is desirable that the authorities dealing with imbeciles should take the same view of imbecility as the school authority, and that no children should be left to whom both authorities refuse provision . . . ."

(Par. 23, p. 10.)

With regard to the establishment of special classes the Departmental Committee said :—

> "We consider that the Department should be empowered to require the provision of special classes in all districts where they think special provision necessary; and that for towns of a population of 20,000, special classes will almost certainly be required, and that enquiry should at once be made in all towns with a population of 10,000 or over with the view of ascertaining whether a special class is necessary . . . ."

(p. 22, par. 57.)

And they also recommended that the Education Department should require the school authority to provide for defective children and that :—

> "For the purpose of providing for defective children school authorities should have power to combine and to contribute and that the Education Department should have power to compel contribution in respect both of provision and maintenance of school accommodation."

(p. 22, par. 59.)

They pointed out that the Department had this power with regard to blind and deaf children and they recommended that :—

> "These powers should also be conferred on the Department in regard to the provision for the education of defective children."

(p. 23, par. 59.)

Further they recommended that where a special class was within reach of a child's home, it should be obligatory on the parent to cause his child to attend such a class.

(p. 15, par. 36.)

283. Three methods of providing education for defective and epileptic children were suggested :—

(p. 36, par. 104.(4).)

(i.) Special day classes (for town populations).

(ii.) Boarding-out, subject to the Regulations of the Education Department, in a home conveniently near to the special class (for country cases).

(iii.) Homes for defective or epileptic children certified by the Education Department.

(p. 36, par. 104, (10).)

The Departmental Committee did not suggest the compulsory removal of defective children from their homes to be boarded out or placed in Homes for defective children, but they did suggest that a magistrate's order should be obtained in the case of an epileptic child, requiring the child to be sent to a certified Epileptic Home.

284. Their principal recommendations with regard to epileptics were :

That children of normal intellect with slight epilepsy should be left in the ordinary elementary schools.

(pp. 30 and 31, par. 82.)

That feeble-minded children with slight epilepsy should be sent to special classes for the feeble-minded.

(p. 31, par. 84.)

That children with severe epilepsy, but not insane (estimated at one-sixth of the total number of epileptic children), should be provided for in certified Homes for epileptic children under the Education Department. With regard to the provision of such Homes and the maintenance of children therein and the

(p. 32, par. 87.)

(p. 34, par. 94 and 95.)

obligation of parents to cause their children to attend, the Departmental Committee recommended that the powers given in the Blind and Deaf Children Act should apply to epileptic children. (p. 36, pars. 164) (11) (12) (14) (15) (17).)

285. The principal suggestions made by the Departmental Committee were embodied in the Elementary Education (Defective and Epileptic Children) Act of 1899, but the Act was permissive in character. Education authorities were empowered, but not required, to make provision for defectives. No action was taken on the suggestion that the certificate excluding a child from a special class on account of imbecility should admit such child to an institution for imbecile children. The same difficulties still exist in getting such children certified and provided for by the guardians.

Elementary Education (Defective and Epileptic Children) Act, 1899, 62 & 63 Vic. cap. 32, Sec. 1 (1). Pooley, Vol. I., 224 Dendy, Vol. I., 825, 902, 903, 904. Kerr, Vol. I., 8007.

286. By this Act defective children are defined as children who, "not being imbecile and not merely dull and backward, are by reason of mental or physical defect incapable of receiving proper benefit from the instruction in the ordinary public elementary schools, but are not incapable, by reason of such defect, of receiving benefit from instruction in such special classes or schools as are in this Act mentioned." Epileptic children are defined as those who, "not being idiots or imbeciles, are unfit by reason of severe epilepsy to attend the ordinary public elementary schools."

Elementary Education (Defective and Epileptic Children) Act, 1899, Sec. 1 (1.) (a) and (b).

School authorities may, with the approval of the Board of Education, make such arrangements as they think fit for ascertaining the number of defective and epileptic children in their district. But they are not obliged to do this. If they do, however, they must provide facilities for enabling parents to send to them for examination such of their children as they think should be dealt with under the Act: and they can compel parents to do so subject to a £5 fine in default.

Sec. 1 (2) and (4).

287. When a school authority has ascertained the existence of defective children, it is under no obligation to deal with them specially, but it may do so—

(i.) By establishing special classes for them in some of its schools.
(ii.) By boarding them out in houses near to special classes or schools.
(iii.) By establishing either day or boarding special schools for them.

Sec. 2.

When a school authority has ascertained the existence of epileptic children, it may, but it is not obliged to, establish special schools for them. The omission of power to board-out or to establish classes for epileptics should be noted. For epileptics, the Board of Education certify boarding schools only. Full power is given, not only to establish, but to acquire, maintain or contribute to special schools or classes; and guides and conveyances may be provided for children who require them.

Secs. 3 and 4.

288. No fees can be charged for the instruction given in special schools, but parents may be compelled to pay what they can towards the cost of guides and conveyances, and all other expenses of the child incurred by the education authority. Parents are bound to send their defective and epileptic children between seven and sixteen to special schools and classes to the same extent as they are bound to send their normal children to ordinary schools. The maximum Government grant is £5 *per capita*, but the average obtained is about £4 3s. With regard to epileptic children, parents may be compelled by a justice's order to send them to a special school, no matter at what distance.

Obligations of Parents.
Sec. 8.
Sec. 4.
Sec. 11.
Sec. 4.

289. Schools cannot be certified for defective and epileptic children—

(i.) If conducted for private profit.
(ii.) Unless managed by a school authority.
(iii.) Or by managers whose maintenance accounts are published and audited in compliance with Regulations of the Board of Education.
(iv.) Unless open to the inpectors of the Board and of school authorities sending children to it.

Elementary Education (Blind and Deaf Children Act, 1893. Sec. 7.

Elementary Education (Defective and Epileptic Children) Act, 1899. Sec. 9, sec 10.

Education authorities are not bound to receive in their special schools or classes workhouse or boarded-out children, but guardians of the poor may contribute to the provision and maintenance of schools and classes in which their children are received.

103.—VIII. M 2

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Elementary Education (Defective and Epileptic Children) Amendment Act. 1903, 3 Edw. vii., cap. 13. Pooley, Vol. I., 223.

290. The Elementary Education (Defective and Epileptic Children) Amendment Act modified the regulations under the Act of 1899 with regard to boarding schools for defective and epileptic children. It is now possible to have more than fifteen children in one building, and more than four such buildings in one establishment.

Number of Education Authorities who have adopted the Act.

Pooley, Vol. I., 243.

291. From the passing of the Act of 1899 until the Education Act of 1902, the Education Authorities of thirty-one County Boroughs (including London),—out of sixty-nine, eight non-county Boroughs, four Urban Districts and four small School Boards or District Councils, subsequently merged in the areas of nine County Councils, adopted the Act. Up to the 30th September, 1906, the Elementary Education (Defective and Epileptic Children) Act had been adopted by eighty-seven Local Education Authorities. "The county authorities are waiting, seeing how things develop, and attending in the first instance to the ordinary children."

Distribution of Schools.

Appendix Vol. V., p. 188–193.

292. A statement respecting the position of the Special Council Schools by counties will indicate better than a numerical summary what is their real extent and distribution.* In the North of England there are thirty-one; in Lancashire, fifteen; in Derbyshire, one; in Cheshire, one; in the County of Durham, two; in Northumberland, one; in Yorkshire, twelve Special Council Schools, four being in Bradford, four in Leeds, three in Sheffield, and one in Halifax. Of the Lancashire schools five are in Liverpool, three in Manchester, two in Bolton, and two in Burnley; and in Blackburn and Oldham, one each.

The schools are all in urban centres, and, it will be seen, not distributed throughout the middle sized towns or the country, but chiefly clustered in a few very large towns.

In the south the chief centre is London, where there are seventy-nine Special Council Schools, with one at Wimbledon and two at Willesden; in Essex, four; in Kent, two; in Sussex (Brighton), one; in Berkshire, one; and one in Oxford.

In the more Midland counties, there are thirteen; in Staffordshire (Wolverhampton), one; in Warwick (Birmingham), seven; in Nottingham, three; in Leicester, one; and Northampton, one.

In the south-west, there are four schools; two in Bristol, and two in Devonshire—at Devonport and at Plymouth.

Appendix Vol. V., p. 193.

In Wales, there are two schools, one at Cardiff and one at Barry. Besides these Special Council Schools there are some voluntary home schools, such as that at Sandlebridge, and Sandwell Hall, West Bromwich, which has been recently opened, and others.

293. These figures show that the Special Council Schools have been established wholly in urban centres and usually where there is a large industrial population, and a high assessable value. They show, also, that taking England and Wales as a whole, the schools are few in number and very unevenly distributed.

294. Having stated the terms of the Elementary Education (Defective and Epileptic Children) Act and drawn attention to the present distribution of the special schools or classes for defective children, we would deal with the number of these children as indicated by the evidence we have received and by the returns made by our medical inspectors; and we would then pass to such questions as the notification and registration of children and the use of the special class as a centre for selection and discrimination. Subsequently, we would compare the general results obtained in special schools in several of the cities and towns where they have been established, the methods of education to be adopted, the training and selection of teachers, the relations to be formed with the parents, and the arrangements to be made for the after-care and supervision of children when they leave school.

* From the list of Certified Schools on August 1st, 1907, published by the Board of Education, it would appear that at that time, accommodation had been provided for 9,082 children, but that of this accommodation no less than 4,946 was in London. [Cd. 3970.]

The Reports of the Medical Investigators in regard to Mentally Defective Children.

295. The reports of the medical investigators throw light on the state of things in towns and rural districts where there is no educational or other organisation for the care of mentally defective children. In those places, whether these children are few or many, they cannot be dealt with to good effect. There is usually no medical officer in charge of the health of the school children; and concerted action for their benefit in the local area or in the county, the first preliminary to reform, is wanting.* The following table shows the proportion of mentally defective children to the total registered school population:— The Reports of the Medical Investigators in regard to mentally defective children.

Urban Districts.	
Stoke-on-Trent	·60
Birmingham	1·12
Manchester, Chorlton and Prestwich	1·24
Hull and Sculcoates	·40
Mining District.	
Unions in:—	
Durham County	·28
Rural Areas.	
Somerset	·58
Wiltshire	·47
Nottinghamshire (partly rural)	·60
Lincolnshire	1·10

Vol. VI., p. 59, col. 19.

296. The northerly districts of the Durham Counties and Hull stand best. The large urban areas come last. Stoke-on-Trent stands with the county areas, for there, in spite of many drawbacks, the medical investigator reports well of the school population. The Lincoln unions, though rural, stand with the large urban districts, and have a percentage of 1·10 of mentally defective children.

297. A few notes will show how great the want is where there are not even special classes for "defective" children as defined by the Act of 1899.

The Manchester area is only partially provided for with special schools. Dr. Melland's survey of the schools shows that besides 1,328 defective children, of whom only 273 were in special schools, there were :— Manchester: Vol. VI., p. 147.

"Sixty-five imbeciles, almost half of whom (thirty-two) were children who had either never attended school or who, having proved unteachable in the ordinary school, were excused attendance and left to run the streets, getting into mischief, and also showing dangerous and destructive tendencies. Five had been tried in one or other of the special schools for defective children, but had proved themselves incapable of profiting by the teaching there, and the other ten had been examined for the schools, but had been recognised as too markedly defective for admission. The remaining eighteen were met with in the ordinary day schools, gaining nothing from the teaching there, and only serving to interfere with the order and progress of the classes in which they were placed."

In Somersetshire, to refer to one group of children only, 153 defective children were in the ordinary elementary schools. "They were receiving practically no training and were often a source of distraction to the other scholars. When the time comes for them to leave school, the educable period will have passed, and they will be turned adrift, with their capacity for useful work entirely uncultivated, to swell the ranks of the feeble-minded." Somerset: Vol. VI., p. 219.

In the elementary schools in the Wiltshire unions, there were 113 defective children and nineteen epileptics; and the conclusion in regard to them is: "the large proportion of them, however trained, will never be able to take an independent position. They are, however, capable of instruction in manual work and agriculture, and if thus trained could work under supervision." Wilts: Vol. VI., pp. 253, 255.

In the elementary schools in the Lincolnshire unions, there were nineteen imbeciles and 248 defective children. The investigator attributes the large number of the latter, in part, to the low standard of average intelligence in the rural districts in that county. Lincolnshire: Vol. VI., p. 300.

298. Taken altogether, this evidence supports strongly the view of the Commission that permissive legislation has failed and that some public organisation should at an early date be established to deal with these cases in a systematic manner. Failure of permissive legislation.

* Since this was written, the Education (Administrative Provisions) Act of 1907 has been passed, by Section 13 of which it is provided that the local education authority shall "provide for the medical inspection of children immediately before or at the time or as soon as possible after their admission to a public elementary school, and on such other occasions as the Board of Education may direct."

Evidence Regarding the Number of Mentally Defective Children on the School Registers.

Evidence regarding the number of mentally defective children on the school registers.

299. The figures submitted to us by witnesses in regard to the number of feeble-minded children of school age differ in some measure. All through, indeed, in statistics and estimates of witnesses in reference to this branch of our subject allowance must be made for a certain difference in the standard applied to the cases considered suitable for admission to the special classes, which is the criterion on which the count or estimate of these cases depends. The definition of the Act of 1899 was necessarily perhaps vague—the class coming between the "imbecile" and the "dull and backward." In Manchester, as we have seen, the "dull and backward" formed the bulk of the special class, and until observation has led to a more discriminating classification, such as is now being applied, many dull and backward cases, cases of "spurious mental defect," must be included among the "defective children" of the Act.

Ashby, Vol. I., pp. 580–581, 9996–9998.

The figures, however, grade themselves fairly and it may be said that they are generally confirmed by the returns of the medical investigators. We will set the two groups of figures side by side.*

Urban and Rural areas compared.

300. We take the towns and the rural districts separately. Dr. Ethel Williams after a careful examination of the school population of Newcastle reported that 113 out of 46,000 were mentally defective. This gives a proportion of under ·25 per cent. Accounting for this small percentage, she was of opinion that a higher type of children was admitted to special schools in other towns than in Newcastle. For Leeds the estimate was 0·8 per cent., for London 0·5 or 0·6 per cent., for Bradford 0·5 per cent., for Bolton about 1 per cent., and for Birmingham about 1 per cent., of the school population. Dr. Francis Warner's general estimate was 0·8 per cent. We have thus variations in estimate from ·25 per cent., ·5, ·8 to 1 per cent., and even 2 per cent.

Williams, Vol. II., p. 285, 15851.
Buckle, Vol. II., p. 543, col. 1.
Pooley, Vol. I., 247.
Garbutt, Vol. II., p. 121, col. 1.
Wilkinson, Vol. II., 12718.
Pinsent, Vol. II., p. 456, cols. 1 and 2.
Warner, Vol. II., 11026.

We may compare the above-quoted percentages with the figures of the medical investigators of areas in England and Wales. The percentages of mentally defective children amongst the children on the school registers in urban areas are: Stoke-on-Trent, ·60; Birmingham, 1·12; Manchester, with Chorlton and Prestwich, 1·24; and Hull, ·40.

Vol. VI., p. 59, col. 19.

301. Next, if we take a mining district, the Durham county areas, we find that the percentage is ·28, almost the same as that given by Miss Williams in regard to Newcastle.

Vol. VI., p. 23.

The figures in regard to rural districts submitted to us by witnesses were, as to Worcestershire, 350 or ·75 mentally defective children in a school population of 46,368 (exclusive of the population of county boroughs) and in the administrative county of Southampton, popularly called Hampshire, 145 in a school population of 52,000, or ·27 per cent., which, judged by the standard of the neighbouring county of Wiltshire, seems a very low percentage.

Willis Bund, Vol. II., 19347.
Cowan, Vol. II., 19808–19809.

The returns of the investigators as to the percentages of mentally defective children amongst the children on the school registers for the areas are:—in Somerset, ·58; Wiltshire, ·47; Nottinghamshire, ·60; Lincolnshire, 1·10. And in Wales the returns for the areas in Carmarthenshire and in Carnarvonshire give as percentages ·67 and ·33.

Vol. VI., pp. 26, 31.

302. In conclusion, following the data of the medical investigators, we may say that, in England and Wales, the number of mentally defective children may be expected to be, in the areas urban and rural, ·79 per cent. of the number of children on the school registers, falling as low as ·28 in a northern colliery district, and rising as high as 1·12 and 1·24 in urban areas.

Vol. VI., p. 59.

Number of mentally defective children needing provision on school registers.

303. As the tables show, the number of children for whom provision is required varies considerably. By "needing provision" is meant "the number" at the time of the investigation "urgently in need of provision, either: (1) in their own interest; or (2) for the public safety;" or "such cases as are in the opinion of the investigator improperly, unsuitably or unkindly cared for, or who, by reason of particular habits and characteristics, are a source of danger to the

Vol. VI., p. 65, col. 18.

* By the words "*mentally* defective" in reference to children is meant children in Public Elementary Schools suffering from all kinds of mental defect. By "defective" children is meant children defined as defective under the Elementary Education (Defective and Epileptic Children) Act, 1899, excluding the merely physically defective cases. See p. 87 above.

community in which they live." Thus the need of provision, as reported, varies primarily with the extent to which special classes have been brought into existence. Hence, at Birmingham, where there are seven special schools, it amounts to 18.53 per cent. of the total number of mentally defective children on the school rolls; at Stoke-on-Trent to 100·00; at Hull and Sculcoates to 97·38 per cent.—that is to say, to nearly the total number of mentally defective children on the school registers; at Manchester to 74·22 per cent. Number of mentally defective children on school registers "needing provision."—*contd.*

Stated generally, in the urban areas, as a whole, the number of mentally defective children to be provided for out of the total number of these children amounts to 67·39 per cent.; in the rural districts of England and Wales their number is 91·67; in the Welsh areas, 96·44; and in the mining Durham areas, 90·70. We may conclude that in the judgment of the medical investigators nearly all the mentally defective children in the schools have in some way to be provided for. Taken as a proportion on the number of children on the rolls of public elementary schools in England and Wales, the total needing provision would amount to 35,662, as will be seen by the Table below.

Total Children on the School Registers in Medical Investigators' Area.	Total Children needing Provision.	Percentage of Children needing Provision on Children on School Registers	Total Children on School Registers, England and Wales.	Proportion Children needing Provision.	Percentage of Proportion on Total Children on School Registers.
436,833	2,590	·59	6,044,394*	35,662	·59

*Statistics of Public Education, England and Wales, 1904–5–6, p. 32.

CHAPTER XIV.

The Registration, Notification, and Observation of Mentally Defective Children.

304. The Elementary Education (Defective and Epileptic Children) Act of 1899 has, as we have seen, been of great service in bringing to light the nature and extent of mental defect among children of school age; and this question has now to be considered in its further developments; that is to say, in relation to the medical inspection of schools as a necessary means of obtaining information about these cases; in relation to a system of notification, if such be desirable; and in relation to special schools or classes considered as centres for observation with a view to the right treatment of individual cases.

305. The medical inspection of schools on general grounds appears to us to be the condition precedent to any progress in the care and treatment of the mentally defective.* Without it no system of registration is possible, nor can the special class or school be made a centre of observation in these cases. Without the medical officer to use and apply the knowledge which attendance and other officers accumulate in regard to individual cases in the enrolment of children and in their other work, the opinion which the teachers form may be of little or no service in dealing with mental defects. To compile and keep a register of defectives the medical examination of all children is necessary. The utility of the register is obvious. Unless there be a register "many cases in which the grade of mental defect is small [will] escape notice altogether, or be recognised after considerable delay and loss of most valuable time." Medical inspection and registration. Mott, Vol. I., p. 455, c. 1 & 2. Bond, Vol. I, p. 470, col. 1.

"If the Defective and Epileptic Children Act of 1899 were made compulsory and properly carried out," Mrs. Hume Pinsent said, "there would be no need of registration; it would act in itself as a registering authority; every case would be carefully considered by it, the consideration lasting in some cases a few months or a year, in other cases the whole of the child's career. That authority would know who were the defectives in any district." Pinsent, Vol. II., 19175.

But in the evidence submitted to us the question was not confined to this issue; and perhaps it is convenient to consider it here in its more general

* This inspection has now been made statutory under the Education (Administrative Provisions) Act, 1907. 7 Edw. VII. ch. 43, s. 13. By this section the local education authority is required "to provide for the medical inspection of children immediately before or at the time of or as soon as possible after their admission to a public elementary school."

Medical inspection and registration.—*contd.*

bearings, though undoubtedly the registration of these cases, in connection with the work of the attendance or other officers of the elementary schools, is the primary procedure on which the whole method of registration and notification should be founded.

Warner, Vol. II., 11102–11104. Fry, Vol. I., 5772–5776. Turner, Vol. I., 8670. Helby, Vol. I., 5169–5176. Odhams, Vol. II., 13629, p. 153, col. 2. Stone, Vol. II., 13694, p. 156, col. 1.

306. It is agreed that in the registration of the defective children there should be no publicity; and that the registers should be available for use in relation to the whole subsequent education, training, control, or supervision of the children. Further, it is suggested that the area of registration should be enlarged, and that officials and others who come across cases which appear to be of this type, medical officers of health, and hospital and dispensary doctors and relieving officers of the Poor Law should report them to some authority, whose business it would be to keep this enlarged register. Others propose a further step—that "it should be compulsory for the parents and guardians to register"; and others suggest "that to ensure that every case be brought to light it should be made the duty of the medical officers of education authorities, and of all practitioners, to report all such cases to the Central Authority, on the lines of the Act for the notification of infectious diseases."

Helby, Vol. I., p. 295, col. 2.

Notification.

307. The question of notification is closely connected with that of registration. So far as the schools are concerned, "notification can only be done effectively by medical men," Dr. Jackson stated; and in his view only "through the district medical officer or clerk to the guardians, the last-named officer sending in the report to the Commissioners in Lunacy along with his other reports at the end of each three months." "It would be useless to insist that the parents should notify, as relatives rarely admit that a kinsman is mentally afflicted." Notification is necessary "for statistical purposes. I feel sure that the number of cases is greatly in excess of that usually estimated"; and "on the score of economy idiots, imbeciles, epileptics and others are repeatedly thrown on to the rates at a late period of their lives, when they are practically useless and incapable of any training. Such cases in their own homes have been spoiled, pampered and sometimes cruelly punished, but any attempt at education has been quickly abandoned. As a consequence they have to be taken over by the parish in a wretched condition, both mentally and bodily." "Early notification, if followed by removal to an institution, not only may make the individual useful, or self-supporting, but also adds considerably to his mental capacity. There is also a secondary benefit to the family when relieved of the continued presence of a weak-minded relative."

Jackson, Vol. II., 18283, p. 414, col. 1.

Jackson, Vol. II., 18283 and 18304.

Cf. Booth, Vol. II., p. 174, col. 2, and 14063–14066, 14135. and Whitcombe, Vol. II., p. 432, col. 1½; and 18562.

308. The importance of these statements it is not possible to overrate, and, obviously, they are so worded as to admit of no exceptions; and yet it is a question whether there are not many cases in which the means and medical advice necessary for making proper provision for a child or other dependant are forthcoming, and in which both means and advice are properly applied already. But, however this may be, here we have the definite proposal that there should be compulsory notification, that is, notification, subject to penalty, on the part of all medical men cognisant of any case of medical defect, whatever the circumstances may be.

309. With this view we cannot agree. According to the proposals submitted to us, there would be, by general consent, a school register of defective children of the class attending public elementary schools, as ascertained by the medical officer of the school. This, it seems to us, would be the nucleus of a more general registration, and it is indispensable. It would be private, and would not be formed by means of public notification, but in the course of the daily administrative work of the educational authority. The school register of mental defect would be utilised again for compiling the register of the local authority which deals with the mentally defective generally, and with that authority would be registered all other cases which have to be notified to it by the officers of other authorities. Further, if parents and guardians notified voluntarily cases for whose care they were responsible, information as to these cases would also be added; and again, as endeavours would be made to promote the well-being of individual children systematically in connection with their life after school as well as at school, it is possible that the notification by parents and guardians, though voluntary, might become general. To make it compulsory,

at this stage, would, we fear, raise needless apprehension and prevent—what the general evidence strongly supports—the introduction of some kind of continuing supervision and, as far as is necessary, of segregation in these cases. Notification—*contd.*

310. And further the argument against compulsory notification on the part of medical practitioners has also to be considered. Dr. Shuttleworth, consulting medical officer to the National Association for the Welfare of the Feeble-minded, said that in the case of "well-off feeble-minded people" to make "mental defect" a "notifiable disease" "would be really impracticable," and if practicable, would be unnecessary, for "they generally have very good homes to go to, and their parents and friends manage with them afterwards." Yet, though not on the lines of notification, a responsibility, he urged, lay with the community in regard to these cases also. For "as regards mentally defective children of a higher social class than those attending public elementary schools, the education (or other) authority should be satisfied," he said, "that the parents provided special instruction of a suitable character in early life, and that, as far as might be necessary, adequate care and control was provided in adult life." This, he thought, could be done with all respect for the susceptibilities of the parents, "so as to avoid unnecessary publicity, and too stringent certification, especially in the case of children whose defect may possibly be transient." Shuttleworth, Vol. I., 9962-9964. Shuttleworth, Vol. I., 9957. 9842, p. 574, c. 1 and 2.

Dr. Whiteside Hime argued that the results of the Notification of Infectious Diseases Act were not such as to justify the application of the method to mentally defective cases; and "another Compulsory Notification Act would be an increase of the unconstitutional burden of obligatory State service imposed on medical men and an additional interference with private life." Besides "it was quite unnecessary." And Sir James Crichton-Browne, one of the Lord Chancellor's Visitors in Lunacy, summed up the question thus: To require a medical man "to notify every defective child he saw in his practice would be putting a very onerous and disagreeable duty upon the doctor. If a medical man happened in the course of his practice to see a child living in private life suffering from imbecility, maintained by parents, and reported it, he would give great offence. If it became his duty to notify it, it must be done in all cases. It would be an invidious duty to put on the profession; and it would be highly resented both by the profession and by the public." But when aid of any kind was given by a public authority, for instance, in connection with the Poor Law, the application for such aid became practically a notification, and the discovery of any such case in an institution to which persons are committed involuntarily justifies all steps which are called for by the nature and degree of the mental defect which is ascertained. This principle we accept, and it would, we believe, enable the community to do all that it is incumbent on it to do in aid of mentally defective persons, adults or children; for Dr. Shuttleworth's insistence on the necessity of the community being assured that in the case of "mentally defective children of a higher social class" proper instruction is given and a proper maintenance supplied, is open to the objection that without notification the case will not become known to any authority; but he deprecates notification, and hence no precautions can be taken that will immediately ensure what he desires. Hime, Vol. II., 19918, p. 520, col. 2. Crichton-Browne, Vol. I., 6104. Shuttleworth, Vol. I., 9842, p. 574, col. 1.

311. We recommend, however, in order to meet this contingency and the evident disinclination to accept the duty of notification on the part of medical practitioners, that, with a view to facilitate the work of the committee of the county or county borough council for the care of the mentally defective in the first instance, it shall be the duty of that committee, in pursuance of regulations to be made by the Board of Control, to ascertain, as far as possible, the number of mentally defective persons for whom the council is liable to provide. The inquiry would be made by the medical officers of the committee, or by a well-qualified medical man appointed for the purpose, acting under the supervision of the medical officer. This inquiry would be similar to that which has been made by the medical investigators who have been employed by us in connection with this Commission; and this, we think, would meet the purpose sufficiently. Inquiry as to number of mentally defective persons. Recommendation LV.

For this investigation, the entries on school registers would serve as a basis. Further, we recommend that a statutory duty as to notification of cases of mental defect coming to their knowledge in the course of duty should be imposed on the medical officers of the guardians of the poor, public health committees, and of convict and local prisons, the relieving officers, the police, the (*See* forms of investigation.) Vol. VI., p. 53.) Recommendation LVI

Inquiry as to number of mentally defective persons—*contd.*

naval and military authorities, and the managers of any inebriate reformatories or homes, or charitable, religious or voluntary institutions. Particular authorities, may, however, on special grounds be exempted by the Secretary of State from the performance of this duty. We do not recommend in general that private persons or medical practitioners should be compelled to notify cases of mental defect, but anyone who, *for profit*, shall receive to reside as a patient or maintain any mentally defective person should, within seven days thereafter, notify the same to the Board of Control.

Recommendation L

312. As provision for the mentally defective by "colonies" and other suitable institutions increased, on the advice of medical men, the parents and guardians of children of a "higher social class" would probably take advantage of them, for their dependants or wards, paying higher fees possibly for superior accommodation. Thus many cases would be practically notified without publicity, incidentally, in the arrangements made for their help and education. At present there are no such opportunities for admission to suitable institutions such as these colonies, open to the well-to-do, and the general sentiment of the class has not yet been quickened to approve of them, or to make use of them; but hereafter, as is already the case in some of the institutions abroad which we describe below, "colonies" may, and, we believe, will, become the accepted method of treatment, for all classes will, in different ways, make use of the same establishments.

Observation centres and classes.

Recommendation LXXXII.

313. In the case of both children and adults the use of observation centres is advocated. The children may belong to any of the classes of mental defect with which we are dealing, and it may be possible in many instances to diagnose quickly the nature and extent of the retardation that has taken place in their development. But often, on what are called border-line cases, much thought, coupled with observation and re-examination, has to be expended before a decision is possible. In the slighter phases of retardation, in instances of mal-development that affect some particular faculty or sense among the feeble-minded, and in cases in which it is doubtful whether there is any inherent mental defect or only a general failure and decline of power due to the neglect and starvation of life and its growing needs—in all these cases, continuous or repeated observation is necessary. And upon the sufficiency of the observation depend the practical measures which have to be subsequently adopted. Without this it is often impossible to gauge with any accuracy the "improvability" of a mentally defective mind, which is always subject to a certain irresponsibility that has to be dominated by the energy, initiation, and supervision of others. Nor, without observation, is it possible to forecast whether in all probability the mental powers will quickly weaken and fade away and become entirely useless, so that it is waste labour to expend on their development much time, thought, and money; or to ascertain whether the defect is a passing phase of weakness and not the result of any permanent check in development. It is evident, therefore, that in the interest both of science and of economy, there should be, either at special classes or in some other way, suitable centres for observation and testing. Thus, if the systematic use of observation centres enables medical officers to decide that, in some otherwise doubtful cases, no special education of any kind should be provided, there will be a great economy of thought, labour, and means; and again, in the better cases, the question whether it is worth while to teach a child an industry may, on these conditions, be rightly settled in the negative, and this may prevent the expenditure of considerable sums in fruitless attempts to do the impossible; and subsequently attention may be concentrated on enabling such a child to require just the routine skill, in some one or two ways, which will represent all that it is in the child's power to accomplish. It is admitted that it is both wasteful and injurious, without constant revision and testing, to continue to keep in special classes children whose educability is very limited.

Kerr, 7768, Vol. I., p. 439, c. 2.

Dickinson Berry, Vol. I., p. 542, c. 2. Potts, Vol. II., 19227–19229. Thompson, Vol. II., 18212, p. 410, c. 2.

Ashby, Vol. I., 9996–9999.

314. Dr. Ashby, Medical Officer to Special Schools in Manchester, and Dr. Damer Harrisson, Medical Officer to Special Schools in Liverpool, both consider that, when once suitable provision is made for the worse cases of mental defect, special classes will be needed more and more for those that are in a minor degree defective; and for observation. They will serve for "those that are in a minor degree defective, in the sense that they have a weak memory for words and

9999.

figures, but as far as intelligence is concerned they can polish door handles or black boots. Then there is a middle class of children who are at school on probation, as their future for the time is uncertain. Then there is the low grade class; those belonging to this grade should be sent to a colony at once, as the problem of how to deal with it is as pressing at sixteen years of age as at seven years." And Dr. Damer Harrisson says: "What I find in my five years' observation in Liverpool is, that it is extremely difficult—in fact, I think it is impossible—to decide by two or three examinations of a child how far it is amenable to ordinary elementary education . . . Some of them are congenital idiots; some of them are accidentally defective, either from accident at birth or afterwards. These children are bright and interesting, but as time goes on they are unamenable to any education and worse than some of the definitely congenitally defective children." Dr. Hutchison, Assistant Physician to the Hospital for Sick Children, Great Ormond Street, also says: "I would regard the special classes as largely sorting places where those that are going to improve are recognised, and those that are not going to improve are also recognised. The classification would come after a year or two at one of the special schools." And Dr. Potts, a member of the Special Schools Committee at Birmingham, says: "I would have special schools for the purpose of watching doubtful cases." Moreover, in order to ensure proper classification, an earlier age of entry to the school than seven is suggested. "If you get the children in at five instead of seven," Miss M. F. Townsend, a member of the Bristol Education Committee, said, "and have them under your care for a year or two, you classify and draft those that need permanent control into a proper home."

Observation centres and classes—*contd.* Ashby, Vol. I., 9999.

Damer Harrisson, Vol. I., 10723.

Hutchison, Vol. II. 11136.

Potts, Vol. II. 19227–19229.

Townsend, Vol. II. 18359.

315. We may conclude, then, that special arrangements for the observation and for the manual, industrial and other training of mentally defective children are indispensable. We think, however, that these may be provided in more ways than one. Therefore, we do not propose that, in order to increase the number of special classes or schools, the Elementary Education (Defective and Epileptic Children) Act of 1899 should be made compulsory. We believe that by itself, and without many modifications and changes in other directions, that Act cannot meet the needs of the mentally defective; but this view is quite consistent with the opinion that a special class of some kind for the observation and training of mentally defective children should be associated with other means of dealing with the mentally defective as part of a common system. We propose accordingly that where there are special classes they should be used primarily for teaching those who, later in life, would in all-probability be able to look after themselves and to do useful work under supervision, and secondly for purposes of observation. Such classes or schools would, however, pass under the control of the Board of Control and would not remain under the Board of Education. The committee for the care of the mentally defective would, in their discretion, either accept a transfer of the schools or classes from the school authority, or would contract with the latter for the education of such mentally defective children as the committee thought it advisable to send to them. The committee for the care of the mentally defective would, of course, pay the expenses incurred on behalf of these children. And where there are no special classes, we propose that the committee, subject to the approval and regulations of the Board of Control, may provide them or arrange for their establishment by the local education authority, the former entering upon such contracts as may be necessary for that purpose and paying for the children on the lines of the scheme which we submit later on. The relation of the special schools or classes to our problem will, we think, be largely altered by the general appointment of medical officers to public elementary schools; and much regularised observation of children that is now altogether overlooked will then probably be carried on in the ordinary elementary schools. Thus, while the special schools or classes serve for places of observation, the ordinary schools will, we believe, be very much more largely used for that purpose also, with the result that the "special" class will be still further specialised To take an instance. There is now one class, that in the selection of cases for admission to special schools, appears to be constantly overlapping the class "mentally defective," namely, the "dull and backward." We think that as the special class becomes more definitely specialised, the local education authority, as a part of their ordinary duty, should make provision for these dull and backward children, in separate classes.

Conclusion as to special classes and observation centres.

Recommendation LXXIX.

Recommendation LXXXI.

Whitcombe, Vol. II. 18708–18718.

Conclusions as to special classes and observation centres—*contd.* Recommendation LXXXII–LXXXIV

They should not be passed into the "defective" class, as they are under the Act of 1899, unless it be to ascertain whether they are or are not "defective"; and they should be retained in the special class only until that point has been tested. By presumption they form a part of the group of normal children, and not a part of the group of exceptional children who are retarded owing to mental defect.

CHAPTER XV.

Results of Education in Special Schools and Classes.

316. We have now to consider how far the special schools or classes have been successful in enabling children to make a fair start in life, who would otherwise have entirely failed to do so. If the educational opportunities provided in the special schools and classes established hitherto, are fairly equal, we should expect that, except possibly in some very degraded districts, the number of the children who, on leaving school, were in some measure able to provide for themselves would also be proportionately the same everywhere. On the other hand, very much would depend on the standard of mental defect that was applied in determining the type of children to be admitted to the special schools, or excluded from them. Accordingly without explicit information on that point the variations in the after results can hardly be accounted for satisfactorily. If, for instance, the "dull and backward" children who were admitted were relatively large, the results should be to that extent better, and so, relatively, in other classes. The extent to which this has been the case, it is not possible to ascertain. We have therefore to take the results as general indications of the effect of teaching and training rather than as precise and sufficient statistics. We take London first, in regard to which Mrs. Owen Fleming has given us some valuable figures.

London.

317. Mrs. Owen Fleming submitted to us the results of thirteen years' work at a special school in South London, with such statements respecting the classes of children as made it possible to gauge in some measure what, in regard to these children, is meant by the words "satisfactory," "partially self-supporting," and other descriptive terms. In the district to which she refers the majority of the homes are of a very low class. The "ignorance and want of foresight of the parents" is very great. They "constantly refuse offers of industrial training, and will not forego even small immediate earnings to gain possible future efficiency." And illness, (especially consumption), is very common in the families. At first, the children were sent by the ordinary school teachers and were put, on probation, in the special school for a few months, and then taken by the teacher if considered suitable. That was at the beginning. But the tendency has been to make the school more and more a school for the really feeble-minded, and thus, owing to the lower class that are now admitted, very few, fewer than at the commencement, could support themselves through life. Accordingly, as the school specialises, the results of its training may appear to be less successful from this point of view, though, in fact, it may be more efficient in educating the really feeble-minded up to the standard of their ability. The number dealt with at the South London School was 343. Of these fifty-eight left over age, and of them we have histories; fifty returned to the ordinary school and raise another problem, the actual utility of this replacement of feeble-minded children (if they be really feeble-minded) in the ordinary school; and seven are entered as "uneducable" and, with twenty-two "removed to institutions," raise yet another question which we have to settle under the new conditions that we propose —and lastly, apart from seven children who died and 102 who remained in the school, eighty-eight left the district under school age.

Fleming, Vol II., p. 279, c. 1.

Fleming, Vol. II., 15779–15783.

Children leaving over age.

318. We take the first group then—those who left over age, and had presumably, therefore, the full schooling available. Of these, thirty-nine are over

Fleming, Vol II, p. 279, c. 2.,

eighteen, so that the likelihood of their ability to provide for themselves may be in some measure ascertained. Of this the following table represents the analysis : Children leaving over age—*contd.*

LEFT OVER AGE—58 CHILDREN.
Particulars of (a) Economic and (b) Moral Condition. Owen Fleming, Vol. II., p. 279, c. 2.

(a)			(b)		
		Per cent.			Per cent.
1. Not earning at all -	16	27·6	1. Satisfactory or harmless	20	34·48
2. Occasional small earnings	8	13·8	2. Unsatisfactory - -	13	22·40
3. At fairly regular unskilled work.	26	44·8	3. Doubtful - - -	7	12·06
4. Earning good wages -	7	12·1	4. Acknowledged as Imbecile.	4	6·94
5. Supported by husband -	1	1·7	5. No record - - -	14	24·12
	58	100·		58	100·

319. Typical cases show what is meant by "not earning at all," or "at home," or "with parents." Typical cases of children leaving special school over age. Fleming, Vol. II., p. 280, c. 1.

A.—Girl, imbecile, admitted to the school in 1894, aged ten ; respectable home ; sent to Darenth in 1896 ; brought home by her parents in 1898 ; cigar making and training home tried unsuccessfully ; 1905, aged twenty-one ; at home doing nothing, distinctly imbecile, needs careful watching.

B.—Boy, admitted 1892, aged ten. Specialist reports : "Congenital imbecility and epileptic fits"—home, low class ; father seventy-nine, blind ; mother consumptive, six children living, ten dead ; elder brother in an asylum ; left school, 1898, help refused, 1902 in Peckham Asylum ; 1904, workhouse, 1905 Caterham Asylum. Reported no trouble, does light work in the grounds. It will be noted that for four years (sixteen to twenty) he was at home under no control.

It is clear that these cases become in the course of time either "home" cases that very often require oversight, or "institution" cases.

320. The next class are those who earn a little occasionally ; and the phrase stands for hardly more than "not earning." These children will "never be self-supporting, and probably will soon be on the rates." Typical cases of children leaving special school over age. Fleming, Vol. II., p. 280, c. 1.

C.—Girl, admitted to school, 1892, aged eight ; stupid, but willing ; home very low class, not to say bad ; father deserted, mother living with another man ; reported for over-crowding seven in one room 1905, both men in the house. A preventive home for child was offered and refused ; in 1899, aged fifteen, a training home was offered and refused ; in 1903 the girl applied for help to get work. She was sent to a home, but reported hopeless for service. In 1905, aged twenty-one, she is living in this bad home and doing odd jobs for neighbours. Possibly something might have been made of this girl if she had been sent to a home at fourteen or even earlier.

D.—A boy admitted in 1892, aged eight ; had fits and bad sight, very small and delicate ; home low class ; father was a cooper, now has a barrow ; had a sunstroke and now ill-treats wife and children ; brother, also in special class, killed by a street accident. In 1899 he left school ; several trades tried unsuccessfully ; too dull. A place in a good firm was found at last, but the pay was too small, 2s. while learning, and work too hard. In 1903 he was going with a man who had a barrel organ ; in 1905 he is lost sight of.

321. The third class is "fairly regular and unskilled work." Even here one does not find steadiness of employment. "It appears fairly certain that an in-and-out condition with regard to employment is the rule, but whether this is more marked than in normal children of the same class it would be difficult to say." The difference would lie in the eventual ability to become self-supporting.

E.—Three boys were admitted in 1892–93 from one family, all deaf and bad tempered ; home very low class ; father a compositor, diseased and drank ; ill-treated wife and children ; mother's family of weak intellect and consumptive ; in 1898 all went into the workhouse. The first boy left in 1896 ; repeated attempts to get work for him failed. He became violent, and in 1897 was placed in an asylum. In 1902 he was still in the asylum and the report was good. In 1905 he is at home, aged twenty-five, earning 3s. and food at a greengrocer's. His employer is very kind, but says he has to be very careful not to put him out. The second boy, aged twenty-three, has been in Darenth since 1898. The third boy, aged twenty-one, is at home and earning 14s. and doing well. The father is dead. Two sisters, both weak, are in service. Fleming, Vol. II., p. 280, c. 1.

This is a representative case of a low class home ; the drink, the weakness of intellect, the workhouse, the asylum—with at the end, the one boy earning 3s. a week and food at the age of twenty-five, the third boy doing well, and the two "weak" sisters in service—no doubt all of them kept in view and visited. Between these three classes the grades of self-support are not strongly marked,

though we reach higher ground with the third boy, aged twenty-one, who is at home and earning 14s. and doing well—receiving a boy's wage at a man's age.

Typical cases of children leaving special school over age—*contd.*

322. Of the class "earning good wages" it is definitely stated: "Of these there are several who would hardly be admitted now to the special classes. They were taken when the school was first started and when the demand for accommodation was not so great as at present." In other words, the children that earn good wages were probably not "really feeble-minded," but rather dull and backward; and even so, they account for 12·1 per cent. only. But the case following "would probably be admitted now," though he hardly seems "feeble-minded."

Fleming, Vol. II., p. 280, c. 1 and 2.

F.—This boy would probably be admitted now as in 1892, when he was described as deficient and dangerous to the younger children. He was aged eight. Home very low class—the stepfather drank and ill-treated the boy. He was prosecuted by the Society for the Prevention of Cruelty to Children. The offer of a training ship or home was refused; in 1898, left school, aged fourteen, and found work in the fur trade; in 1905, aged twenty-one, he is still with the same firm earning £1 a week, saving money, and very superior to his family.

323. It will be noticed that these cases have all been kept in view for several years; they are specially valuable, therefore, as evidence; and they supply a standard by which to judge results quoted elsewhere. In interpreting the titles of the several classes it should be remembered that the words "satisfactory" or "good work" are used, as a rule, in reference to a "special class" standard. In this instance we may say that 86·2 of the fifty-eight children—the classes entered in the table as "not earning at all," "occasional small earnings," and "at fairly unskilled work"—stand very close together, while those "earning good wages" come mostly among the "dull and backward."

London. Proportion of defective children in schools whose after-career is satisfactory.

324. In the light of this record we cannot but minimise, we think, some of the results of Special Schools which appear more satisfactory. In each instance we have to consider whether dull and backward children have been admitted to the Special Schools in disproportionate number, or whether the school has been kept rigidly for the mentally defective and for doubtful cases. We will take several of these statements in turn.

"Of 138 children who have left Edward Street School, in Deptford, in the last eleven years"—108 boys and thirty girls—in the case of forty-eight boys and fifteen girls the after-career was satisfactory; twenty-two—eighteen boys and four girls—were promoted to elementary schools. Thus, if the admission to the elementary school is taken as equivalent to a satisfactory after-career, the numbers that have done well are: amongst the boys, sixty-six, or 60 per cent.; and amongst the girls nineteen, or 63 per cent. Of the rest, besides those under other heads, three boys are entered as vicious and dangerous; seventeen—sixteen boys and one girl—are entered as transferred to other special schools. All these 138 children are now grown up, "anything up to twenty-three;" and thus, it is concluded time enough has elapsed to show that their start in life has been good.

Eichholz, Vol. I., p. 209, c. 2.

In a criminal and vicious neighbourhood at the Sirdar Road School, Notting Dale, 170 children "have left during the last nine years," and of these thirty, or 18 per cent., were transferred to the ordinary schools. The children partly earning their livelihood are twenty-one, or 12 per cent. Including "the partially satisfactory," those who started well number fifty-one, or 30 per cent. But we note that among the remainder are twenty-six, transferred to other special schools and cripple homes, and sixty-five are entered "lost."

Eichholz, Vol. I., p. 210, c. 1.

In the Brecknock Special School, Camden Town, "the total number left" was 230; of these fifty-five were returned to the elementary school; forty were entered "in good work"; fifty were "lost"; seventy-one were "at home," and fourteen were in asylums and workhouses.

No figures could better show the necessity of supplementing the special class by other measures. In the last instance, if we exclude the cases returned to the elementary schools, only forty, or 17 per cent., came under the head "good work"; and the large numbers "lost" and "at home" suggest the need of some system of after-care and supervision.

325. In connection with this evidence we would consider the statement of Dr. Kerr, the Medical Officer (Education) of the London County Council, in regard to the kind of children handled in special classes and the results: "Many who can contribute materially to their own livelihood would," he says, "be better if under permanent custodial treatment." Judging from "the detailed reports of these classes," it appears "that a considerable proportion show little moral restraint; some are almost without speech, some seem incapable of work, others work without progress or intelligence; very frequently, too, they are addicted to staying out or even wandering at night, and many of this last class come into the hands of the police. Some have bad habits, and immoral tendencies are common. Many are capable of control while in the special school, but speedily become irregular and incontrollable on leaving it. From a consideration of the tables it appears that about one-third will be capable of materially contributing to their own livelihood after leaving, one-third will partially contribute, but require an after-care association of some kind to watch over them, whilst the remainder should not be allowed to mix with the rest of the community, but should receive some kind of custodial treatment." . . .

The after results of special class education and a classification of children accordingly, Kerr, Vol. I., 7768, p. 435, cols. 1 and 2.

"Compulsory powers for detention will be required for many cases, and compulsory custodial treatment can scarcely be satisfactorily considered apart from the question of the care of juvenile imbeciles into which it merges. Socially they are as troublesome, and in powers of future mischief more harmful, than the imbeciles, and custodial treatment under similar conditions is required."

"The matter as a State provision for the improvement of social conditions will be almost futile, if provision is not also made for continuing the custodial treatment after school ages."

"One-third of these children can do some simple things and earn a little, but not provide for themselves. In many cases, working with fathers or mothers, they are kept usefully employed; others without some oversight will become useless burdens, loafers or criminals, always out of the ordinary run of life, and apart from the ordinary population. For this group some after-care association might be organised to help them in the first few years of inexperience and danger. Such a committee is working in connection with the Birmingham School Board."

"The remaining third, who are intellectually the better class, will go through life at a low level, some improving their circumstances, some sinking, much as is found among the ordinary population of which they are a part. For these children manual work in the carpenter's shop or laundry is the most useful employment after twelve. Attempts at more formal education seem almost wasted effort, of little practical value. The consideration of these higher grade feeble-minded also suggests the large group of 'dull and backward,' on whom years of school work seem a wasteful outlay, and where, if they could be separated effectively at the age of ten to twelve, a training to become 'hewers of wood and drawers of water' might make them happier and more useful to others."

The estimate of one-third of successes, according to the reports of the special classes, appeared to Dr. Kerr to be over-sanguine. Kerr, Vol. I., 984-7985.

326. Mrs. Dickinson Berry, Assistant Medical Officer (Education) to the London County Council, supplements this statement by an analysis of the results in 100 cases.

Children from Special Schools classed according to the "ultimate destination." Dickinson Berry, Vol. I., 9323, p. 542, col. 1.

"*Class* I.—*Children passed up into ordinary schools.*—I cannot give the exact percentage of children who are thus passed up, but I should give it roughly as from 5 to 10 per cent. I enquired particularly in six special centres into the subsequent progress of the children passed up, 102 in number. In two cases only had unsatisfactory reports been received—one of these cases was at home doing nothing, the other was in a home for feeble-minded girls. The large majority had done fairly well at school, though few had got beyond the 3rd or 4th Standards. Several were known to be earning good wages, but several had, of course, been lost sight of. In no case had there been a request for re-admission into the special school. I consider that the cases in Class I. requiring treatment in a Custodial Home are exceptional and may be disregarded."

"*Class* II.—*Those who leave the Special Schools at* 14 *or* 16 *and are considered capable of wholly or materially earning their own living.*—I would include in this class about 45 per cent. of all cases admitted. Among them are a good many whose attainments in school subjects, especially reading, are very low, but they

Children from Special Schools classed according to the "ultimate destination"—*contd.*

are children who do manual work well and are of fair general intelligence as regards ordinary matters of life. Teachers have recorded to me many cases of boys or girls of this class who have done well in factories or domestic service, and have even cited instances in which employers have preferred boys of this type for certain mechanical kinds of work as being more reliable and less volatile than those of normal intelligence. I consider that in this class also it is only exceptional cases who will be suitable for custodial homes."

"*Class* III.—*Cases unable to do more than partially support themselves.*—These I should put at about 50 per cent. of all cases admitted. This class includes: (1) Those wholly incapable of contributing to their own support, and who may be practically considered imbeciles, roughly speaking about 10 per cent. These are the cases I classified as fit only for a Custodial Home in a report already quoted by Dr. Kerr. (2) Those capable, under supervision, of doing a certain amount of work of a useful or remunerative character—about 40 per cent. A certain number of these have homes where, after leaving school, they are looked after fairly satisfactorily and where they are of use in helping parents, but in most cases they are only a burden at home, are most inefficiently looked after, and after sundry ineffectual attempts to obtain or retain work, end by becoming in one way or another a burden on the rates."

"Roughly speaking, I should consider that at least 50 per cent. of the children in London County Council Special Schools are suitable for permanent care in homes. The small number excepted from Class III. is more than compensated for by cases in Classes I. and II."

327. The result would thus appear to be that from 5 to 10 per cent. of the children are moved into the ordinary schools and do well. Of the class below them, some 45 per cent. at most "do manual work well and are of fair intelligence as regards ordinary matters of life"; and they are considered capable of earning their own living altogether or to a material extent. The third class, about 50 per cent. of the whole, are 10 per cent. of them "fit only for a custodial home," and about 40 per cent. capable of doing a certain amount of work under supervision. These figures, however, and the others which we have quoted above from various sources, should probably be subjected to some reduction, in the light of Mrs. Fleming's records above.

Birmingham, Pinsent, Vol. II. p. 456, c. 1.

328. In Birmingham, probably to as large an extent as anywhere, have the cases of mental defect among children in the district been brought to light. As a member of the special schools committee, Mrs. Hume Pinsent was struck by the small number of children in special classes; subsequently visiting all the fifty-six elementary board schools in Birmingham, containing about 60,000 children, she found, on an average, four in a school whom she thought sufficiently defective to bring up for medical examination; and there has been a periodic examination ever since. For this repeated inspection a permanent official was appointed, and "we now know of over 600 mentally deficient children needing education in a special school." It is probable, therefore, that the mass of these children who can come under the Elementary Education (Defective and Epileptic Children) Act of 1899 are passing through the Birmingham schools.

The first question that requires attention is the age at which the children leave. A return like that made in regard to children leaving the London schools is furnished in regard to the Birmingham children. From this it appears that "it is almost impossible to retain the better children in special day classes after the age of fourteen; the parents withdraw them if they are capable of earning anything, and as the fines seldom exceed the money earned by the child, the exaction of the fine fails to ensure the child's attendance." Thus, out of eighty-two children, forty-one left the district at ages between seven and fifteen; twelve at fourteen without leave; and four at fourteen with leave. Of the remainder, the reasons given for their leaving the special schools are as follows: eight are in the workhouse and seven in private schools or homes; and two are marked off "epilepsy," four "ill-health," and four "distance."

Pinsent, Vol. II., p. 457, c. 2.

Vol. II., p. 459, c. 1.

Another table deals with the wage-earning power of the children who have left school. Fifty-one children have been noted; nineteen are wage-earners, thirty-two are doing no work. Of the wage-earners three were at school under one year, five between one and two, eight between two and five, and three between five and nine years. The wages run from 4s. to 9s., 10s., and 12s., the average being 7s. 2d. But turning to those "doing no work," we find that they stayed

at school much longer than those that are earning—nine as against five were at school between one and two years, ten as against eight between two and five years, and twelve as against three between five and nine years. "Only three of the wage-earners on the after-care list remained in school for anything approaching the full period, while twelve children who are now doing no work had a long school career"; and "it is probable that all the forty-one children who left the Birmingham special schools while still of school age had their education continued in ordinary schools or went to no schools at all. In either case the years of special and expensive education were probably entirely wasted." There is thus abundant ground for a change of system. Birmingham—*contd.* Pinsent, Vol. II., p. 457, c. 2.

The "After-care" Sub-Committee reported on 104 mentally defective cases visited during four years. Nineteen, as stated above, are earning wages, and of these "fourteen have a good chance of becoming self-supporting, but five need permanent protection, though they could do remunerative work under supervision in an industrial colony." Two other classes—three who work with parents and receive no wages, and thirty-two who are doing no work, "ought all to be in an industrial colony." "If they had been placed in a boarding school and given regular manual training they would have been far less useless than they are at present"; and cases are quoted to show the urgent need of an industrial colony.* Vol. II., p. 458, c. 1. p. 458, c. 2.

329. This evidence has been so carefully analysed and is so thorough that it seems to us to qualify largely any assumption that may at first sight be based on the returns quoted by Dr. Eichholz, His Majesty's Inspector of Schools for the Blind, Deaf, Defective and Epileptic in England and Wales, and others, and it suggests that the educational part that the special class should play in the future is much smaller than that which it has played heretofore. The industrial colony combined with educational opportunities available for children admitted to it, would seem likely to be more useful than special classes from which the children can be taken away almost at will, allied to an industrial colony separate and detached in which no similar educational opportunities are provided; and, indeed, the question arises whether in these circumstances the present intermediary boarding home system itself is required, unless to a very minor extent for particular types of mental defect. But this question we have to discuss in more detail later on. Eichholz, Vol. I., p. 208, c. 1.

330. At Liverpool, the observation of mentally defective children has extended over a period of from three to five years. This, admittedly, is too short a period from which to draw sufficient conclusions. The children too have been received into the schools at varying ages from five to fifteen. There have been examined 1,239 children: 265 cases were rejected as "hopeless" and fifty-eight were found to be so after admission to the special school. On the rolls there were at the time at which the evidence was given 322 cases, and of these 222, it is stated, would require permanent control. Very careful returns are given of the children—classified according to their prospective ability. Taking these returns solely from the point of view of the extent to which the children can earn a living later on, we have the following results:— Liverpool. Damer Harrisson, Vol. I., p. 617, c. 1. Vol. I., p. 617, c. 2.

Children in School:		
(*a*) Who will never be able to earn their own living	96	
(*b*) Who could probably earn their living under control	126	
(*c*) Who would become wage-earners	100	
		322
Children:		
Left as hopeless cases	58	
Left who should be under permanent care	69	
		127
Total		449

Vol. I., pp. 617-619.

331. It thus appears that even allowing for a large exclusion of cases at the out-set as unsuitable for admission to the special classes, about 47 per cent. (ninety-six) will never earn their own living, or are (fifty-eight) hopeless cases, or (sixty-nine) should be under permanent care, and 28 per cent. (126) would probably earn under control, and 22 per cent. (100) would become wage earners. This, it appears, confirms the view that we have expressed, namely, that the special school should serve as a place for the education of those likely to be able

* "We have recently received further information from the same source showing that, of 208 mentally defective persons who have been watched over by the 'After-care Committee, only 3·9 per cent. earn as much as 10s. a week, and only 19·8 per cent. have become wage-earners at all. This information is of great value, as it is the result of seven years' investigation."

Liverpool—*contd.* to look after themselves and to be employed under supervision, and for testing and observing the children, and should be treated rather as an introduction to a wider system of training and occupation than as an educational institution by itself. The survey of these cases, it must be remembered, does not extend to any number of years after attendance at the school has ceased, so that we cannot judge of the actual results as against the results estimated; and from the number of those who are set down as "could become wage earners" some further deductions would have to be made.

Bolton.
Wilkinson, 12713.
Vol. II., p. 102, c. 2

332. At Bolton there are two schools: through one, sixty-nine, through the other forty-five pupils have passed, twelve and sixteen have been transferred to the normal school, and of the rest twenty-one and five (or in all 23 per cent.) are entered as left and gone to work—a percentage that may be compared with the 28 per cent. of probable wage earners at Liverpool, the 20 per cent. successes at some of the London classes, etc.

Leicester.
Clephan, 18442.
Vol. II., p. 425, c. 2.

333. In regard to Leicester, Miss Clephan, the manager of the special schools submitted a note in regard to fifty-seven cases which during the past three years had been under special treatment, but had left the Special School. Of those, thirty-three were at home or with friends; and of the rest, eleven were in pauper establishments, five in asylums, four dead, one no record, and three abroad or in home or in private school. Fourteen boys and two girls (in all 28 per cent.) have become wage-earners with an average wage (full work) of 10s. 9d. weekly.

Cf. Bennett.
Vol. II., p. 162, c. 1.

The "merely scholastic results" in the case of twenty boys examined after leaving school justifies the general substitution of manual for "scholastic" work. Of twenty boys, twelve could not read at all, four "doubtful," two "could read," and two "only just left."

Bennett, Vol. II.,
13867, p. 162, c. 1.

At Willow Street, Leicester, out of 126 children, forty-three had been transferred to normal schools; four had died; three were unfit for school, and twelve were transferred to local asylums, the workhouse, or reformatory, four had left the town, and twenty-one were sent to work or working at home (girls). Thirty-nine were in the school. Here the transfer of 34 per cent. to normal schools suggests that a higher grade of cases has been dealt with than elsewhere.

Bradford.
Garbutt, 13045
Vol. II., p. 121,
c. 1.

334. The after history of 210 cases at Bradford gives these results; fifty-seven not traced; eighty-nine in regular employment; five at home performing domestic duties; two enlisted; eleven in ordinary schools; twenty-four unfit for regular employment; and for the rest, eleven dead, and the remainder in institutions, besides two imbeciles at home. This return, if the grade of children who are admitted is the same as the grade of children admitted elsewhere, is extraordinarily satisfactory. In 107 out of 210 cases of mental defect the child has returned to normal conditions. The average wage earned by the boys is

p. 121, c. 2.

9s. 10d.; that of the girls 8s. 5d., "the employment in the vast majority of cases being in the mills." The average age of the children who had left school varied from about thirteen to twenty-two. The average time spent at school was two years and three months; the average time since the children left the schools was five years and three months, varying from a few months up to eight years.

Bristol.
Townsend, 18824.
Vol. II., p. 416, c. 1.
and 2.

335. At Bristol, as in Leicester, there are data of results under both heads, industrial and scholastic; we give the former; the classification of the mentally defective cases with regard to scholastic results is not precise enough to make it of much value.

Redcross Street Centre:		Transferred to ordinary schools	9
Dismissed	59	Over age living at home, either helping in the house or idle	10
		Over age: gone to work	12
		Under age: but uneducable	7
		Sent to workhouse or to institutions	8
		Miscellaneous	13
			59

It is difficult to give precision to all these entries, but in general they do not seem encouraging.

336. We may conclude that the results of this survey confirm the opinion that the special school or class is to be regarded rather as incidental to a general organisation of industrial and institutional training than as of main or ultimate importance in itself. This conclusion is far reaching. If it be accepted, the special class or school as part of the elementary education of the country does not remain the central point of organisation round which an industrial and institutional system should be organised. The latter becomes the central point, and the special class becomes incidental to its working and development.

General Conclusion as to the utility of existing special schools and classes.

CHAPTER XVI.

Methods of Education in Reference to Institutional Care and the Family Supervision and Wardship.

337. We have entered on this discussion of results in some detail. Very much turns on it. If the evidence on this head shows that the special schools or classes under the Elementary Education (Defective and Epileptic Children) Act, 1899, are turning out children who become self-supporting and satisfactory citizens then, one of the first things necessary would be that the Act should be made compulsory. If this is not the case, or if there be some better scheme altogether, then there must be a considerable readjustment of administration to meet the conditions now considered necessary with the least waste of effort and resources.

338. Many desire that the Elementary Education (Defective and Epileptic Children) Act, 1899, should be made compulsory, and there is no doubt that very much good is to be attributed to it. Following earlier experiments it gave to those interested in education the first opportunity of trying what could be done for these children on day school lines and under a special curriculum. Whether the number of those who, when they left school, could materially support themselves were few or many, it helped to make the larger number of the children cleaner in person and habits, more orderly and more moral; it did this where the parents cared for their children and wished to do the best for them, and it did it, as far as might be, where the parents were careless and inconsiderate of their children's welfare. The scrutiny of the lives and mental condition of children, made in consequence of the investigations of Dr. Francis Warner, Dr. Shuttleworth and others, led to the passing of the Act; and the Act itself has been instrumental in producing still further enquiries of the same nature. And now, by degrees, with greater knowledge, the demand which it first created has assumed larger proportions. Schooling in personal habits was found to be the first step in education. Then, more and more, it was made evident that the intelligence was roused through the hands and eyes working together in making or doing some actual thing rather than by the secondary and more abstract accomplishments of reading, writing and arithmetic. This suggested great changes in teaching. And now, in the opinion of many, the simple "occupations" of the earliest years of schooling should develop into systematic industrial teaching, while the "scholastic" teaching should become entirely subordinate, and indeed, in some cases, should be discontinued. But, as we have seen, criticism has gone further still. Analysis has shown that the special school by itself is largely unserviceable, from the point of view of the after-life of the child. The feeble-minded child can, in the main, become only a feeble-minded adult educated into a rather better routine of thought and habit. If special education is required on his behalf in his school days, special care will probably be necessary for him when he has left school; and, moreover, later on in life. All this by degrees, the Act of 1899 has enabled many to learn.

Result of the Elementary Education (Defective and Epileptic Children) Act, 1899.
Kerr, Vol. I., 7768, p. 433, cols 1 and 2.

Result of the Elementary Education (Defective and Epileptic Children) Act, 1899—*contd.*
Shuttleworth, Vol. I., 9881–9891.
Ashby, Vol. I., 9996.
James, Vol. II., 14277, p. 187, c. 1.
Kerr, Vol. I., p. 435, c. 1.

339. We have come now to this point. Though in one or two places, such as Leicester and Bradford, a comparatively large number of the mentally defective children have passed into the ordinary elementary classes, under possibly rather different conditions of selection and employment than prevail elsewhere, as a rule it may be concluded that the special class has done well, if about 33 per cent. of the children are "capable of contributing materially to their own livelihood after leaving." Thus the question has arisen: are the remainder—the 67 per cent., taught sufficiently well or in a manner sufficiently adapted to their particular wants and requirements? What is to be done for them? If, as many witnesses contend, they represent a most difficult class, for whom in the common interest provision or supervision is necessary, what measures are we to adopt? And if we are to look forward to completing and modifying the "Special School" system what should be our methods of education? This raises the following points:—

(1) *Is the institutional system, coupled with admission to an institution at an early age, better than the special class system?*

(2) *What, in the future, should be the relation of the special class to after-school life at home or in some kind of colony or institution?*

(3) *What should be the relation of the plan of education to the family?*

(4) *What should be the system of after-care and after-control in relation to the family or life in a colony or institution?*

(5) *What should be the method of education in regard to manual work?*

(6) *What should be the conditions of selecting and training teachers?*

Relation of Institutions to the family and the special class.

340. *Is the institutional system, coupled with admission to the institution at an early age, better than the special class system?* This is the first question.

The answer to this and the other questions turns largely on the competence of the family to care for and train their mentally defective child, and these questions may, in part, be settled by using that standard—the competence of the family—as a measure of the extent of intervention actually necessary, considering at the same time how limited is the scope of education in the case of the mentally defective. But in any case it seems clear that early attention to the child's special needs is most desirable. Dr. Rayner, formerly Medical Superintendent of the Hanwell Asylum, for instance, says: "I should hope that if that system of early discovery and early treatment of defective children, and, of course, coincident with that, the education of mothers in the care of children, were carried out very extensively, many of these children who now come to school as distinct imbeciles might be in a very much better condition for treatment, and that probably the amount of after-care would be much less . . . . and the institutional treatment later on . . . to some extent lessened by the care given at this early stage of life." But it is urged that the early treatment should be wholly institutional, and that only under that condition will the best results follow. Miss Anderson, who has had considerable experience in training mentally defective children, took this view and quoted some strong instances in favour of it. She argued that the greatest want in the feeble-minded was that of self-control; that certain impulses common to all animals, in their minds could only be kept in check by outside pressure; and that "in the long run to the community at large" the least expensive way of imposing this check was to deal with the feeble-minded, not at the adult stage when "in ninety-nine cases out of 100 only amelioration of a non-lasting character could be achieved," but in the earliest infancy, when great results could be produced. Accordingly she took charge of children, she said, at the ages of two to ten, provided for them good physical nourishment and then trained them in self-control by personal teaching, by stimulating the brain, through the exercise of the senses, and manual work, and by letting the competitions of child life have their place in education. As one, among many instances, she mentioned the following:—

Rayner, Vol. II., 15222.

Anderson, Vol. II., p. 261, c. 1, 15470.

Anderson, Vol. p. 262.

> P. L. at three years old was a wailing baby, unable to stand or feed himself; with constant catarrh; looked like an imbecile; with no control. The physical condition after three years training was: "Walks three miles; marches well, clean, grown six inches, a pretty sturdy boy. On admission he was 'nervous and excitable and had no speech.' After the three years he 'talks nicely, knows letters, etc., and is very observant'; and the diagnosis of his intellectual development is good; of his moral 'possibly good,' and in adult life 'he will probably be self-supporting in some controlled community.'"

Anderson, Vol. II., p. 261, c. 1.

341. With such experiences as these, it is natural to suggest that in addition to a law giving "power of compulsory detention of those among the feeble-minded who, unless under outside control, are a danger to the community,"

there should be a law "compelling parents and guardians of all ranks to place their children in properly graded homes at the earliest age when the defects of the mind show themselves." Dr. Bevan Lewis, the Medical Director of the West Riding Asylum at Wakefield, also gives instances of very great mental progress made in a comparatively short time in low grade defectives at the Stanley Hall Home in the West Riding; so, also, do the managers of idiot asylums and of homes. And in general the evidence is, we think, strong enough to prove that at a comparatively early age and combined with a good system of training, institutional life for a time produces extraordinarily successful results within those limits which confine the development of a feeble-minded child. If this conclusion is correct, the system of the special day school should be largely superseded or supplemented by an institutional system of some kind, or should be connected with it. But the point has to be considered further.

Relation of Institutions to the family and the special class. – *contd.*

Anderson, Vol. II., p. 261, c. 1.

Bevan Lewis, Vol. II., p. 12, c. 2.

Anderson, Vol. II. 15479–15486.

Wilson, Vol. II., p. 24, c. 1, and 11320

342. Thus we come to the second question: *What in the future should be the relation of the special class to after-school life at home or in some kind of colony or other institution?*

Relation of the special class to later life.

To answer this, it is necessary to refer to the evidence which we have received in regard to the families of these mentally defective children.

The parents are very often much attached to their feeble-minded children. Their dependence seems to strengthen the claim to affection.

"In one or two cases I have known the mother wished to have the imbecile and would have been very much distressed to have it taken away. Thus, in one case, the mother took away the child from Darenth. It was a hopeless case: she would never be self-supporting. I do not see why the mother should not support her, if she can. . . . A bad case which would be a nuisance to neighbours, or the normal children in a family, I should advocate removing. It is the harmless cases I would leave in their homes. The family are often much attached to them. I knew a boy who was perfectly imbecile, whose mother was devoted to him; she took great care of him at home."

Fleming, Vol. II., 15807–15811.

Cf. Warner, Vol. II, 11055.

These one or two instances represent many, and we may conclude that, as a rule, in harmless unimprovable cases, where the family circumstances admit of it, the children may be left at home, subject, we should add, to such friendly supervision as we propose below.

343. The question then arises what should be done in the definitely improvable, and often difficult, cases of feeble-mindedness, especially so as to avoid what many notice, their relapse after the "special class" period. In view of the general and acknowledged attachment of parents to mentally defective children, it seems to us quite wrong to accept the policy of removing all mentally defective children at the earliest age to institutions of some kind. From the point of view of administration also, it appears to be financially impossible, even if it were—as would seem to be very doubtful—always to the educational interest of the individual child. In the greater number of cases reliance must be placed on the parents, and the means of education within their reach. Two things, therefore, must go together—especially in improvable cases—supervision and training at the home, which involves very often the exertion of some external influence over the parent from the earliest years of the child, and the special use of educational means.

Bennett, Vol. II., 13880, 13881.

344. Many witnesses have insisted on the necessity of after-care, but, considering the number of the children, and the difficulties of continuous supervision, we can hardly rely on voluntary effort in "after-care," unless it be combined with a much more effectual system of general supervision. It has seemed to us, therefore, that some completer method should be adopted.

After-care on a completer method.

Pinsent, Vol, II., 19174.

Clephan, Vol. II., 18455–18462.

345. On the plan we propose, there will be one central authority responsible for the general supervision of all mentally defective persons, associated with local authorities engaged in the practical work of providing for them and caring for them. Cases of mental defect will be reported to these authorities by other bodies, so that, as far as possible, the ultimate responsibility of dealing with them will be definitely placed upon their shoulders. When the parents care for their children and look after them, it is suggested that a friendly visitor may, if desirable, be appointed by the local authority to advise and assist the parents as to the proper treatment of the case. This would be an honourable office, and many—especially women—well qualified for it, might be willing to undertake

Recommendations I., XXVIII.

Recommendation LVI.

Recommendation LI.

After-care on a completer method.—*contd.*

Poole, Vol. II., 13545, p. 147. c, 1 and 2.

it. In this way, the early care of the child in the development of the senses and of self-control may be exercised and in every way promoted. More thought would be given to the individual child and its concerns on lines not unlike those which are adopted by the Metropolitan Association for Befriending Young Servants, which, by arrangement with boards of guardians and with the sanction of the Local Government Board, visits and helps girls when they leave the Poor Law schools. The visitor, in co-operation with the local authority, and by voluntary agreement with the parents, would arrange that the child should go for a time to a special home in the country, or to a special class, so that what is possible on the educational side should be achieved. The education in the home and that at the school would thus be brought into some kind of unity.

Recommendations XLIX & L.

There are, however, many cases in which the home influence is extremely bad and the family neglects or ill-treats the child, or where the parents are themselves mentally defective or criminal and quite unable to take care of and control their defective children. A great deal of evidence has been given as to such cases and there is a striking unanimity of opinion that power should be given to compel these parents to send their defective children to a Residential Training School or Colony. In these and in other instances in which it seemed desirable, the child could, by resolution of the local authority, become the ward of the local authority until the age of twenty-one, with the possibility of their continuing to supervise him after that age by leave of the Board of Control. There will thus be in the hands of the local authority a large power to promote the well-being of the child in supplementation of the activities of the home, or, if the parents neglect the child and wish to make use of it for their own purposes, apart from them and independently.

Recommendations LV. and LVI.

Other measures would support these arrangements. All mentally defective children who require care and control would be reported and registered. It would be the statutory duty of the Medical Officers of Local Education Authorities, of Guardians of the Poor, and of Public Health Committees, the Relieving Officers of Boards of Guardians, the Medical Officers of Convict and Local Prisons, the Police, and the Managers of any Homes for Inebriates or any Charitable or Voluntary Societies, to notify all cases of mental defect to the Medical Officer of the Committee of the Local Authority for the care and control of mentally defective persons. The registration of children in connection with the Public Elementary Schools would thus have a new purpose, and it is hoped that the supervision that will be made possible under this plan will prevent very many feeble-minded children from disappearing during or after the school period and being written off as 'lost.' The Local Authority of each County or County Borough will appoint a Medical Officer and also certifying Medical practitioners, who, apart from the duties imposed on the Medical Officers of Institutions, would be responsible for all Certificates relating to mental defect, and would, in conjunction with the Medical Officer of the Committee, make the certification of the cases of children more uniform, inasmuch as, acting as the officers of a common administration, they may adopt by degrees a common standard. There would also be an annual revision of all cases of mentally defective persons in Institutions: and the transfer from a special class to an Institution or from one Institution to another, in the case of Wards of the Local Authority (that is, probably in all cases of difficulty due to parental conditions), would be arranged by the Committee, while in other cases the continuous supervision of the Friendly Visitor, joined with the system of notification and registration, would be likely to lead to much greater influence being brought to bear in particular instances, in which, though there is no control by wardship, better care should, in the public interest, be taken of the child in an Institution or otherwise. And finally, the certification of a child as an idiot, or imbecile, or feeble-minded, or a moral imbecile, or a mentally defective epileptic, or deaf and dumb, or blind person would impose upon the Committee the duty of making the necessary provision for him, and, coupled with an order for detention, would give them the power to remove him. Thus, wherever needful, education under Institutional conditions might at any time supplement or follow education in the Special School, or take its place.

Recommendations XXXV. and XXXVI.

Recommendations LX. and LXI.

Recommendation LI.

Recommendations IV. and XXVIII.

We recommend, indeed, that a system of wardship and friendly supervision should be adopted that would in many cases fulfil the purposes of "after-care."

346. The fact that there was throughout and for all purposes one single and responsible authority, would make irrelevant all proposals for the transfer of the child at a certain age from one authority to another, as for instance, as some have suggested, at sixteen or any age up to twenty-one, from the care of the education authority to the board of guardians, and from them to the lunacy authorities. Wherever the mentally defective person might be, and in whatever way the local authority might provide for his maintenance, he would remain under the care and control of one local authority only, subject to the supervision of the Board of Control. A new Act for the care and control of the mentally defective has become necessary. The Elementary Education (Defective and Epileptic Children) Act, 1899, as far as it relates to the mentally defective, or to epileptic children so afflicted by severe epilepsy as to be unfit to attend public elementary schools, should be repealed.

Partial Repeal of the Elementary Education (Defective and Epileptic Children) Act of 1899.

Recommendations II., LXXII.—LXXIII

As regards epileptics not mentally defective, see Paragraphs 883–894 below, and Recommendation XC.

347. In answering the second question therefore, "*What in the future should be the relation of the special class to after-school life at home or in some kind of colony or other institution?*" we have answered incidentally two others; (3). *What should be the plan of education in relation to the family;* and (4). *What should be the system of after-care and after-control in relation to the family or life in a colony or institution?*

The two remaining questions raised above are: *What should be the method of education in regard to manual work;* and *what should be the conditions of selecting and training teachers?* The answers to them will be found in our next Chapter XVII.

CHAPTER XVII.

Manual and Industrial Training and the Education of Teachers.

348. The pupils in special schools do not consist wholly of feeble-minded children who are to receive a special education. After all are excluded, who, under the Elementary Education (Defective and Epileptic) Children Act, cannot be benefited by the special schools, those, namely, who suffer from the more marked forms of mental incapacity, idiots and imbeciles, there remain the feeble-minded and generally, to some extent, the dull or backward, or at least those who, whether so adjudged or not, are expected to be able to return to the normal classes of the elementary school. These are not merely children who are on probation or under observation because, being so near the border line of the normal, it is doubtful whether they are feeble-minded of the highest type, or "merely dull or backward," but they are feeble-minded children who it is thought may, after all, find a place in the common school. Hence the "special" school has to cater for two grades. As Miss Gavin, a teacher at Orange Street Special School, said, "I think there are two sets of children in the school. I think the children who are going back must have book-work; but I do not see much good in book-work for those who are never going back." There is, in fact, one syllabus applicable to two sets of children. And the fact is recognised by others also. Thus Mr. Garbutt and Dr. Crowley, who gave evidence on behalf of the Bradford Education Committee, say: "The special schools need supplementing by more definite provision for the milder cases of mental deficiency. This should take the form of a special class under Sec. 2 (1) (a) of the Act in the ordinary school taught by a teacher well trained in infants' school methods, and not comprising more than, say, sixteen children. In such a class a considerable number of these very backward children would be made capable eventually of passing with moderate success through the ordinary school." The special school must, no doubt, have its own classification according to the extent to which the development of the brain and mental capacity of the children tends to stop at an earlier or later stage. But this classification would be a classification of mentally defective children, and would be made in their interest solely. They are the set of children "who are never going back." In the special school there must always also be space and opportunity for the observation of children in doubtful

Classes of children in special schools.

Gavin, Vol. II., 13231
Bennett, Vol. II., 13878–13879

Garbutt and Crowley, Vol. II., p. 122, c. 1.

Classes of children in special schools—*contd.*
Rayner, Vol. II., p. 238, c. 2.

cases of feeble-mindedness; and some may stray into the school who, as it is said, "have some inherent defective tendency," and on whom "conditions of ill-feeding of disordered digestions and defective hygiene, that in normal children would produce little effect, produce on these the most serious results, such as insomnia." "I have had normal children brought to me as defective," Dr. Rayner, formerly Medical Superintendent of Hanwell Asylum, says, "simply as a result of insomnia"; yet in these circumstances there would not be two sets in the school, but one set, with exceptional cases which are under observation.

Rayner, Vol. II., p. 239, col. 1.

Returning defective children to the normal classes.
Bennett, Vol. II., 13879–13880

349. If, then, we are to judge of the utility of manual training or "scholastic" teaching for the feeble-minded, it is essential that the classes should contain feeble-minded children only. If the children are not really normal, only harm is done by teaching them as such, and returning them to the ordinary classes. Dr. Bennett, who gave evidence on behalf of the Leicester Education Committee, says: "A feeble-minded child is going to be a feeble-minded child always; but one who through ill-health, bad feeding, or whose nervous system is not active, is merely backward, is only feeble-minded in appearance. I have traced the history of a fair number—about forty, who have returned from the backward or feeble-minded school to the normal schools, and at least one-third ought not to have gone." And Dr. Eichholz, H.M. Inspector of Defective and Epileptic Schools, points out that two great disadvantages accompany the transference to the normal school, which, when it is made, usually takes place about twelve years of age. The child passes, he says, from a class of twenty to a class of sixty, and he ceases to receive manual instruction, for, in the lower classes of the elementary school it is not given. The removal may thus be of doubtful value. And Mrs. Owen Fleming, the manager of a special school at Southwark, writes: "Many of these children," who are returned to the ordinary school, "appear to need as much care as those retained in the special school, and at present there is no special organisation for watching them." And other witnesses also recognise the difficulty. It seems to us that to as small a degree as is possible, the special school should have this double character of school for the feeble-minded and school for the backward; it should not be both a school for the feeble-minded and also a class for the dull and backward. For the latter there should be classes forming part of the ordinary organisation of the normal elementary schools; and if it is doubtful whether a child is feeble-minded or dull and backward, the first reference of the child should be to such a class. If, being in that class it is still doubtful whether the child is feeble, then he should be transferred to the "special" class. But except in cases of extreme doubt, backward children should not be placed with feeble-minded children. "The feeble-minded child is going to be a feeble-minded child always," and can never achieve the compass of self-control and education that the backward child can reach in a few years. Hence there are limitations in the one case which have no special bearing in the other.

Eichholz, Vol. I., p. 210, c. 2.

Fleming, Vol. II., p. 280, c. 2.

Pinsent, Vol. II., 19164–19167.
Williams, Vol. II., 15856–15858.

Bennett, Vol. II., 13879.

Potts, Vol. II., 19276.
Ashby, Vol. I. p. 580, c. 1, 10151, 10154.
Caldecott, Vol. I., p 594, col. 1.
Recommendations LXXIX–LXXXIV.
Locke, Vol. I., 11011.
Harrisson, Vol. I., 10717, 10724, 10753.
Clephan, Vol. II., p. 424, c. 1.
Townsend, Vol. II., 18363.

350. Probably, if things remain as they are, in the course of time, by the sheer pressure of a selection of cases by which those will be chosen for "special" teaching who will best respond to it, either the special classes will become classes for the dull and backward, from which the feeble-minded, except possibly those who are of the very highest type, will, by degrees, be excluded; or, as at Leicester, new classes for the backward will be started, and the present classes for the feeble-minded will be continued as a kind of lowest class of all, and will be supplemented to a much larger extent by institutional care of some kind. According to our judgment this "backward" class should remain under the direct control of the education authorities, for the children in them could not be certified; while the children who are or may become certifiable as mentally defective, should fall within the province of the Committee for the Care of the Mentally Defective, who, either directly or by contract with the education authorities, should provide for them.

Manual and industrial training.

351. The drift of opinion favours the extension of manual or industrial training in special schools. Manual and industrial work represent, indeed, the appropriate instrument of an education which is specially concerned with the direct stimulation of the brain through the senses and with the control of movement, and thus ultimately with self-control generally. And on the teaching of children and the training of teachers with this object, Dr. Francis Warner, Dr. Rayner, Dr. Fletcher Beach, and others have given us evidence.

352. The methods which they advocate lead to success in industrial work, within the limits of a certain routine which marks the possibilities that are within the reach of the feeble-minded; and the evidence in favour of manual and industrial work forming a much larger part of their curriculum is conclusive. The code of the Board of Education, as a rule, requires for defective children a minimum of six hours' manual work per week, but apparently great latitude is allowed. In 137 time-tables of special schools it was found that only in fourteen instances did the time given to manual work fall below the six hours; in fifty-three the minimum was exceeded; in some instances even nine or ten hours were devoted to it. In London it is the policy of the Education Committee to give half time instruction in manual work to every defective child above the age of twelve. Dr. Fletcher Beach reported to us as to the London time-table. Manual and industrial training.—*contd.* Appendix Vol. V., p. 168, c. 2. Fletcher Beach, Vol. I., 380, 2.

The senior and junior boys and girls have the same number of hours of reading, writing, arithmetic, object lessons, singing, recitation, prayer and Scripture lessons, and drill, per week, two hours and half being allowed for recreation, but in manual work the number of hours differs. Thus, the senior boys are employed nine hours and the senior girls nine hours and a half per week in laundry-work, cooking, clay modelling, basket-weaving, drawing and brush-work, the boys also doing woodwork and the girls needlework, while the junior boys and girls are only employed seven hours per week. During this time they are instructed in mat-plaiting, kindergarten, sewing, drawing and colouring, clay modelling, paper folding, and drawing. Two hours are devoted by the girls to needlework, the corresponding period of time being utilised by the boys in learning macramé and bead threading.

This time table is evidently the result of a Minute of the Committee of Council on Education, dated February 26th, 1900, which prescribed the conditions to be fulfilled by certified schools for defective and epileptic children. According to this Minute, the time-table provided for instruction in the elements of reading, writing, and arithmetic, singing and recitation, object lessons, drawing, needlework for girls, physical exercises and manual instruction. Not less than six hours of manual instruction must be given weekly to each child. The Minute names the different forms of manual instruction which are to be taught, and includes the subjects already mentioned, and in addition, worsted-work, tailoring, shoemaking, gardening, and farming work, and practical housewifery.

353. In favour of giving half time or more to manual and industrial training, there are many witnesses. Dr. Bevan Lewis's time-table at the Stanley Hall Home shows that writing and reading each are given only for quarter of an hour lessons in the week, with two lessons to counting and two to arithmetic; and the rest of the time is given chiefly to movement, sense, and imitation lessons, and this is often the case elsewhere. Miss Dendy, Honorary Secretary of the Lancashire and Cheshire Association for the Permanent Care of the Feeble-minded, much prefers to make the training of older children, with few exceptions, entirely manual. Dr. Eichholz says: "I should prefer a greater preponderance of manual training than is at present customary in many of the schools." Miss Poole, Secretary of the Metropolitan Association for Befriending Young Servants, says: "I think at least half their work ought to be manual from the beginning." Dr. Odhams, Chairman of the Norwich Elementary Education Committee: "The greater part of their time should be spent in the open air, and manual work of various kinds should be the principal part of the instruction." Dr. Damer Harrisson, Medical Officer of Special Schools at Liverpool: "The teaching of the three R's to a large number of children in special classes is an entire mistake." Dr. Beresford: "Their education should be almost entirely manual." Miss James, Head Mistress of a special school at Liverpool, says:— Bevan Lewis, Vol. II. p. 13. Dendy, Vol. I., 979. Eichholz, Vol. I., 208, c. 1. 3852. Poole, Vol. II., 13615. Odhams, Vol. II., p. 153, c. 1. Harrisson, Vol. I., 10749. Beresford, Vol. I., p. 306, c. 2. Crichton-Brown, Vol. I., 6258 Wilkinson, Vol. II., 12800, 12921.

"I would ask for absolute freedom with regard to the subjects taught, so that if necessary the whole of the training should be through the manual occupations. . . . . I strongly urge that as much time as possible should be given to manual occupations and industrial training, and that, where the medical officer and head teacher agree on this, it should be left entirely in their hands to arrange with the committee that the Code should be so interpreted. At present it says not less than six hours, but it gives so many compulsory things to be taught that it is most difficult to find more time." James, Vol. II., p. 185, c. 2. Coward, Vol. II., 14285–41287.

Mr. Garbutt and Dr. Crowley, on behalf of the Bradford Education Committee, express the opinion that in some cases it would be desirable to teach a definite trade or handicraft to children attending a day school; and Mr. Jones, who is clerk to the Burnley Education Committee, thinks that manual instruction should be given "with a more pronounced view to the future employment and maintenance" of the children; and Dr. Bennett, on behalf of the Leicester Education Committee, says: "For the worst types of children, teaching reading, writing, and arithmetic is a grotesque waste. In the better classes a certain amount is good; but to hear children struggling vainly with head work when they could be well trained in gardening, and so on, is a waste of money." And Mrs. Hume Pinsent defines the position thus: "The education should be manual with classes in the three R's for *those capable of benefiting by such classes.*" Garbutt, Vol. II., p. 122, c. 2. Jones, Vol. II., p. 85, c. 1. Bennett, Vol II., 13877. Pinsent, Vol. II., p. 457, c. 1.

Chapter XVII.
Manual and Industrial Training and the Education of Teachers.

The "scholastic" education for defective children.

354. The burden of the mass of evidence that we have taken on this subject is that, if feeble-minded children are to be usefully employed, and enabled to support themselves to some extent, manual training must form the chief part of their education. It is the proper complement of the Froebel method of training on which they have been taught, so far as they are able to follow it; and if ultimately their education becomes definitely industrial, it may help them in life most effectually. On the other hand, the "scholastic" education remains for those who can acquire it. How far this may be the following summary of notes respecting 100 children over twelve years of age at five centres in London, furnished to us by Mrs. Dickinson Berry, indicates :—

Dickinson Berry, Vol. I., 9323, p. 542, c. 2.

Reading.

(1) Able to read Standard I. book fluently. (Several in this group can read Standard II. or III. books.)—Twenty-five.

(2) Able to read a Standard I. book, but not without considerable stumbling—fifteen.

(3) Able to read easy sentences—twenty-eight.

(4) Able only to read a few easy words—Twenty-seven.

(5) Unable to read at all, or at most, only knowing letters—five.

Arithmetic.

(1) Able to do Standard II. work (these all do multiplication sums and most also division sums)—Twenty-five.

(2) Doing Standard I. arithmetic—twenty-one.

(3) Able to do easy addition and subtraction sums, not up to Standard I. (often the sums are done mechanically and unintelligently)—fifteen.

(4) Able to do very small addition sums, usually with the help of dots or other concrete assistance—seventeen.

(5) Unable to add or subtract at all—twenty-two.

"I think these tables represent nearly, though not quite, the degree of proficiency attained when the children leave school. Those in Groups 1 and 2, *i.e.*, 40 per cent. of the whole, have learnt enough reading to be of use to them; in the case of the remaining 60 per cent. the reading they have attained to is not enough to be of much value."

"As regards arithmetic, the children in Groups 1 and 2 showed no marked deficiency in powers of calculation. Those in Group 3 were slow in their answers, but could do addition and subtraction of small numbers mentally. These figures are taken from the examination of but a few centres, and I do not claim that they do more than approximately represent the general results."

Dickinson Berry, Vol. I., 9323, p. 542, col. 2.

355. Mrs. Dickinson Berry proceeds: "As to what becomes of the children educated in the special schools, Dr. Kerr has already gone into this subject at length and given, among others, some figures drawn up by myself. The net result appears to be that we have turned out from our special schools (1) a large number of persons who are unable to earn their own living and who may practically be classed as imbeciles, (2) a still larger number who swell the ranks of inefficient and poorly paid workers, and (3) a small minority who become self-supporting and useful members of society. The majority of all these will have descendants who will tend to perpetuate their characteristics."

We thus have evidence that 25 per cent. read Standard I. book fluently; and the same number "do multiplication sums and most of them also division sums." Those in Groups 1 and 2, or about 47 per cent., learn enough reading to be of use to them.

Dickinson Berry, Vol. I., 9356.

"Those in (2) have," Mrs. Dickinson Berry states, "a certain benefit; for instance, they would be able, if they were errand boys, to read the names of streets or possibly make out addresses, but as to reading to themselves with advantage I do not suppose they could do that. I think the amount of reading they learn would be a certain amount of use to them in work, but I think to those in (3), (4), and (5), it would be of no use."

Plainly for the greater number of children, all but a fourth, reading and arithmetic as an instrument of advance in life can be counted on but little. At best they remain at Standard I. or II. The fourth profit greatly.

The Training of Teachers.

356. This appears to define the proportion and relation of "scholastic" teaching to manual and industrial teaching in the education of feeble-minded children. But the evidence not only indicates the kind of teaching that is required for defective children, it indicates also in part what should be the training of the teacher. Kindergarten teaching and manual or industrial training have to predominate; and the teachers must be able to provide these. The Board of Education requires

Eichholz, Vol. II., p. 267, c. 2.

"That the schools should be staffed by teachers who must in the case of head teachers possess the Government Elementary Teacher's Certificate or the Higher Certificate of the National Froebel Union; and in the case of assistant teachers must possess at least the Code qualification of 'Uncertificated' Teachers, or the Elementary Froebel Certificate."

357. Thus ex-pupil teachers who have not obtained their certificate are recognised as assistant teachers of the mentally defective, as are also holders of the junior Froebel Certificate; but teachers without any qualification are not recognised. Most of the witnesses were in favour of special training, some in the methods of Froebel, some in a home or asylum for mental defectives, such, for instance, as the Royal Albert Asylum. A teacher who was questioned on the subject, judging from her own experience, suggested, first, college training on Froebelian lines; then for a period training in the education of normal children; then, concurrently with the teaching of defective children, attendance at classes and lectures, practical classes which would include the actual lessons in articulation, breathing exercises, etc., and general lectures on scientific method and theory. And a scheme of this kind commends itself to us. But we would suggest that the Regulations of the Board of Education on this head might be amended and amplified, so that the conditions of training may be defined, and at the same time relaxed, and in addition to the minimum certificate now required—the Elementary Froebel Certificate—certain institutions and special schools may be registered as recognised places of teaching. Under our scheme all arrangements for the care and training of the mentally defective come under the Board of Control, and this body would therefore in future make regulations in this connection instead of the Board of Education. We think, also, that either the head teachers should have special certificates for ability to teach manual or industrial work of a kind recognised as likely to be useful to the elder children on leaving school, or that teachers who are particularly well qualified in this way, though they may not hold the Kindergarten Certificate, or, indeed, other certificates, should be employed in the school for the purpose of conducting manual classes. There might also, we think, be a further division in the teaching staff. Mrs. Hume Pinsent points out that day nurseries or classes for the lower grade of defectives could be provided "more cheaply than is at present possible under the requirements of the Education Department as regards staff and buildings." Mrs. Owen Fleming thinks that in teaching the lowest classes of defectives, when it is only a question of keeping them employed, and not of making them self-supporting, certificated teachers are not necessary, though she believes that the task requires very special capacity on the part of the teacher.

The Training of Teachers.—*contd.*

Gavin, Vol. II., 13236-13245, 13308.

Eichholz, Vol. I., p. 207, c. 2. Anderson, Vol. II., 15521, 15522.

Recommendation LXXIV.

Pinsent, Vol. II., p. 457, col. 1, also 19166 and 19167.

Owen Fleming, Vol. II., 15833–15836.

We should like to point out that some of the best teaching we have seen both in England and in America has been done by teachers who have been trained in institutions, for example the Starcross Asylum, where the assistant teachers are taken into the institution when quite young and trained by the matron and head teacher. The results at Starcross, both literary and industrial, are quite as satisfactory, if not more so, than any attained by certificated teachers employed under the present regulations of the Board of Education.

358. Dr. Ethel Williams' experience in Newcastle is of interest; she makes the following statement:—

Williams, Vol. II., p. 285, cols. 1 and 2.

"Our staff consists of a head and three assistants. Only the head had any special training. She was sent on a six weeks' visit to London before the school opened, and saw the work being done there. All have thrown themselves into the work with great enthusiasm. I think our staff has been exceptional, and for that reason we have suffered but little from the lack of special training, though I should consider this, as a general rule, essential. Special courses of lectures on physiology and psychology, with special reference to mental defects and mental development, would be very helpful to them, would tend to keep up their enthusiasm and to prepare candidates for future posts."

She admitted that popular opinion made everyone inclined to say that special training was required. Her long experience on the education committee had enabled her to choose the right kind of teachers for special schools. If she found that other people's experience had given them a similar advantage in the choice of teachers, she would modify her opinion as to the need of special training. She thinks that teacher's training of some kind is a necessity for special classes, but believes that "nous" and capacity are more important than special training. For the hopeless, unimprovable cases, she would suggest "housework and rough cleaning and that kind of thing." She believes that the employment of a kindly competent woman "who could teach them household matters" would lead to economy. This plan has been tried in Birmingham, where capable and intelligent women have been engaged to teach simple forms of manual work to children of such a low grade as to be incapable of obtaining benefit from instruction in the three R's, or whose education should *begin* with a

Williams, Vol. II. 15861–15865.

Williams, Vol. II., 15958.

Williams, Vol. II., 16904–16906.

The Training of Teachers—*contd.*

training in the use of their fingers. These women, who were not teachers, were given a probationary period of six to nine months, during which they worked in the Birmingham Special Schools, and picked up methods of discipline and class management, and a knowledge of the kind of manual work considered best for feeble-minded children. In the opinion of the Birmingham Special Schools Committee this experiment has been decidedly successful, and it has resulted in a considerable saving of expenditure. The employment of teachers of this class would be rendered impossible if, as we understand, the Board of Education are likely in future to require them to sign a statement to the effect that it is their intention to enter for the Preliminary Examination for the Certificate. It is long since they have left school, and it can hardly be expected that they would resume their studies with a view to taking a Preliminary Examination. Nor indeed would these studies conduce to efficiency in teaching low grade children how to knit or net, how to thread beads or to sew, or how to cook and do simple household work.

Recommendation LXXIV

With these views we agree, and we conclude that local authorities should have a free hand in this matter. We think that there might be a class of attendant teachers, whose services in many instances would suffice both in the lower grade cases and, to a certain extent, in the cases of the quite young children who require the supervision of a nurse combined with the aid of a teacher.

CHAPTER XVIII.

Combined Defects.

62 & 63 Vict. (1899), c. 32, Sec. I. (1).

359. Cases of combined defect, though not very numerous, cause much difficulty in the classes, and there is a general desire that special arrangements should be made for them. By the definition of epileptics in the Elementary Education (Epileptic and Defective Children) Act, 1899, epileptics who are also idiot or imbecile are excluded from the benefit of the Act. The greater affliction governs the lesser, and the provision required for idiots or imbeciles who are epileptic must rather be supplied as suitable to them on the ground of their suffering from idiocy or imbecility than on account of their suffering from epilepsy. In the corresponding Act, the Elementary Education (Blind and Deaf Children) Act, 1893, blind and deaf children who are suffering from idiocy or imbecility are also excluded. But apparently it was considered that the combination of epilepsy or blindness, or deaf-mutism, with the higher grade of mental defect such as feeble-mindedness, was not ground for exclusion from schools or classes for the epileptic, or the blind, or the deaf. The same principle has been applied to cripples who, if they are incapable of receiving benefit on account of physical defect, that is, if they are practically idiot or imbecile, are excluded under the Elementary Education (Defective and Epileptic Children) Act of 1899, but, if they are "defective" only, that is, capable of receiving "special school" instruction, they are not excluded. Feeble-mindedness, in fact, has been considered relatively to epilepsy, blindness and deafness of less importance, and epileptic, blind, or deaf children, who were feeble-minded, were allowed to be educated with the normal epileptic blind or deaf children. But in the case of their suffering from any greater degree of mental defect, they were not allowed. The evidence now appears to show that this difference can no longer be maintained, and that educational classification should be still further extended; for, feeble-mindedness is a greater affliction than blindness, or deafness, or crippling, and should govern the method of education when these defects are combined with it.

56 & 57 Vict. (1893), c. 42, Sec. II. (2).

From this there follows a demand for accommodation for the education of these cases of two-fold defect in other than special classes for the blind, deaf and dumb, and crippled.

360. The numbers of blind and mentally defective and of deaf and mentally defective do not appear to be very great, and it is probable that one or two large institutions would be sufficient for the whole country. The cripple and mentally defective are much more numerous, but owing to the large number of paralytics among them, few of these are capable of much improvement, though greatly in need of care and treatment. With regard to imbecile, idiotic, and feeble-minded epileptics, there seems no reason why they should not be dealt with in the same institutions as other feeble-minded imbecile and idiotic cases, provided such institutions provide facilities for the adequate grading of all degrees of mental deficiency.

Whitwell, Vol. II., 12556–12557. Dendy, Vol. I., 862. Passmore, Vol. II., 20048, p. 534, c. 1. Rotherham, Vol. I., p. 509, c. 1. Allbutt, Vol. I., 9182. Down, Vol. I., p. 538. Stainsby, Vol. II., p. 269, col. 2.

361. At present there is only one institution in the country for blind and mentally defective children. This is Stormont House, and has been established by the London County Council. Mr. Stainsby, Secretary of the Institution for the Blind, Birmingham, referred to the Report of a Conference for the Welfare of the Blind (1902), which obtained statistics and opinions on the subject of defective blind children. There was some difference of opinion as to the advisability of special institutions for these children, but as it appeared that most blind institutions either refused to accept mentally deficient cases, or discharged them after a period of trial, the need for a special institution for such children became apparent. The Committee say that:—

Blind and Mentally Defective or Epileptic. Stainsby, Vol. II., p. 269, c. 1. Eichholz, Vol. I., p. 208, col. 1. Townsend, Vol. I., p. 224. Stainsby, Vol. II., p. 274–275. 15667, 15671.

"Considering the peculiar difficulties of these cases, and the hardship that at present arises from the want of provision for them, the Committee are of opinion that, in spite of the great care bestowed on this class in those institutions for the blind, in which they are now sometimes admitted, there is at the present time the great need for the creation of a special institution for defective blind children, available for school authorities throughout England and Wales."

Stainsby, Vol. II., p. 275, c. 1.

362. This Committee estimates that there are about 160 such children in England and Wales. It has followed the definition of the phrase "defective children" as given in the Elementary Education (Defective and Epileptic Children) Act, and has, therefore, taken no account of blind children who are idiotic, or imbecile. But Mr. Stainsby draws attention to their need. "They are," he says, "refused admission into schools for the blind, whether day or residential, and so far as he is aware, are entirely unprovided for, being either at large or in workhouses. As a class they are untrained, unprotected, and uncontrolled." Further, he would, he says, remove such children compulsorily from their parents, but does not anticipate much difficulty on this head. In the case of the blind, where such compulsory powers exist, they have seldom had to be put into operation. He prefers the block to the cottage system for the purposes of administration. He thinks one or two institutions would be enough for the whole country.

Stainsby, Vol. II., p. 274, col. 1., 15632 15637. Stainsby, Vol. II., p. 270, col. 1. 15604. 15607. 15609. Stainsby, Vol. II., p. 270, col. 1. 15614–15620. 15609.

363. These conclusions are confirmed by the statistics collected by Mrs. Hume Pinsent for the Birmingham Education Committee, from which it appears that only seven feeble-minded and blind children were found out of a total of 1,033 defectives of all descriptions. Miss Dendy says the numbers of blind and deaf feeble-minded are not large, and agrees that one institution for the whole country would probably be sufficient. Mrs. Burgwin estimates in London there are about thirty cases of school age of mentally defective blind. She thinks that these cases will be improved by training, but that few, if any, will be able to maintain themselves entirely, and will, therefore, need permanent institution care. Dr. Tredgold, and Mr. Illingworth, Superintendent of the Blind Asylum, Manchester, think that special institutions should be provided for blind epileptic children, as they cannot have sufficient care in ordinary blind schools, and the disturbance occasioned by the fits is detrimental to the other inmates.

Pinsent, Vol. II., p. 456, col. 1. Dendy, Vol. I., 862. Burgwin, Vol. I., p. 483, col. 2. Tredgold, Vol. I., p. 401, col. 1. Illingworth, Vol. II., p. 276, col. 1.

364. Mr. Barnes, who gave evidence on behalf of the National Association of Teachers of the Deaf, gives particulars of 4,000 deaf mutes, and states that very nearly 6 per cent. are feeble-minded. He agrees with Dr. Elliott, of Margate, and other heads of institutions that 5 to 6 per cent. represents the percentage of feeble-minded among deaf mutes. In London there are from fifty to sixty such children.

Deaf and Mentally Defective or Epileptic. Barnes, Vol. II., p. 511.

Pinsent, Vol. II., p. 456, col. 2.

Mrs. Hume Pinsent gives the number of feeble-minded deaf children in Birmingham as five, out of a total of seventy-nine deaf-mutes.

Turner, Vol. I., p. 503, cols. 1 and 2.

Miss Turner, quoting Dr. Thornton of the Deaf and Dumb Asylum, Margate, says :—

"Out of 909 children under his care he found sixty-five (7 per cent.) markedly deficient; 302 (33 per cent.) 'intermediate' (*i.e.*, backward, if not slightly deficient); and 542 (60 per cent.) normal. This percentage is seen to be particularly high when it is remembered that feeble-minded deaf mutes are strictly not eligible for this Home, and those here mentioned as feeble-minded were admitted unintentionally.

At present, Mr. Barnes thinks that the majority of feeble-minded deaf children are accepted by the institutions for the deaf, but that after trial some are excluded as being unsuitable for treatment with normal deaf children. He considers that education authorities should be obliged to provide separately for feeble-minded deaf children. He says that :—

Barnes, Vol. II., p. 511, c. 2; & 512, c.1.

"The retention of feeble-minded deaf children in ordinary schools for the deaf has been proved to be unsatisfactory; they either retard the progress of the rest of the class, or their own progress is retarded for lack of more individual attention. They should be placed in special residential schools, or in special departments attached to existing institutions for the deaf, where various methods of instruction suited to the mental capacity of each individual child might be adopted." He also says that :—

"The following resolutions were adopted at the Biennial Conference of the National Association of Teachers of the Deaf, at Norwich, in August, 1905 :—

"(1) That the presence of defective deaf mutes in our schools militating against their best interests, and the best interests of the normal pupils, special pupils, special residential schools should be provided, into which could be drafted defective deaf children from all parts of the kingdom.

"(2) That powers should be granted by legislation for committing feeble-minded deaf, who are eventually found incapable of self-support, or are not under proper control, to permanent care in an industrial home or colony."

Eichholz, Vol. I., p. 208, col. 1.
Burgwin, Vol. I., p. 484.

A school for mentally defective deaf mutes has been established by the London Education Committee at Homerton. It is the only school for such children in England. The accommodation in it is insufficient for London alone.

Crippled and Mentally Defective or Epileptic.
Baldwyn Fleming, Vol. I., 2143, 2270–2274.

365. Mr. Baldwyn Fleming thinks that counties should combine for the purpose of establishing institutions in which feeble-minded cripples could receive special medical and mental training. He would like one authority to deal with all defectives, including those suffering from combined defects.

Alderman Buckle says that in Leeds :—

Buckle, Vol. II., p. 543, col. 1.

"There are eight known epileptic and mentally defective children in the city, two epileptic and physically defective children, and eleven mentally and physically defective children for whom no type of school is available.

Pinsent, Vol. II., p 456, col. 2.

And Mrs. Hume Pinsent gives the number of feeble-minded cripples for Birmingham as thirty-eight, and states that some of these are capable of improvement.

Dendy, Vol. I., 862.

But, there and elsewhere, many of these crippled children, as they are called, are really paralytic. They "want nursing and they cannot be properly treated in an institution for other children." In London, this change has begun. The Education Committee have decided not to admit to the cripple schools cripple or invalid children who are also mentally defective, but are about to arrange that, "where possible, children suffering from the double affliction shall be taught at schools for the mentally defective, whither they are to be taken by the ambulance." It is very doubtful, however, whether these cases should not be considered either as "Home" cases for whom, indeed, but little can be done, or removed entirely, if circumstances require it, to some separate quarter of an industrial colony, such as Darenth.

Lawrence, Vol. I., p. 421, col. 1.

Lewis, Vol. II., p. 12, col. 2.

Imbecile or Idiot or Feeble-minded and Epileptic.
Fleming, Vol. I., 2199.

366. The difficulties of dealing with epileptic idiots and imbeciles have been pointed out forcibly. There are no institutions in the country which undertake to deal with this particular combination of defects. The idiot asylums, with the exception of the Eastern Counties Asylum, refuse to admit epileptic idiots. Again, the epileptic colonies refuse imbecile or idiotic cases.

Many witnesses point out that these cases might be dealt with in carefully graded colonies which would receive all types of defective children who could be classified in various departments, one of which should be an infirmary for paralysed, epileptic, and hopeless or degraded cases. Dr. Langdon Down, Licensee of Normansfield, a house registered under the Idiots Act, 1886, says :—

" It is more important that normal epileptics should be dissociated from mental defectives than that mental defectives should be dissociated from cases suffering from epilepsy. It seems better, therefore, in any scheme to consider the epileptic feeble-minded in connection with the mentally defective rather than in connection with the epileptics of normal mental development.

" On the other hand, the epilepsy is rather a concomitant than the prime factor in the other group, and can be dealt with by classification within the group. It may be said that, owing to their defect, the defectives are not greatly affected by the presence of epileptics, particularly the lower grades."

Dendy, Vol. I, 861, 863, 988. Wills, Vol. II., p. 222, col. 1. Brookes, Vol. II., 12103–12104. Buckle, Vol. II., p. 543, col. 1. Rotherham, Vol. I., p. 509, cols. 1 and 2. Albutt, Vol. I., 9182. Rudolf, Vol. II., p. 119, col. 1. Down, Vol. I., p. 537, cols. 1 and 2. Passmore, Vol. II., 20048, p. 533, c. 2.

Dr. McCallum, Physician to the Epileptic Colony at Starnthwaite, has expressed a similar view, namely that epileptic imbeciles might be classed with ordinary imbeciles and might be treated together in institutions such as the Royal Albert Asylum. Dr. J. R. Whitwell, Medical Superintendent of Suffolk County Asylum, agrees with this and also Sir James Crichton-Brown who says :—

" There is no necessity for difference in the treatment of epileptic idiots and imbeciles from that of other idiots and imbeciles, except that, having regard to the dangers attending their seizures, they require vigilant supervision day and night. Idiot establishments and asylums are therefore best adapted to their treatment. A large number of affluent epileptic idiots and imbeciles are in idiot establishments which do not refuse paying patients of this class or in asylums."

Down, Vol. I., p. 537, McCallum, Vol. II., 12213–12244. Whitwell, Vol. II., 12556–12557. Browne, Vol. I., p. 332, col. 1.

Further, he points out that, although some of the idiot establishments nominally refuse epileptic cases, yet epileptics are to be found in all of them.

For the maintenance of these persons arrangements of many kinds might, no doubt, be made by committees for the care and control of mentally defective persons. If they are idiotic, imbecile or feeble-minded the committees would have to assure themselves that they are properly provided for, or they would themselves have to provide for them. Dr. Tredgold says : " Feeble-mindedness accompanied by anything but the most occasional epilepsy is not worth the expense of training." Towards them, the public duty can consist of little more than supplying the means of medical care in a home that is more infirmary than school. And the numbers are so small that in most cases this duty will best be carried out by providing a small department for them in an institution established mainly for other types of defect.

Tredgold, Vol. I., p. 401, col. 1.

CHAPTER XIX.

Conclusions and Recommendations.

Conclusions.

367. We have seen that the number of defective or feeble-minded children is considerable both in town and country, and that where the special schools or classes have been established a distinct advance has been made, both in the study of the question and in a knowledge of the conditions and limitations under which education of any effectual kind is in their case feasible, but that no system has come into existence for providing for the permanent needs of mentally defective children. Where there are no special classes, that is, in most places, there is not any centre at all for dealing with these children in any suitable manner ; and there, all, or nearly all, of them require immediate attention, care or education. To ascertain the number of the children and to institute the organisation necessary for their education and training, supervision or segregation, it is recommended that the system of registration now in force in regard to school children be turned to account and be made the foundation of notes and records which would be of the greatest help in caring for them directly or indirectly throughout life. Notification from public authorities and private homes would be required by statute ; but there would otherwise be no compulsory notification, except in regard to patients received for profit.

Recommendations LV.–LVII., LXXV.

Where there are at present no special schools or classes, the Committee for the Care and Control of Mentally Defective Persons, may, subject to the approval and regulations of the Board of Control, intervene to make such provision in connection with education authorities, or directly, as it may think best. Where there are special schools or classes, these would as in other cases,

Recommendation LXXXI.

Conclusions—*contd.*
Recommendation LXXXII.

serve for purposes of observation as well as for teaching and training. As far as possible only mentally defective persons would be admitted to the classes, but there would be a margin allowed for the admission of children, of whom it was doubtful whether they should be considered mentally defective or placed in the "backward" class. Mentally defective children, and children who are on "probation" in the special classes would be a charge on the Committee for the care of the mentally defective. Dull and backward children would be a charge on the education authorities.

Recommendation XLII.

Arrangements between the Committee for the Care and Control of Mentally Defective Persons and the education and other authorities, voluntary agencies, or private persons might, subject to approval by the Board of Control, be of the most diverse description according to the needs of the different cases.

Recommendation XXVIII.

The difficulties of transferring children, when they leave school, from one authority to another are according to our suggestions met by the proposal that there should be one authority seised with the responsibility of caring for the child, as suffering from mental defect, not only during childhood, but, as far as need be, throughout its life. Instead of regulations as to detention there would be up to twenty-one a system of wardship and supervision, with at twenty-one, if need be, prolonged control or care under sufficient safeguards.

Recommendations XLIX–LI.

368. Another point was raised and much discussed with witnesses. It was whether the education authority should be the authority in charge of mentally defective children. As we have stated, we have, so far as it rests with us, decided this point in the negative, partly for the reasons we have just given. A single and continuous control over the child seems to us indispensable; and, by its very nature, as the educator of children and not the supervisor of adults, the education authority could not exercise this control. In the case of other afflicted children, the blind and the deaf, school time suffices for education; in the case of mentally defective children the special school or class represents but part of the education, and sometimes, indeed, the child is unfitted for any "special school" education at all. He has primarily to be treated as mentally defective, and then, subject to the limits of mental defect, as educable to a certain point. It is not, as in the case of the blind or deaf, that one faculty only is wanting. All his faculties are by reason of the mental defect reduced to a lower, or less than normal, standard. And just as the Poor Law, established for the care of the poor and destitute, is unsuitable for the care of the mentally defective, so the educational system of the country, established for the teaching of the normal child is, in our opinion, unsuitable for the child, who, unlike the blind and the deaf, can never reach the mental level of the normal. Also it is evident that the development of the institutional and other arrangements required for this class would lead education into a department of work largely foreign to it. Such extraneous questions, from the educational point of view, are those of wardship and custody, and questions of the establishment and use of institutions in the nature of farm colonies, of industrial homes, of homes of care and control, besides asylums of several kinds, questions which have to be settled in relation to the mentally defective generally, irrespective of the question of age; for it is only by taking care of children, who are mentally defective in various ways and degrees, as part of a common problem, that it becomes possible to provide for them systematically or adequately either during childhood or later. On these grounds it seemed to us indispensable that a new authority should be established for the care and control of this class, and that it should be responsible both for children and for adults.

Recommendations I, XXVIII.

PART IV.

MENTAL DEFECT AND CRIME.

CHAPTER XX.

The Mentally Defective in Prisons, Casual Wards, and Common Lodging-Houses.

369. We have now to trace the mentally defective from the schools to the institutions, in which, if not cared for, they are found in later life. The population of mentally defective persons is homogeneous, a population of persons of undeveloped brain who can usually be trained only within certain narrow limits and of persons whose mental force has been so gravely impaired that they are unable to manage themselves or their affairs. The after-school life of many of these persons in prisons, workhouses and casual wards, common lodging-houses and shelters, we have to consider. The problem which they represent is ably stated by Dr. Scott, who is now attached to Brixton Prison—the London House of Detention for males—where there are many young prisoners. Mental defect in relation to criminality in life. Scott, Vol. I., p. 276, c. 1.

"During the last nine years, during which I have been connected with the London Houses of Detention (both for males and females), I have had to pay special attention to the state of mind of the prisoners, in order to furnish reports to the magistrates and to give evidence at sessions, assizes, etc. In making the examination necessary for these purposes I have had to deal with many feeble-minded persons, who could not be certified as insane, but who could not fairly be held fully responsible for their misdeeds. These form a fairly large class, and are a cause of great trouble and anxiety to those who have to deal with them. Many of them, in their youth, have not been kept under any control by their parents. Frequently little attempt has been made to educate them, as they are undesirable in the ordinary schools and classes, and special schools or classes are comparatively few in number. When they come to the working age, their mental defect stands very much in the way of their getting employment. They are only fit for unskilled labour, and most of them are so wanting in the power of continued application that they soon leave of their own accord, if not previously dismissed for stupidity. They are greatly wanting in initiative, and are easily influenced by others. Their moral sense is very defective, and they have little self-control or power to resist temptation when it comes in their way. They are frequently in trouble for breaking the law, and it is difficult to know what to do with them. The Judicial Authorities do not like to treat them as fully responsible, or to punish them severely. If they are sent to prison, it is usually for short periods only, so they soon return to their mischievous ways again. They are not amenable to penal discipline, and require to be treated differently from the other prisoners. When they break the rules, they cannot be adequately punished. This is rather subversive of good discipline in a penal institution. Punishment has little effect upon them. Reforming influences also fail with them usually. As they have very little self-respect, and home ties, if they have any, do not weigh much with them, they do not fear coming to prison. Indeed, to many of them prison is rather a harbour of refuge, as they are spared the trouble of thinking how to get food and lodging.

"When they are at liberty, their friends do not usually welcome them, and they are quite unfit to compete with better endowed individuals in the struggle for existence. It is not at all uncommon for them to break windows, or commit a petty theft, in order to get back to prison again. They are thus a cause of great expense to the country, with little, if any, improvement to their moral natures, and without the public being adequately protected against their depredations. By their proneness to commit larceny, arson, indecent assaults on children, etc., they are a constant source of annoyance, expense and danger. Many of them are quite unfit, if left to themselves, to lead decent, inoffensive lives; they require care and discipline. It is also important to consider from the point of view of the improvement of the race, if any means can be taken to prevent these 'undesirables' from producing their like."

Mental defect in relation to criminality in life—*contd.*

370. In dealing with this part of our subject, we propose first to set out some of the evidence in favour of the detention or segregation of the mentally defective who are unable to take care of themselves and have no friend to take care of them and control them. We will then draw attention to the exceedingly unsatisfactory conditions under which feeble-minded children are remanded and discharged, and juvenile offenders who are feeble-minded are sentenced for short periods and discharged on the expiry of the period. We will point out how injurious the existing system is to adult prisoners, male and female, in the local prisons both in the Metropolis and throughout the country generally, and how, against the wishes of the Prison Commission, it leads to the discharge from convict prisons of persons who, on account of mental defect, are quite unfit for liberation. We will then describe the labour colony which the Prison Commission have established at Parkhurst for feeble-minded prisoners, and suggest the necessity of an extension of the law so as to include cases of mental defect, which do not now come within the terms of the Lunacy Act of 1890, and we will propose measures for an alteration in the methods of discharge and in the procedure for submitting to the courts information in regard to mentally defective persons who have been committed to local or convict prisons. Lastly, we would submit notes taken from the reports of the Medical Investigators in regard to members of the criminal feeble-minded class, as they have found them at large and in casual wards, shelters and elsewhere. We may thus present a view of this class, in relation to criminality, at different periods of life and in different parts of the country.

Segregation and detention in after-school life.

371. In favour of segregation or detention in a large number of cases of mental defect after the period of childhood, the evidence is unanimous. At present, on the commission of an offence recognised by the law, the mentally defective person may be committed and detained in prison. But this detention is usually for very short periods; and it is usually detention of the wrong kind, being neither preventive nor reformatory. It has relation to the fact that an offence has been committed. It has no relation to the fact that a mentally deficient person committed the offence; and detention for punishment and detention for mental defect are two procedures not merely different but in a large degree incompatible. For want of better means, we have, indeed, been using prison methods, much as we have been using Poor Law methods, for mentally defective persons. In the one case these persons commit offences, and though not normally responsible, are detained in prison. In the other case these persons fall into destitution, and though not normally responsible for their self-support, are maintained in workhouses.

The Argument for Segregation.

The general evidence in favour of segregation and detention in the case of the mentally defective.

372. First, then, we will indicate how very strong is the evidence for segregation or detention of the right kind, which substantiates and supports the summary of facts which Dr. Scott has submitted to us. This is, indeed, the main issue, on which depends not only the argument which we have to use in this chapter in regard to feeble-minded prisoners, but the general demand for the better care of the mentally defective as a class. We have seen the nature of this demand in the case of the mentally defective now maintained in connection with the Poor Law, and in the case of children educated in special schools and classes; and as the control of feeble-minded criminals is a matter of extreme importance, we have thought it well to resume the general evidence here as a kind of preface to the statements of detail that follow.

373. Miss Dendy, Honorary Secretary of the Lancashire and Cheshire Association for the Permanent Care of the Feeble-minded, referring to the bad results of leaving feeble-minded children at large after the age of sixteen, thus describes the transition from school days and school control to freedom and irresponsibility.

Dendy, Vol. I. 840.

"Everybody who has either been a medical man amongst the poor, who has been a Poor Law guardian, or who knows the poor in their own homes, knows how horribly disastrous the results are of leaving these poor souls at large. Anybody can make them do anything. For instance, you get a boy who in school is not doing anything very bad, his master can manage him, he is amenable to discipline. His father brings him to you and says: 'My boy is always getting me into trouble, he will steal anything.' This is only one case amongst very many; I had such a little chap brought to me and he was quite proud to tell me how he did the stealing. He stole toffee and stole a diamond ring; but never had any good of anything he had taken. He had only been the scapegoat, he had passed the stolen goods on at once. Undoubtedly as soon as he was big enough to be considered a man, he would be convicted for some theft like that. I have cut from the newspapers at different times cases in which we have found feeble-minded boys concerned in train-wrecking. In each case the feeble-minded boy has been used by the sane boys to do the actual mischief, and of course he has been the one caught and the one punished."

Mr. A. A. Allen, the Chairman of the Special Schools Committee of the London County Council, was asked the following question :— The general evidence in favour of segregation and detention in the case of the mentally defective—*contd.*

"Among the reasons why you have not made any considerable advance in providing residential schools for the feeble-minded, you stated that you did not know what course would be taken ultimately with regard to that; have you any suggestion to make with regard to that provision—what provision do you think ought to be made?"

He replied :—

"I think that probably the bulk of the children who would go to the custodial Homes—that is the worst class of mentally defective children—probably never ought to go out into the world at all; they ought on leaving the school to be drafted into colonies where they will live without going into the world at all. The custodial Homes would take the worst class of child with whom there is no real prospect of any great improvement, and who will always be a danger to themselves and the community if they are let out into the world." Allen, Vol. I., 7589.

This view is shared by managers of Voluntary Homes (*see* Chap. XXVI), and of Idiot Asylums (Chap. XXV) in regard to a large number of feeble-minded cases.

374. Dr. Mott, Director of the Pathological Laboratory of the London County Council Asylums, considering the question of detention from the point of view of the reception and discharge of patients at the London asylums, mentions the following among other cases as illustrative of the feeble-mindedness and criminality of young persons who are temporarily detained in asylums :— Mott, Vol. I, p. 458, c. 1.

"*Reg. No.* 14037. Age, 16. Admitted 11–3–04. Mania: Moral insanity. Defective. Criminal type. Third Standard Board School, left at thirteen. Father states he took a shovelful of live coal and asked the baby to pour paraffin on it. He has behaved indecently towards his little sister. Fits from eighteen months till twelve years of age, none since. He is one of fourteen children; eight having died of some brain trouble or another; three were still-born. No insanity in family. After leaving school he was a van boy, but was unable to keep the job, and, having no character, was prevented from getting another.

"*Reg. No.* 13958. Age, 15. Admitted 25–11–03. Labourer. Destructive—dirty—delusional and bad habits—a dull, aimless-looking youth. A brother aged eighteen has fits. Patient has had fits since an infant. Diagnosis, melancholia. Discharged May 6th, 1904. A letter was received from him, very illiterate, but complaining that he was *unable to get work* and that they *knocked him about at home.*

"*Reg. No.* 13975. Age, 14. Admitted 11–12–03. *Imbecile from birth, due to injury.* No heredity, no epilepsy, or paresis. Sent to asylum because he was violent and threatened to kill his little sister. Mother, thirteen children, all living except one, and all healthy except patient. Discharged to care of his father. 6–5–04.

Such persons will always be, as Mr. Allen states, "a danger to themselves and the community if they are let out into the world." Allen, Vol. I., 7589.

375. Dr. Ashby, Medical Officer of the Manchester Special Schools, thought that, without doubt, "this large, unguarded and unprotected class" of "idiot and imbecile children and older people for whom no supervision exists, and who are not under any kind of discipline or control," "tend to an increase of the criminal and immoral classes," "as well as, of course, of the pauper classes." Ashby, Vol. I., 10114, 10116.

And Dr. Whitwell, Medical Superintendent of Suffolk County Asylum, speaking of the feeble-minded, "who were capable of a considerable degree of education, both intellectual and moral," said that "they were usually retained at home, until after puberty at least; and the natural and physical evolution taking place at that time, but on a lower plane, in the absence of intellectual control, and accompanied by defective education, was apt to result in acts of theft, cruelty, incendiarism, homicide and various offences of a sexual or perverted sexual nature. Experience seemed to show that the degree of education possible in this class was an element that might, under proper care, be made use of as a factor worthy of consideration in providing for them on economical lines. But under existing conditions education, on the usual lines, amongst other children, and associated with them, was so entirely erroneous as to result in their spending their lives alternately in the prison, the workhouse, and the asylum—an outcast from each." Whitwell, Vol. II., p. 95, c. 1.

376. Referring similarly to the factors relating to the development of mental defect, Dr. Hubert Bond, the Medical Superintendent of the County of London Colony for Insane Epileptics, drew attention to :— Bond, Vol. I., p. 466, c. 1.

"(*a*) *Certain age periods* (notably puberty and adolescence) affecting the sexes equally, and in almost every person causing a recognised amount of disturbance, and (*b*) *Certain cataclysms* in a woman's normal life-history (pregnancy, child-bearing and suckling). All may be looked upon as examples of normal stress, which, encountered by a healthily constituted organism, will be successfully weathered, but, acting in the presence of the inherent factors already discussed or upon a brain congenitally defective, they are very frequently the means of precipitating insanity, epilepsy or other neuroses.

"Their special relation to the classes under inquiry is as follows :—

"(i.) A feeble-minded child having left school is launched on society, and is set the task of earning a living. Its mental and physical disabilities severely handicap it, and

The general evidence in favour of segregation and detention in the case of the mentally defective—*contd.*

make an equal competition with its more fortunate associates impossible, and when the further stress of the adolescent period supervenes, small wonder that a break-down occurs and that the youth is certified as insane. His admission to the asylum is not on account of his congenital feeble-mindedness, but for the added symptoms of—most commonly—an attack of adolescent acute mania. From the latter he recovers and, as the law stands, has to be discharged "as recovered"—recovered, that is, from the maniacal attack—and is returned to society, still a feeble-minded case; to break down again, and even a third time, before the adolescent period is complete; to subsequently marry and add to the number of the mentally defective or epileptic, and if a woman, to probably again visit the asylum under the stress of the cataclysms of pregnancy, child-bearing or suckling.

"(ii.) The relation of certain ages to the onset of epilepsy is very striking; eleven, twelve, thirteen and fourteen (corresponding to puberty) are ages at which the fits first appear in a large number of cases, or re-appear after being in abeyance since perhaps an isolated few in very early childhood. Again between eighteen and twenty-two (corresponding to the period during which adolescence presses most severely) there appears to be another special incidence, though in this case there are frequently other factors, *e.g.*, alcholic and sexual excesses, beginning to exert their influence. In these cases a history very commonly related is that shortly after the commencement of sexual indulgence or shortly after getting married the first fit appeared; as already indicated, in some cases the marriage is entered upon in the mischievous hope that it will bring about a cessation of fits. In the case of epilepsy which has made its appearance earlier in life, as described above, also in regard to feeble-mindedness, the stress of the adolescent period becomes doubly fateful when in conjunction with worry, chagrin and other mental stress, the result of the youth being unable, by reason of his fits, to retain any employment long. He finds himself tossed about from one employer or employment to another, and of necessity often out of work, roaming the streets or loitering at bars. That such ones become insane, drunken, or criminal cannot be wondered at."

Chance, Vol. II, 14017.

377. This view was confirmed by Sir Wm. Chance, speaking of the County of Surrey where special inquiry had been made. He thought that there was no doubt that the existence of the feeble-minded class caused a large increase of immorality and crime in the country. And Dr. Marriott Cooke, a Commissioner in Lunacy, described those who were discharged from asylums for the feeble-minded and idiots, and lost all the advantages of their training and sank by degrees to the workhouse. He said :—

Marriott Cooke, Vol. I., p. 349, col. 1.

"Those who have benefited most by the care and training they have received and who seem to be the most promising are those for whom this additional provision" of detention "is especially required. Their physical condition has, as a rule, been developed satisfactorily during their residence in the asylum; they not infrequently present a bright, intelligent appearance, and a certain number have become, while under supervision, to some extent self-supporting."

"Attempts, however, to place them out in the world generally meet with failure, and the alternative is usually residence in a workhouse, where they often deteriorate. Being still feeble-minded, they cannot, if placed on their own resources, take care of themselves, and are unable to earn their living. They get into trouble, and some of the women become the mothers of illegitimate children. Ultimately they gravitate to the workhouse, and the good they have derived from their training is, to a great extent, lost."

Bagenal, Vol. I., 2447. Vol. VI., p. 258

378. As to the recurrence of cases of feeble-minded women in the maternity wards of the workhouses in the country, Mr. Bagenal, a General Inspector of the Local Government Board, said :—"My inference is that when women in a rural district come in time after time with children by different fathers, they practically may be described as the prostitutes of the districts."

Clouston, Vol. III., p. 201, c. 1

Dr. Clouston, the Physician Superintendent of the Royal Edinburgh Asylum, from special investigation in regard to this class of feeble-minded women, gives a similar account. He says :—

"Of late years I have been devoting special attention to the previous history of the feeble-minded who have been sent to the asylum as certified patients, especially the young women. Through conversations with the patients themselves and through the enquiries by nurses and the information supplied by parents and relatives and from bodily indications where they have had children, I have come to the conclusion that such persons in a large city are subject to overwhelming temptations and pressure towards sexual immorality. I find, as a matter of fact, that it is an exception for any of them not to have been sexually tampered with among a certain class of society. Many of them have had illegitimate children, and this often at very early ages. One had seven such children. I look on this source of immorality as an extremely grave one in our social life. In a way, it is more disgusting and degrading than prostitution or sexual lapses through passion. When illegitimate children are borne by such young women, the chances are enormously in favour of their turning out to be either imbeciles, or degenerates, or criminals."

Legge, Vol. I., 1311.

Mr. Legge, then Inspector of Reformatory and Industrial Schools, when asked his opinion as to how far these feeble-minded people ought to be segregated with a view to prevent them reproducing themselves, said :—

"I think I said, and I hold to it, that I see no other alternative but when they reach a certain age to have every individual examined, and if they are certified as suffering from mental

deficiency which either renders them unable to protect themselves, or renders them not fully responsible for their actions, to have them segregated in colonies for an absolutely indeterminate period, and I do not think those colonies, properly worked, would be such a ruinous expense as people imagine. If the parents are decent and are willing to take charge of the individual then they should certainly do so, just as there are many idiots in the country in private houses. Many people would much rather keep a person than have it sent off to a colony. I think that is the only method." The general evidence in favour of segregation and detention in the case of the mentally defective—*contd.*

379. Dr. Savage, referring to records of cases compiled during ten years, said :— Savage, Vol. I., 6516.

"I think during the last ten years I have records of over 700 people who are not detained, and who require, for the good of themselves or society, to be detained; wasters, morally insane people; probably 100 a year I see whom I think ought to be detained and are not detained, and cannot be, according to the present law."

Finally, Sir Edward Fry sums up the matter in a few paragraphs :— Fry, 5578, Vol I., p. 312, c. 2.

"Everyone knows that a large number of the mothers of illegitimate children are of weak intellect; that their issue are frequently of the same type; that a large number of the habitual inmates of workhouses are of the same low standard of mind; that much of the petty crime of the country is committed by persons below the average in intellectual power."

"One of the Poor Law inspectors saw, in a workhouse in Somerset, an imbecile woman with an illegitimate imbecile daughter, who had her own illegitimate daughter in her arms. Precisely the same picture has been seen in the county of Cornwall, and these are but pictures in small of a fact which is to be seen in very many of our workhouses."

"But the ranks of the insane, as well as of the imbecile, are recruited from the children of the feeble-minded. The fearful increase of late years of insanity in this country has necessarily created alarm, and I cannot but believe that one of the sources of this fact is to be found in the imbecility of the parents."

"Sir James Crichton Browne entirely agrees in this view. He has written to me to the effect that a terrible increase of insanity is going on, and that it is undoubtedly not merely due to increased diligence or improved diagnosis, but in some measure to the cause named viz., propagation by the weak-minded, and 'I am confident,' he adds, 'that permanent provision for imbeciles of both sexes, but especially girls, however costly it might be in the first instance, would ultimately result in saving of the rates.'"

"In a word, imbecility, insanity, bastardy, and crime are now paid for by the ratepayer, and any method of diminishing these at a reasonable cost must be to his benefit."

"In the ruder state of society which has passed away little heed was taken of these unfortunate children, and many of them, no doubt, died comparatively early in the struggle for existence. But we have learned to think more tenderly of the inferior members of our race, and we seek to protect them from the calamities and sufferings to which they are naturally exposed, and to preserve their lives to the utmost. But in so doing, and so doing rightly, we incur, it appears to me, another responsibility, namely, that of preventing, so far as we reasonably can, the perpetuation of a low type of humanity, for otherwise the beneficence of one generation becomes the burthen and the injury of all succeeding ones. The past increase in the number of lunatics in the country, to which I have already alluded, demands our most serious consideration of every means which can legitimately be used to protect the race from physical and mental degeneration, and I regard the segregation of imbeciles, first in childhood and youth, and subsequently throughout life, as the one of such means which is mostly clearly open to us."

380. In connection with the workhouses we have pointed out how strong is the argument for the detention of the mentally defective in suitable institutions; and we have shown also that, except in cases in which the home fulfils the purpose, supervision and control should follow immediately on their leaving a special class or being found unsuitable for day school education. The evidence we have now quoted emphasises the necessity of segregation or detention on the widest grounds of public policy. It is very representative, and comes from the authorities of prisons, medical officers of special schools, superintendents of county asylums, members of county councils, Poor Law inspectors, medical experts on questions of insanity and disorder of the mind, and from men of general culture and large legal experience; and others, as we shall see, such as the managers of voluntary asylums and voluntary societies, support it. And we should add that this mass of evidence is absolutely consistent with our own experience and with the results of our personal investigations. Following this evidence then we have to recommend some reorganisation of criminal procedure and of detention in the case of the mentally defective on lines consistent with those which we have suggested in regard to the Poor Law and education. Part I., Chapter IV. Dendy, Vol. I., 858. Fleming, Vol. I., 2143–2145. Bagenal, Vol. , 2366. Caldecott, Vol. I., p. 596, c. 2. Hutchison, Vol. II., 11134–11135. Wilson, Vol. II., p. 23, cols. 1 and 2. Recommendations LXXXVII.–LXXXIX.

Mentally Defective Children in Remand Homes, and Juvenile Offenders.

381. We begin with children in the remand homes. We referred to them in our chapter on the feeble-minded population of London. In the three years, 1902 to 1904, 3,119 juvenile offenders passed through these homes. Of these, 100 boys were taken at hap-hazard and twenty-eight girls, and examined Mentally defective children in the remand homes. Part II., Chapter VII., para. 198–199.

Mentally defective children in the remand homes.—*contd.*

medically. Of the 100 boys thirty-seven were on examination graded between "backward, slightly mentally deficient, and mentally deficient"; and of the twenty-eight girls, sixteen. If these figures are fairly representative, it may be said that from year to year a very large number of juvenile offenders, in whom the connection between mental defect and criminality may be observed in its earliest stages, come before the magistrates. And further, if we may judge from the forty cases in which inquiry was made in regard to the children's homes, we find the home conditions in a manner account for the mental defect and illustrate the circumstances in which it arises. Yet no advantage is taken of this opportunity of dealing with the evil in its first manifestation. At present some of these offenders are committed under the Reformatory and Industrial Schools Acts, but committals to these schools account for only a small proportion of cases. The number discharged from them as insane, imbecile, or feeble-minded, in the years 1900 to 1904 was only fifty-nine out of an average annual school population of 21,000.

Part II., Chapter VII., para. 201.

Legge, Vol. I., 1192, 1193, 1197 and p. 651.

382. It may be said that this number represents probably "only those whom the schools have found it absolutely hopeless to deal with"; and that the actual number is much larger. But even if this be so, the proportion would be comparatively small, as it is well known that these schools do not, as a rule, receive children whose mental or physical defect would interfere with their industrial training. By far the larger number are probably remanded only and then discharged to their parents, nor are any other steps taken. It does not appear that there is any plan of reporting these cases to the Local Education Committee or ascertaining with any completeness from them or any other agency what the circumstances of the child may be; nor is there any continuous supervision of them on their discharge, except so far as the attendance officer may follow them up with a view to their attending school. "The Judicial Authorities do not like to deal with them as fully responsible, or to punish them severely. If they are sent to prison, it is usually for short periods only, so they soon return to their mischievous ways again." Thus at the time, when, as we have seen, discipline and training would have the greatest effect in preventing a lapse to yet greater feebleness of mind, these children in most instances are simply reprimanded and discharged. And, except in so far as they may make use of the industrial schools, the magistrates have no alternative. They may realise that the child requires special and continuous education and oversight but they can only return it to its parents or ask the aid of the police-court missionary to look after it. The existing law does not provide the powers which they should possess.

Scott, Vol. I., p. 276, c. 1.

Part III., Chapter XVI.

"Juvenile offenders, mentally defective, in local prisons in the Metropolis."

383. But we have to consider these juvenile offenders at subsequent stages of their career. At the first stage, as we have seen, out of 100 boys in the remand homes taken at random thirty-seven were classed as "backward, slightly mentally deficient and mentally deficient." At the House of Detention a large proportion of the prisoners are feeble-minded or lunatic. "Last year," Dr. Scott says, "we had nine found insane on arraignment; eleven found guilty but insane, certified before trial; another, judgment respited. In addition to that, I suppose there would be over 150 returned as insane to magistrates, those who are sent for the purpose of being detained, and a considerable number of weak-minded, whom with the present practice it would be of no use to certify, as they would not be detained. Of these 'weak-mindeds' a number are sent to prison. Some of them are simply bound over to come up again. Some are discharged on that account by magistrates as not being fully responsible. We cannot say that they are wholly responsible according to the legal sense; but many who are only partially responsible are punished, as practically there are no other institutions for them . . They could not be certified as insane in the present state of the law, and to a great extent, because, if they were sent to the present institutions, they would be sent out again." Also there is the difficulty of getting them into these institutions, for they may be *reported* as insane by the medical officer at the prison, and yet they may not pass the doctor or the magistrate at the workhouse to which they are sent on discharge, with a view to their being dealt with as insane. "This complicates the administration of justice. Unless there is something tangible it is no use my reporting them."

Scott, Vol. I., 4913–4918.

Scott, Vol. I., 4918.

384. This evidence represents the next stage. The weak-minded, unless certified as insane, cannot at present be detained. Some are sent to prison, some "bound over," some discharged; and even if they were treated as "insane," which they can hardly be under the present law, on discharge to the workhouse the Poor Law doctor and the magistrate at the workhouse may refuse certification and order of detention, taking a different view of the case from that of the prison doctor. And there is no intermediate institution between the prison and the lunatic asylum to which they can be admitted.

"Juvenile offenders, mentally defective, in local prisons in the Metropolis"—*contd.*

385. Of prisoners at the Pentonville prison similar statements are made. Dr. Parker Wilson said that in that prison "about 100 prisoners a year were so far mentally affected as to be quite unfit for prison discipline. They are the very extreme cases and mostly drift to asylums." Besides these there are not less than 20 per cent. of the prisoners who show signs of mental inefficiency. Special observations made during a month showed that the proportion of the feeble-minded among the prisoners worked out at about 18 per cent. The juvenile offenders had made but little use of their schooling. Of 389 admitted in the course of a year, 26 could neither read nor write; 328 only averaged the second standard; and 35 only could read and write well. As many as 40 per cent. of them are described as feeble-minded. From the feeble-minded juvenile offender comes the adult offender, who sometimes founds a family akin to himself in criminality. "The feeble-minded adult, who is generally an offshoot from the defective juvenile, becomes in nearly all cases the habitual criminal." "I am acquainted," Dr. Parker Wilson said, "with whole families of professional criminals, various members of which I have known as juveniles, and who were undoubtedly of very feeble-mental calibre when they commenced their downward career." And he mentioned several instances, of which one may be cited:—

"Juvenile offenders at Pentonville."

Parker Wilson, Vol. I., p. 255, c. 2.

Parker Wilson, Vol. I., p. 256, c. 1.

"A lad who does not now look more than fourteen years old has already served three terms of imprisonment at Pentonville prison, his father has been here twice, and his mother has been sentenced as a drunkard. Of his brothers, one has done two years at Maidstone, another one year at Wormwood Scrubbs, and the third is in a reformatory. The girls (his sisters) are mere children. The difficulty of benefiting this class of boy was particularly demonstrated in this case. I brought him specially to the notice of the chaplain, and he procured work for him on discharge which would have enabled him to earn 10s. a week, but the parents intervened and would not allow him to go, as it took him from home."

386. Notwithstanding the procedure described in Para. 391 and 400 *infra* it generally happens that offenders come before the magistrates without sufficient information as to their mental condition, and as matters stand they have to be discharged or imprisoned, and are discharged with little or no regard to ultimate results. When a juvenile offender leaves prison after a few days confinement it frequently happens that no report is made to any authority that he is mentally deficient, even if that be the case. No evidence is brought before the magistrate; and the magistrate may convict again and again, but he may have before him no information as to previously recorded convictions. Yet these are often very numerous. Of the juvenile prisoners admitted to Pentonville prison in the previous year, 513 in all, seventy-two had one; sixteen, two; eight, three; five, four previous convictions. One had five, one six; and one, nine. And the sentences almost all are short sentences, so that though special training and education is provided for these offenders in prison, little advantage can come of it. Thus seventeen weak-minded boys were sentenced to one month, twenty to six weeks, one to eight months, twenty-seven to two months, fifty to three months, three to four, and one to seven months. In this way, there is an endless duplication and reduplication of unproductive administrative work.

"Weak-minded juvenile offenders before the Magistrate."

Parker Wilson, Vol. I., 4460. 4472.

Melland, Vol. VI., pp. 166, 167.

Parker Wilson, Vol. I., 4482. 4470.

4494.

387. These offenders are frequently committed without information as to their mental condition or past convictions; they are committed for short sentences, which may be suitable in certain cases, but which in these instances have little or no relation to causes and are practically purposeless, and, naturally, committed to prison without forethought, they are committed frequently, and they appear and re-appear in prisons, workhouses, casual wards and elsewhere. Thus it comes about that 150 to 200 feeble-minded offenders pass through a single prison in the course of a year. On their discharge they are handed over to their parents as the proper people to look after them; and so the matter ends. If they were dealt with individually, under conditions likely to prevent their degradation, by education, employment, and segregation, the supply would gradually cease. They would be detained, if need be, and would not appear and reappear in a perpetual and useless iteration.

Parker Wilson, Vol. I., 4541.

Parker Wilson, Vol. I., 4550.

Vol. I., 4467 4544.

Mentally Defective Prisoners in Local and Convict Prisons.

Mentally defective in local prisons generally.

388. We have referred to local prisons in London only. But the same routine of maladministration, not to be avoided under present conditions, prevails elsewhere. Dr. Smalley, the medical inspector of the Prison Commission, submitted to us a return of prisoners in the various local prisons in England and Wales, who "although not certainly insane, were unfit for ordinary penal discipline by reason of mental deficiency, and are termed 'weak-minded.'" These prisoners numbered 345 during the year ended March 31st, 1904, 297 males, and forty-eight females, the rate per 1,000 being 1·75 of the male, ·88 of the female prisoners, or 1·54 of the total number. Yet they do not represent the total number of the mentally defective, but "only the worst, the most obvious." There are many mentally defective who *are* considered fit for penal discipline. If they were included in the count, at least 3 per cent. of the prison population would be returned as mentally defective. In the previous year, 1903, 333 were returned as "weak-minded." Of these an analysis by age has been made. Of the 333, the larger number, 200, were under forty; twenty-two were under twenty years of age; eighty-five between twenty and thirty. Thus "no age between late childhood and extreme old age is without examples, whilst 73 per cent. were in the procreative stage of life with its obvious corollary."

Smalley, Vol. I., p. 175.
Vol. I., p. 176, c. 1.
Vol. I., p. 176, c. 1.
Vol. I., p. 175, c. 1.
p. 176, c. 1.

389. There is in regard to the local prisons generally the same story of short sentences and frequent committals as in the London local prisons. Against 130 of the 333 weak-minded prisoners, who were unfit for ordinary penal discipline by reason of mental deficiency, no previous convictions had been recorded; but for this absence of record their nomadic habits might in part account. Against fifty-six one conviction had been recorded; and against twenty-eight, two; the remainder varied from four to 105 convictions. About half (fifty-one) had been convicted from five to ten times. And the offences were chiefly minor offences. Thus, if we omit from the list offences of which only a single instance was returned, we find that out of these 278 offences, 193 consisted of: begging (seventy-five); drunkenness (fifty-three); stealing (thirty-four); vagrancy (twenty); sleeping out (eleven). These offences, excepting drunkenness, are much the same as those which appear in the register of the remand homes. Yet "though," as Dr. Smalley said, "the less grave forms of crime predominate, there is a potentiality in the feeble-minded class for crimes of a more serious character. Many are eventually sent into penal servitude for rape, arson, carnally knowing, shooting with intent, manslaughter, and murder, who previously had short sentences for minor offences."

Smalley, Vol. I., p. 176, Table.
p. 175, c. 2.
p. 176, c. 1.

Feeble-minded women in local prisons. Holloway Prison.

390. The evil plight of feeble-minded women naturally excites the most general commiseration, but it will be noted that in the above return the larger number are men. Thus in the 333 cases of mental defect, 284 were men; forty-nine only were weak-minded women. On the other hand, if we compare the number of mentally defective female prisoners with the number of the normal female prisoners, we find that of 803 who were in Holloway prison on November 29th, 1904, forty-one were chronic inebriates, thirty-nine were feeble-minded, and three were insane; and of 1,297 convicted prisoners received during the month of November fifty-six were rated as feeble-minded. In the case of the thirty-nine who were noted as feeble-minded women the sentence in twenty-one instances was for one month or less. In the remaining instances it was for six weeks up to twelve months. Cases of sexual offence numbered twelve; cases of theft, ten; drink, begging, assault, and "false pretences" made up almost all the rest of the count.

Smalley, p. 175.
Griffiths, Vol. I., p. 199.

Regulations for local prison as to the mentally defective.

391. The Prison Commissioners, to whom all these facts have long been familiar, have already made regulations for dealing with the weak-minded in local prisons, so far as the accommodation in such prisons permits, with a view to preventing or mitigating these evils in such degree as their powers allow. These regulations provide for classification apart from other prisoners; for supervision by officers selected "by the governor after consultation with the medical officer, and preferably from the hospital staff"; for a dietary in each case as may seem fit to the medical officer; for "untasked" work, separately or in associations, as it may be allotted to them by the governor after consultation with the medical officer; for punishment only with the concurrence of the medical officer; and, finally for the transference of such prisoners on discharge

Smalley, Vol. I. p. 172, c. 1.
p. 172, c. 2.

"to the care of friends or to the workhouse authority." In general it may be said that the management of feeble-minded prisoners has become rather medical than penal. The medical officer acts virtually as an assessor with the governor. "A record of each case, and its special treatment and history, is kept," it should be added, "and sent to the Commissioners by the medical officer with his Annual Report." In fact, the record, registration, and the annual report, which we recommend generally are here already adopted. Smalley, Vol. I., p. 173., c. 1. Smalley, Vol. I p. 172, c. 2.

Moreover, the Commissioners have, with the approval of the Home Secretary, taken the highly commendable step of requiring that, whenever a feeble-minded prisoner is discharged, due notice thereof shall be sent to the police of the district to which he is to be discharged, so that if he again falls into crime the magistrate before whom he is brought may be made aware of his mental condition.

392. But these regulations, good as they are, do not suffice. The conditions of committal and discharge will have to be altered if remedial reforms are to be made. Accordingly it is suggested to us that on conviction mentally defective persons should be committed from the court direct to "feeble-minded homes or colonies"—"places where they could be compulsorily detained and employed; and where, if they are to be detained for any length of time, a certain amount of recreation and amusement could be allowed—a kind of half-way house between a prison and a lunatic asylum." It is suggested also that in these cases committals should be indeterminate, that is, "for a certain length of time in the first instance, and at the end of that time their case should be reconsidered and settled according to circumstances. In some cases the detention would be for life." Another suggestion is that "there is a possibility that some might be sorted out after a time and let out on a licence under the supervision of an appointed guardian, who should be responsible for them and to whom they should report themselves frequently. The guardian himself would also report periodically of the doings of the individual to the central authority, whoever that might be, who had jurisdiction of the feeble-minded homes and colonies." Suggestions of witnesses as to committals and discharge. Smalley, Vol. I., 3419-3421. Vol. I., 3421. Vol. I, 3428. Vol. I, 3360.

393. Hitherto we have referred only to local prisons; but in regard to those committed to the convict prisons the same evils obtain, so far as procedure and the administrative arrangements that depend upon it are concerned. But this does not apply to the internal management of the prisons, and the prison authorities have striven to utilise the accommodation within both local and convict prisons so as to minimise as much as possible the evil of treating mentally defective prisoners like ordinary prisoners. Reform is required in another direction. The courts do not possess sufficient discretionary powers to enable them to deal satisfactorily with the feeble-minded criminal in the earlier stages of his career. Sixteen per cent. of the patients at the State criminal lunatic asylum at Broadmoor were "cases of congenital or infantile mental deficiency—the proportion of both sexes being about the same," and the list of their offences is an illustration of Dr. Smalley's statement that: "There is a potentiality in the feeble-minded class for crime of a more serious character." Convict prisons Brayn, Vol. I., p. 105, c. 2. Smalley, Vol. I., p. 176, cols. 1 and 2.

The returns made in regard to weak-minded convicts at Parkhurst is a still further confirmation of this opinion. The Return is as follows:—

IV.—(*d*) Weak-minded Convicts in 1903–4.

The 111 weak-minded convicts in Parkhurst Prison at the close of the year ended March 31st, 1904, were classified as follows:—

(*a*) Congenital deficiency:—		
(1) With epilepsy - 5		
(2) Without epilepsy - 53		58
(*b*) Imperfectly developed stage of insanity		24
(*c*) Mental debility after attack of insanity		4
(*d*) Senility		8
(*e*) Alcoholic		—
(*f*) Undefined		17
Total		111

Convict Prisons —*contd.*

Their offences were as follows:—

Larceny	24
Burglary, housebreaking, etc.	18
Attempt to murder, wounding with intent, shooting with intent, etc.	13
Arson	11
Carnal knowledge of girl under thirteen years of age	10
Murder	9
Fraud, obtaining money by false pretences, forgery	6
Manslaughter	5
Rape	3
Receiving stolen goods	3
Unnatural offences	2
Horse stealing	2
Possession of explosives (treasonable offence)	1
Bigamy	1
Blackmailing	1
Robbery with violence	1
Killing a horse	1
Total	111

Their previous Convictions are thus returned:—

Of the 111 convicts	2	had incurred	over	30
,, ,,	3	,,	,,	20
,, ,,	1	,,	,,	20
,, ,,	24	,,	,,	10
,, ,,	3	,,	,,	10
,, ,,	4	,,	,,	9
,, ,,	5	,,	,,	8
,, ,,	2	,,	,,	7
,, ,,	5	,,	,,	6
,, ,,	5	,,	,,	5
,, ,,	1	,,	,,	4
,, ,,	5	,,	,,	3
,, ,,	4	,,	,,	2
,, ,,	12	,,	,,	1
,, ,,	35	,,	,,	0
	111			

Of the above two had been previously sentenced to penal servitude four times; three, three times; nine, twice; twenty-four, once; seventy-three had incurred no previous sentence of penal servitude.—111.

Parkhurst prison in part used as labour colony for mentally defective convicts.

Treadwell, Vol. I, p. 246, c. 1.

Treadwell, Vol. I. p. 246, c. 2.

Treadwell, Vol. I., p. 247.

Treadwell, Vol. I., p. 248.

4382.

394. Indeed, the gravity of the question led the Prison Commission to reconsider the whole of their arrangements for this class of convicts, and to re-organise them. Now, accordingly, at the prison at Parkhurst weak-minded convicts are brought together and treated as if they were in a labour colony. But it has to be remembered that those who are here graded as "weak-minded" do not represent the whole number of that class. Here as elsewhere, "a considerable number not actually classed as 'weak-minded' are incapable of organising their own occupations, of withstanding the stress of competition and the evil influences of criminal associates, when free; and necessarily from this cause they relapse into crime." About 17 per cent. among the "star" class prisoners, and 25 per cent. among ordinary class prisoners are really feeble-minded in this minor degree. Of 100 weak-minded convicts only four, it is judged, "might be discharged to the care of relatives or unconditionally, with reasonable prospect of their leading an honest life." Again, previously recorded convictions are numerous. And further, the course of criminality commences early. In thirty-seven cases out of the 100, the first conviction took place under the age of twenty—in many instance at fourteen, fifteen, sixteen and seventeen years of age and even earlier. Indeed, as Dr. Treadwell said, the evil is "an evil of the very greatest magnitude."

Treadwell, Vol. I., 4387, 4309, 4349.

395. This department at Parkhurst, as we have said, is essentially a labour colony. To it weak-minded convicts are sent from the local prisons at the end of their period of separate confinement, and weak-minded prisoners from the other convict prisons, including the purely prison department of

Parkhurst itself. Urgent cases from other prisons are also received. These persons are placed under special regulations which ensure :— Parkhurst prison in part used as labour colony for mentally defective convicts —*contd.*

"(1) Separate location from other convicts."
"(2) Supervision by a specially selected staff of officers"
"(3) Special employment."
"(4) Dietary to meet special needs.
"(5) Special care and discrimination in dealing with any breach of rules, etc., and punishment thereof." Smalley, Vol. I., p. 172, c. 2.
"(6) More latitude in the way of talking at exercise and at work, etc."
"(7) Special supervision by the medical staff."

"Structural alterations have also been made by which one hall of the prison is almost entirely devoted to their occupation. They have a separate exercise yard of their own. They go to and from the prison by themselves. A portion of the chapel is set apart for their sole use to which there is an entrance separate from that used by the other convicts. They are under the supervision of a specially selected staff of officers, whose *sole duty is with these prisoners.* Part of the farm land has been set apart, on which the larger number are employed at garden work. Here they are doing most useful work, growing vegetables which are used in the ordinary prison dietary, for the patients in the hospital (Parkhurst is the invalid convict station, and there are usually some 100 patients or more in hospital), the surplus being sold to officers' families. Those weak-minded prisoners who are unfit to go to the garden are employed at various indoor work, sewing, etc. Rugmaking has been somewhat recently started, and we have a contract with a local tradesman who supplies the materials and pays so much for the manufactured article." p. 173 c. 1.

"In fact the weak-minded are in a separate prison of their own, as far as this can be practically done in one establishment."

396. Under this *régime* the weak-minded convicts have behaved much better than under the ordinary prison rules, and are more easy to manage. About half are capable of working on the land. But, generally speaking, about 26 per cent. only would be sufficiently tractable and obedient to be employed in an open colony. The rest would have to be managed more stringently. Some of them would be dangerous to others ; and for them a colony with a building attached to it like an annexe to a lunatic asylum would be necessary. Treadwell, 4354, etc. 4358. Treadwell, Vol. I., 4310–4312.

397. We conclude that if a continuous waste of judicial and official effort is to be avoided and much incipient criminality prevented, it is indispensable that juvenile offenders should be most carefully examined by medical officers, well informed as to the nature of mental disease, and should, if mentally defective, be dealt with by training, segregation, and otherwise ; that the procedure for the commitment of these offenders for short sentences should be radically reformed ; and that their committal, treatment and discharge should be organised on new lines. Recommendations LXXXVII-LXXXIX.

Discharge and After-Supervision in Relation to Local and Convict Prisons.

398. We will now consider remedies in detail. The provisions of the Lunacy Act should be remodelled, and embodied in an Act for the care and control of the mentally defective so as to provide for all mentally defective cases, that is, for many cases, for which segregation is urgently necessary, but for which the Lunacy Act offers no means of effectual treatment. Thus, besides the feeble-minded generally, some cases of prisoners of well-marked defectiveness of mind do not come under the Lunacy Act, and they are constantly discharged, and prove a terror and a danger to the community. In illustration of this, Dr. Parker Wilson mentions the following instance :— Recommendations II. IV. Parker Wilson, Vol. I., 4545–4547.

"A man met with an accident some time ago, and got concussion of the brain; this was followed by drunkenness; he got very intemperate, and he cut his own throat; he was taken to the hospital, cured, and directly he got out he got drunk again, and tried to murder his wife. For that he came to me for a term of imprisonment. I sent him out, and reported him to the police as being a weak-minded drunkard. He had not been out very long and he came in the other day. He had tried to murder his wife, and cut his own throat as well. These are the difficult cases I have to deal with. I cannot certify him, I can only keep on sending him out. There is nothing else for him, no place of safe detention for him for a lengthy period. When he goes out again he will either murder his wife or cut his throat. He is only one of a type."

On such a point as this it is clear that there should be an amendment, both of law and of procedure. These cases should be certified and determined on lines similar to those of the Lunacy Act of 1890. There should be no narrow and ineffectual definitions of mental defect by which they can be excluded from the care and protection of the law. Smalley, Vol. I., 3438–3444. Griffiths, Vol. I., 3582–3595.

Procedure on discharge of feeble-minded prisoners from local prisons. Griffiths, Vol. I., 3594–6.

399. Then as to the discharge of prisoners. We will state the procedure in regard to weak-minded prisoners, both in local and convict prisons, for in regard to these cases, there is at present a hopeless dislocation of administrative machinery, as between the prisons, and the police, and the magistracy. No doubt this is in great part due to the want of suitable accommodation, but, with the provision of this accommodation existing evils will continue unless there is a great change in procedure.

Smalley, Vol. I., p. 173, c. 1; p. 178.

400. In the case of local prisons, prior to discharge, the medical officer certifies to the governor that the prisoner is mentally deficient and is not, in his opinion, "a fit subject for ordinary penal discipline"; and he describes the prisoner's condition fully. This report and certification the governor sends to the superintendent of the police of the district, requesting him, if the person to whom the document refers is again brought before any court, to be good enough to submit it to the court, before the case is dealt with, in order that the magistrates may be made acquainted with the mental condition of the prisoner. The report itself is precise, and it should effectually prevent the mere repetition of a short sentence, if it were registered and indorsed by the police in such a way that it might be instantly forthcoming before the accused appeared in court. A daily search through a card index to ascertain whether against any of the cases with which the court had to deal, information of this kind was registered would ensure that so important a report was submitted beforehand to the magistrate. Yet it is stated in evidence that "the measure is not of much practical utility."

Smalley, Vol. I., p. 173, c. 1.

401. The persons who commit crimes are often brought before the court in another district than that in which they are known, the district to which they were discharged when they left prison. That district is in the jurisdiction of another body of the police. There is no organisation for the general transmission of information about prisoners, nor is there any centre for the accumulation and communication of such information on inquiry. Therefore the magistrate in the new district in which the mentally defective person commits his second offence may remain uninformed of the facts, and treat the accused as a first offender, and pass another short sentence on him.

Smalley, Vol. I., p. 173, c. 1.

402. The second reason why the medical officer's report is of "not much practical utility" is that the discharge is to no responsible person, or at least to no person or authority that is held to be responsible for the supervision of the prisoner in the future. It is difficult to find any friends willing to take such prisoners and, if they do, they take only a nominal charge of them. The discharge to friends is often thus, in fact, an unreal safeguard. The mentally defective person might equally well be discharged to the world at large. But the prisoner, when discharged, is destitute, and thus he has a claim on the Poor Law, and is discharged, therefore, to the workhouse of the union from which he came. "The workhouse authorities," however, "have no power of detention and are probably not anxious to retain such folk." The prisoner, indeed, is not really a destitute pauper in the ordinary sense—a person who has fallen out of the ranks of the self-supporting population. He is rather a weak-minded person who cannot be considered normally responsible for his own self-support, for he can never become actually responsible for it; and so, wherever he may be, he must remain in great part dependent, as the evidence shows, on someone—living usually at present either in vice, beggary and crime, or at some workhouse, casual ward, or refuge. The discharge to the workhouse authorities, like that to friends, cannot be overwise than ineffectual. Even if he could be detained there, a workhouse is not a suitable place for a weak-minded ex-prisoner likely to commit yet further offences.

p. 731, c. 1.

403. The third reason is that there is no superior body, primarily interested in the good administration of affairs relating to mentally defective persons of all classes, who can prevent "an unwise discharge" or take steps in anticipation of evils likely to arise from it. The question is not primarily a question of police any more than it is a question of Poor Law. The one authority is dealing with crime, the other with pauperism. Neither has any special interest in regulating the conditions under which mentally defective persons generally should be supervised and controlled. Nor can either authority ensure that

information in regard to mentally defective prisoners will reach magistrates before they adjudicate on charges against these persons, or that the discharge of a mentally defective prisoner will be to a responsible party, pledged, as far as possible, to provide for his continuous oversight. Now when the recommittal of such a prisoner takes place, a report of the circumstances is sent to the Prison Commissioners; "the case is investigated, and if it appears to be a flagrant travesty of justice and common sense, a report is made to the Secretary of State, who usually communicates with the chief constable of the district or the committing magistrates. The replies are sent to the Commissioners to see, but usual y little benefit appears to accrue to anyone, and this seems inevitable under the existing state of the law." Smalley, Vol. I., p. 173, c. 1.

404. We have argued this point in reference to local prisons and the prisoners in them. In the case of weak-minded convict prisoners it is of equal importance. Of his table of 111 of these prisoners at Parkhurst, Dr. Smalley says: "Their offences and the number of convictions speak for themselves of their terrible careers, and the mischief they must have wrought;" and that it may be the better understood what class of persons would be affected by a wiser administration in regard to discharge and control, we quote two reports on young men, which Dr. Treadwell, Medical Officer of His Majesty's Prison, Parkhurst, has handed in:— Convict Prisons: the question of discharge and after supervision, typical cases and procedure. Smalley, Vol. I., p. 177, c. 1. Treadwell, Vol. I., p. 250, c. 1.

"*G. C.*, aged 22. On conviction in 1903 for robbery with violence. Offence committed with aid of two other persons unknown. A brother and a sister had fits—no other history of insanity, epilepsy, alcohol, or crime obtained. Parents of labourer class; had a good home, but bad companions; educated at industrial school; education, Standard IV.; occupation, labourer; is a drunkard.

"Previous convictions:—1888, stealing (three strokes birch); 1890, stealing (six strokes birch); 1891, stealing (to industrial school); 1897, stealing; 1898, stealing; 1899, stealing; 1899, shopbreaking; 1900, loitering with intent; 1901, on enclosed premises with intent; 1901, on enclosed premises with intent; 1901, stealing; 1902, stealing. And sixteen times summarily, drunk, etc., 1895 to 1902. Prison conduct insubordinate (foul language, threatening, fighting, etc.)

"Palate high and narrow; head asymmetrical, and bears evidence of head injury when a child; facial expression dull and unintelligent. Moods variable, sometimes emotional and tearful, at other times morose and quarrelsome; of low intelligence and poor memory; little, if any, moral perception of the rights of others. Suffers from genuine epileptic fits and also feigns them. Easily led astray and not likely to keep from a career of crime. Unfit to take care of himself and requires control. Defect dates from childhood or is congenital."

"*J. M. G.* Aged 23. On conviction in 1903 for manslaughter. A very brutal murder of a woman by stamping upon her when wearing heavy boots—probably very drunk. Father said to have been insane, in an asylum. Mother a drunkard. Education, Standard III., but learning makes him feel queer in his head. Occupation, fireman. Vol. I., p. 250, c. 2.

"Previous convictions:—1895, drunk; 1895; 1898; 1899; 1901, wilful damage.

"Features, asymmetrical; facial expression of low type of intelligence. Intellect feeble; emotional; gets frightened at night unless he has a light burning. Memory poor. Very simple and stupid. Defect congenital and alcoholic. Incapable of education beyond simple rudiments. Quiet, tractable, and works under supervision, requires control."

These cases may be taken as typical cases of weak-minded convicts. We have to consider under what conditions they are discharged and have their liberty.

405. In the case of a weak-minded convict, the governor makes inquiries as to the ability and willingness of his friends to receive the convict, and the prospect or otherwise of his being able to earn his own living. He reports the result to the directors of the prison four months before his release on licence becomes due. With this report he submits reports from the chaplain as to the convict's general character, and "the probability or otherwise of his relapsing into crime, if released," and "from the medical officer, stating in detail the necessity or otherwise for special care after release." All this information is then collected in a further report which is sent to the visiting director of Parkhurst Prison, and if on release by licence, the prisoner is likely to be dangerous to himself or others the licence is withheld by the Secretary of State. This is the only check. But subsequently, when the sentence is complete, there is nothing for it but that the prisoner should leave the prison. If friends cannot receive him, he is referred to a Discharged Prisoners' Aid Society. But these societies are intended to aid prisoners temporarily, in order that they may have a better start on discharge: they have no means or machinery for controlling helpless convicts, or looking after them continuously. "Practically, therefore, all they can do is to take charge of the gratuity and give advice." If the convict, "by reason of infirmity of mind or Smalley, Vol. I., p. 173, c. 2. p. 173, c. 2.

Released Persons (Poor Law Relief, Act, 7 Edw. 7) c.14., Sec. 1 (1907).

body requires immediate Poor Law relief" under the Released Persons Act of 1907—which applies to released prisoners generally as well as to inmates of reformatory and industrial schools, and certified inebriate reformatories, he is removed by an order of a Justice to the workhouse of his settlement, or failing knowledge of that, to "the workhouse of the Poor Law union . . . in which he is deemed to be *prima facie* chargeable for the purposes of this section." In all cases the police of the district to which he is sent are apprised of his mental condition. These convicts, therefore, who are weak-minded and often dangerous, are discharged to no authority responsible for their after-supervision. Till they commit their next crime (and "many of them are hopeless recidivists") they live among the population. Except in the longer sentence and in the more prolonged control which the refusal of release on licence permits, the conditions of their discharge do not differ materially from those of the local prisoner; and the remedy appears to lie in the same direction.

General conclusions.

406. We may sum up. On general grounds many competent observers are of opinion that if the constantly recurring fatuous and irresponsible crimes and offences of mentally defective persons are to be prevented, long and continuous detention is necessary. The experience of the prison authorities fully confirms this opinion. From the earliest age, when they appear before the magistrates as children on remand or as juvenile offenders, until and throughout the adult period of their lives, the mentally defective, at first reprimanded and returned to their parents, then convicted and subjected to a short sentence and returned to their parents, and then later continually sentenced, and re-sentenced and returned to their parents or friends till, for crimes of greater gravity, they pass to the convict prisons, are treated, as this reiterated evidence shows, without hope and without purpose, and in such a way as to allow them to become habitual delinquents of the worst type and to propagate a feeble-minded progeny which may become criminal like themselves. This, as has been said, is an "evil of the very greatest magnitude." The absolute and urgent necessity of coping with it is undeniable. And, in our opinion, to do this, as in the case of the Poor Law and the Education Acts, very great changes, such as we have sketched, will have to be made both in law and in procedure. We believe that the scheme outlined in our General Recommendations as to the mentally defective (Part XI. below), will do much to remedy the existing evils. The particular points on which we rely to meet evils we have just been discussing are as follows:—

Recommendation I.

(1) That there would be one central authority responsible for the supervision of all cases of mental defect.

Recommendation XXVIII.

(2) That local authorities engaged in this department of work and co-operating with the central authority would be responsible for making provision for these cases, and that the criminal courts would be empowered to utilize such provision.

Recommendation LVI.
Recommendation XI.

(3) That there would be a statutory obligation imposed on the police and all prison authorities to report all these cases to the local authority of the county or county borough. These cases would also be registered at the office of the Board of Control.

Recommendation LXXXVII.

(4) That there would be a statutory obligation imposed on the police to apply to the central authority and the local authority, for information in regard to cases of mental defect or recurrent short sentences.

(5) That the medical officer of the local authority would be informed by the police in regard to these cases, so that he, or his representative, should be in court when the case was tried.

By these means, and by reason of the procedure detailed in Recommendation LXXXVII and LXXXIX, which, in effect, we quote below, we think the mentally defective prisoners will not be lost sight of on discharge, and, if they commit a new offence, they will not be brought before the Court without information in regard to their past career:—

Recommendation LXXXVII.

(1) That all Courts of Justice, including Courts of Summary Jurisdiction, should have power to order the detention of a convicted mentally defective person in a suitable institution instead of pronouncing a sentence of imprisonment.

(2) That all mentally defective persons ordered by the Court to be detained in an institution for the care and control of mentally defective persons, and all persons certified to be mentally defective, while under sentence or order of detention, shall be detained in institutions for the care and control of mentally defective persons until the approval of the Secretary of State of their discharge has been obtained. Recommendation LXXXIX.

407. We agree with Dr. Smalley, Medical Inspector of the Prison Commission, that under the existing state of the law the present unsatisfactory conditions are inevitable. They can, we think, be prevented only by some such changes as we recommend.

The Number of the Mentally Defective in Local Prisons, Casual Wards, Shelters, etc.

408. We now turn to the Reports of the medical investigators. These Reports contain indications of the lives of the mentally defective who are in the stage following discharge from prison, wandering, or to be found in the workhouse, casual ward, common lodging-house and refuge. They also contain notes on the inmates of several local prisons. The local prisons were usually visited by the medical investigators regularly for four or five weeks. The following table shows the number of prisoners whom they judged to be mentally defective. The percentage is considerably larger than the percentage of those returned as "weak-minded and unfit for prison discipline," and it is also much larger than the 3 per cent. which was estimated as the total number of mentally defective persons among the prison population. Report of Medical Investigators. Smalley, Vol. I., p. 176, c. 1.

Areas (Unions).	Number of Prisoners seen.			Number found mentally defective.			Per cent. of col. 5 on col. 2.	Per cent. of col. 6 on col. 3.	Per cent. of col. 7 on col. 4.
	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.
1.	2.	3.	4.	5.	6.	7.			
Stoke-upon-Trent -	138	31	169	27	6	33	19·5	16·1	18·9
Birmingham - -	334	69	403	28	16	44	8·4	23·2	10·9
Manchester, Chorlton and Prestwich	–	–	1,048	60	79	139	–	–	13·26
Hull and Sculcoates -	326	110	436	4	–	4	1·23	–	·92
Durham - - -	61	18	79	2	1	3	3·28	5·56	3·80
Somerset - - -	–	–	40	5	–	5	–	–	12·5
Wilts - - -	32	5	37	3	–	3	9·38	–	8·11
Nottinghamshire -	–	–	73*	6	1	7	–	–	9·59
Lincolnshire - -	68	–	68	4	–	4	5·88	–	5·88
Total - -			2,353	139		242			10·28

Vol. VI., p. 42.

* This number is made up of 53 males, 14 females and 6 prisoners found at Derby, the sex of whom is not stated.

409. The actual numbers are much fewer in the country than in the town areas, but the general impression which the figures produce is that the proportion of prisoners of both sexes who are mentally defective is much larger than is generally supposed. "The higher grade aments," Dr. Potts, our Medical Investigator at Stoke and Birmingham, suggests, "are sometimes not recognised by the prison authorities; they are apt to think a man who works well and labours well in prison must be normal. In prison, however, everything goes like clockwork, and there is strict supervision; the work is of a simple character, and under such circumstances many defectives will create a favourable impression, though outside they would not be able to 'compete on equal terms with their normal fellows' or 'manage themselves or their affairs with ordinary prudence.'" Vol. VI., p. 99.

Urban Areas.

Reports of Medical Investigators. —*contd.*

Stoke-on-Trent. Vol. VI., p. 98.

Birmingham. Vol. VI., p. 128.

p 125.

410. At the Stafford gaol, which provides for the Stoke-on-Trent district, eleven male mentally defective persons were committed in the course of the month of visitation, or, making allowance for recurrent committals, about 100 in the course of the year; and on a similar estimate in the case of women, thirty in the year. At the Birmingham prison several mentally defective prisoners were noted, all plainly requiring detention, and in the casual ward were many mentally defective women. "Records were obtained of ninety-three children as the offspring of eighteen mothers who were defectives; fortunately most of the children are dead." At the night shelters for women were other wanderers; and in the common lodging-houses were found men of the same stamp as the mentally defectives who were found in the casual ward. Three of these cases were:—

p. 127.

"A bricklayer, who could not count the bricks he laid."

"A feeble-minded youth of nineteen who had only been discharged from a workhouse four months previously; another who had been discharged from the Birmingham workhouse the day before; both of these urgently required permanent care."

"One defective who had been educated in an industrial school. One feeble-minded man who had such a bad memory that he could not remember which was his bed, though he had occupied the same one for several weeks."

Manchester, Chorlton and Prestwich. Melland, Vol. VI, p. 166.

Vol. VI., p. 154.

Vol. VI., p. 154.

411. At Manchester Dr. Melland calculated that he saw about one-sixth of the prisoners who would pass through the Strangeways gaol from Manchester in the course of a year—1,048 in all. Amongst these he came across 139 who were mentally affected, equal to 13 per cent., or excluding alcoholic dements, 10·5 per cent.; and he thought that some 600 feeble-minded persons passed through the prison yearly. For the whole of the 139 prisoners whom he saw some permanent provision was, in his opinion, necessary. As to the casual wards: in these the number of casual poor was, at the time, in excess of the normal. He examined 3,809 tramps, and amongst these he found 133 mentally defective men and twenty-one women, including one girl of eight. He was struck by the fact that the ages of the feeble-minded men in the workhouse were markedly lower than the ages of such men in the casual wards and concluded "that the more marked cases and those from whom parental or friendly help and control were withdrawn early drifted into the workhouse, while the slighter cases and those who had had assistance up to a later age and are a little less helpless drifted into the tramp wards." This was even more marked in the case of the women. Excluding a defective girl of eight, there were in the tramp ward no women under twenty, only two under thirty, seven between thirty and forty, and two over fifty. "Many of them were of the most vicious and degraded type, spending their life between the common lodging-house, the prison cell, and the casual ward."

Melland, Vol. VI., p. 162. Stracey, Vol. VI., p. 304. Tredgold, Vol. VI., p. 223. Pearse, Vol. VI., p. 259.

In the shelters for men it was found that, although there was a large floating population of casual workers, practically the same as those seen in the tramp wards, the officials were seldom prepared to admit that there were any who appeared to be feeble-minded amongst them. "The general opinion seemed to be that their wits had been sharpened by hardship and experience." The same is said of men in the casual wards elsewhere.

Country Areas.

Somersetshire. Tredgold, Vol. VI., p. 236.

412. Turning to the country areas we find that in Somersetshire Dr. Tredgold enters thirty feeble-minded persons as having pronounced criminal propensities. Of this number, twenty, he says, are at present serving or have served terms of imprisonment. The feeble-minded among the tramps at casual wards are, he says, probably not more than 10 per cent. at the most.

Wiltshire. Pearse, Vol. VI., p. 259.

Dr. Pearse, writing of Wiltshire, says that "the number of feeble-minded among casuals is small: a man who lives on the road must live by his wits, and the feeble-minded are thereby barred from this method of livelihood."

Nottinghamshire. Gill, Vol. VI., p. 279.

Dr. Gill, reporting on unions in Nottinghamshire, examined twenty-two casuals, but of these "twelve had been in gaol from one to eight times, . . . one for theft, and one for attempted murder. In addition three of the twenty-two were feeble-minded (one also epileptic), and two of those had been in gaol—one eight times, and the other once, for refusing to do his allotted work at a casual ward."

413. The reports of the medical investigators contain notes of many individual cases, from which it appears that the relations are often quite unable to control or provide for the mentally defective prisoner who has been discharged to them. And they amply justify the contention on which we have already insisted that a considerable population of these persons is to be found wandering to and from prisons, workhouses, casual wards, and shelters. It may, no doubt, be pointed out that among the large number of tramps the feeble-minded are comparatively few. This is likely—but yet the 10 per cent. in the country districts, and the 4 per cent. of the joint casual ward, for the Manchester, Chorlton, and Prestwich Unions, and such an analysis as we have just quoted from Dr. Gill's Report—demonstrate that the feeble-minded who are scattered about among the institutional and wandering population of dependent persons throughout the country is large, while undoubtedly also the number of feeble-minded prisoners is much greater than was supposed.

Conclusion to be drawn from Medical Investigators' Reports.

414. To control this wandering population of mentally defective persons, who are many of them dangerous, morally and physically, and criminal in their characteristics, it seems to us that there should be systematic notification—identification, if necessary, by finger-prints, and some authoritative control, by which they could be detained and made to labour according to their ability.

CHAPTER XXI.

Mental Defect in Relation to Habitual Inebriates.

415. Experience has shown that many cases of habitual inebriety, as dealt with under the Inebriates Acts, are clearly associated with mental defect, and the development of the procedure for dealing with inebriety throws some light on the methods that may usefully be adopted for dealing with feeble-mindedness. Till recently the law dealt only with its criminal or disorderly manifestations, which were punished by short terms of imprisonment, and only very slowly has the inutility of short sentences come to be recognised, and the attempt made to replace them by a system of detention that would be more likely to have a reformatory influence. In 1879 voluntary detention in a Retreat was permitted under the Habitual Drunkards Act of that year; but it was never likely that many would, without pressure or constraint, have recourse to self-detention in an institution for a fixed period. "Many habitual inebriates are as incapable of estimating the gravity of their condition as are persons legally insane. Very few are willing to acknowledge themselves to be inebriates at all, fewer still agree that their habits are sufficiently serious to render remedial measures necessary, and still less a number are willing to seclude themselves from all opportunity of obtaining liquor." In this sense the Act of 1879 has proved a failure. "About twenty Retreats are now in regular working order; and about 500 persons annually submit to detention therein." But the Act, as an experiment, has been useful. It has not sheltered and reformed any very large number of inebriates, and it has admittedly failed in its secondary object of securing families from ruin and misery arising from the misconduct of the bread-winner, but it has shown the necessity of compulsion, at least in regard to the large number of persons who commit crimes or misdemeanours under the influence of drink; and this has led up to the Inebriates Act of 1898.

Experience gained from Habitual Drunkards Act of 1879.

Branthwaite, Vol. I., 428.

Branthwaite, Vol. I. 427. 461. 466.

416. The Act of 1898 enables a Court under certain circumstances to commit an "habitual" drunkard for any period not exceeding three years to an inebriate reformatory for special treatment or control. Two classes are thus dealt with: the first consists of habitual drunkards who are convicted on indictment of offences punishable with imprisonment or penal servitude, provided that the Court is "satisfied from evidence that the offence has been committed under

The Inebriates Act 1898, and the establishment of Reformatories.

The Inebriates Act 1898, and the establishment of Reformatories—*contd.*

the influence of drink, or that drunkenness was a contributing cause of the offence." The second class consists of habitual drunkards who have committed any of the numerous offences mentioned in the first schedule of the Act (*e.g.*, been drunk in a public place; drunk and disorderly, etc.); and who, within twelve months preceding the date of the commission of the offence, have been convicted summarily at least three times of any of the offences so mentioned. To receive these classes of offenders, institutions of two kinds have been established. For any member of the first or second classes, there are "Certified Inebriate Reformatories," established by local authorities or public-spirited associations or individuals, and, for members of the first class and for the incorrigible members of the second class, there are "State Inebriate Reformatories." Still further classification, however, is necessary, for it is impossible to deal beneficially with inebriates of very different types in the same institutions. Labour in association and a considerable and graduated measure of freedom are important factors in reformatory treatment, and these are privileges that are in practice found to be impossible in the case of many committed inebriates irrespectively of their mental condition.

Vol. I., 435.
Vol. I., 444.

Short sentences and detention.

417. In bringing the Act into operation difficulties have arisen from two causes. The first is the persistence of the feeling amongst some magistrates and police authorities that drunkenness should be dealt with merely punitively by short sentences; the other is the want of co-ordination between the action of the authorities who should supply the establishments required by the Act and the judicial authorities who have to try cases under the Act, and, if necessary, to commit to these establishments. In regard to the first question, in cases coming under Class I.—persons convicted on indictment of any offence which is punishable by imprisonment or penal servitude—it has to be shown that the offence was committed under the influence of drink, or that drunkenness wholly or partly caused the offence, and the prisoner must admit habitual drunkenness or be found by a jury to be an habitual drunkard. Comparatively few cases are dealt with in that way, only 237 out of 1,300 persons sent to reformatories.

Inebriates Act, 1898. Sec. I. (1).

Branthwaite, Vol. I 425, 438.

The other type of inebriate criminality, "Police Court recidivism," continues to be dealt with under the procedure of summary jurisdiction by short sentences. "Very many cases of attempted suicide, wounding, assault, malicious damage, and other similar offences, due entirely to drunkenness, are brought before Justices sitting in Summary Jurisdiction Courts and are dealt with by short terms of imprisonment, or are handed over to the care of friends. Reversion to drinking habits (and habitual drunkards nearly always revert after a short sentence of imprisonment) is almost invariably followed by a recurrence of the tendency to re-commital of the offence." Dr. Branthwaite, Inspector under the Inebriates Acts, said, "It seems to me more or less useless to treat such drink-caused crimes with punishment only, leaving the original cause as active as ever."

Vol. I., 439.

Vol. I., 439.

418. We have, then, this parallelism between the cases which we have been considering in relation to prisoners who are weak-minded and the cases of these habitual inebriate offenders. In both, the committals for an arbitrary period, be it for a short sentence of seven or fourteen days or for one, two or three years, are relatively inappropriate. Thus out of 1,012 cases only 510 were committed for the full three years' sentence. And the comment on this is :—

Report of the Inspector under the Inebriate Acts for the year 1903–1904. [Cd. 2285], p 22.

"There are possibly a few inmates who obtain benefit from one year in a reformatory; but in the large majority of instances so short a sentence means expense without adequate return. There are some who benefit fully from a two years' sentence, but not the majority, because the average period of actual detention in a Reformatory requires to be about that length of time, and a two years' sentence therefore leaves no margin for subsequent absence on licence. A three years' sentence affords the best chance of benefiting the largest number permanently."

But whether detention be ordered for one, two or three years, inebriates of the Police Court type who are confirmed recidivists and have been committed to Reformatories, have proved so little amenable to reformatory influence that it has seldom been found possible to allow them the privilege of release on probationary licence; in the bulk of these cases relapse is certain.

In other words, in the case of many inebriates detention at present has the undoubted advantage of saving society from the scandals and outrages that result from excessive drinking, but it does not lead to personal reformation. Short sentences and detention—*contd.*

419. The other difficulty, which is worthy of special consideration in relation to proposals for the care of the mentally defective, has been due to want of co-ordination between the authorities. Dr. Branthwaite said:— Want of co-operation between the Local Authorities and the Magistracy. Branthwaite, Vol. I. 440.

"In some parts of the country magistrates are fully alive to the advantage of substituting reformatory treatment for the useless fine and short sentence prison system which has failed so utterly to be either deterrent or curative. Some considerable difficulty has arisen owing to want of co-ordinate action between magistrates as the committing authority and county or borough councils, upon whom the duty rests of finding accommodation for the detention of committed cases. In some parts magistrates have desired to commit cases, but the local authority has declined to provide the necessary accommodation; in other places again where local authorities have made suitable arrangements, magistrates have failed to take full advantage of them. These difficulties, however, are of less prominence than they were at the start of the work."

420. We have thus had placed before us a system for the treatment of habitual inebriates which is in many ways analogous to that suggested for the care of mentally defective persons; and these points come to light. Where the aim is reformatory or curative, as well as in some measure penal, the short sentence is useless. Whether a term of years be fixed or not, the sentence, if good results are to follow, must be for such a period as will allow of the treatment proving itself effectual. Next, the system of voluntary detention has practically been set aside, so small is the number of those who take advantage of it—a matter of experience which appears largely to justify the adoption of a system of enforced segregation in the case of mentally defective persons, under which category many habitual inebriates admittedly come. Again, it appears that if any new organisation that may be proposed for the better care of the mentally defective is to work smoothly, it must be accompanied by much more efficient co-operation between the judicial and the administrative authorities. Any scheme for the care of the mentally defective must be so framed as to ensure unity of administration in the recognition and certification of cases on the one side and in the development of the provision required for them on the other. Suggestions for an improved method of dealing with mentally defective habitual inebriates.

421. These conclusions and comparisons are inevitable, when, as our evidence compels us to conclude, we consider that habitual drunkenness often indicates mental defect. One view which has been submitted to us, is that it lowers the vitality of the breed. "Alcoholism in one or both parents exerts its influence mainly by impairing the vitality of the children. . . . It has not any special tendency to beget a proclivity to drunkenness in the offspring, but in the manner indicated it has a distinct influence in the production of feeble-mindedness and epilepsy, and also by lowering the normal resistive power in the offspring, renders them liable to breakdown under various stresses later on in life and to become insane . . . As regards the insane generally in about 7 per cent., such a family history of alcoholism could be ascertained. . . . In cases of congenital mental defect, it was present in 12 per cent." Upon neuropathic persons alcohol acts quickly as a poison. "If a person possess a congenital mental defect or be already epileptic either he is unable to take it or, if he does take it, a moderate quantity is sufficient to precipitate insanity or greatly increase the number and severity of the fits; again, it incites ungovernable rage, followed by dangerous and criminal acts. The weak-minded, the epileptic, and every person with a faulty neuro-psychopathic family history should be taught to look upon alcohol as, to them, a poison." Thus many recidivists are detained in asylums not because they are "continuously and actively insane," but because it is proved that access to alcohol necessitates a quick return to the asylum. Dr. Carswell, formerly Chairman of the Inebriates Committee of the Glasgow Corporation, says: "Inebriety is more an incident of the mental life of the mentally defective than the cause of their mental condition"; and examining, out of many family histories, 150 cases of mental defect, in regard to which he was able to satisfy himself that he had collected historic data, Dr. Tredgold, Physician to the Littleton Home for Defective Children, found in 46·5 per cent. of the families a history of well-marked alcoholism; in 38·5 per cent. of the cases, combined with neuropathic inheritance; and only in 8 per cent. of the cases, irrespective of any neuropathic inheritance. Relation of habitual inebriety to mental defect. Bond, Vol. I., p. 465, c. 2. Cf. also Corner, Vol. I., p. 565, c. 2. Mott, Vol. I., p. 453. Hime, Vol. II., p. 518. Passmore, Vol. II., p. 533, c. 2. Bond, Vol. I., p. 467, c. 2. Cf. also Savage, Vol. I., p. 358, c. 2. Cunningham, Vol. III., p. 227, c. 1. Norman, Vol. III., 22834. Raw, Vol. II., 17905. Wilson, Vol. I., 4499 and 4532. Blandford, Vol. I., 9671. Beresford, Vol. I., 5559. Carswell, Vol. III., 21906. Tredgold, Vol. I., p. 397.

Chapter XXI.
Mental Defect in Relation to Habitual Inebriates.

Relation of habitual inebriety to mental defect —*contd.*

Crichton-Browne, Vol. I., 6007.

422. But some go further and insist that habitual inebriety is itself a result of mental defect, and should always be so dealt with. Sir James Crichton-Browne, one of the Lord Chancellor's Visitors in Lunacy, defines a morally insane person as "one who, by reason of disease or disorder of the brain, has undergone a change of character manifested in a course of vicious or criminal conduct without obvious impairment of intellect," and quotes the dipsomaniac as an illustration: "A morally insane person, in whom the change of character is manifested in the drink craving, and in loss of control over it."

Quin Donald, Vol. III., p. 224, c. 1.

Dr. Quin Donald, Medical Superintendent of the Invernith Lodge Retreat, accepts this view. He believes that inebriates are mentally defective, "that is, they are not at times able to control themselves. It is a disease, in which a loss of mental balance takes place, and the fear of consequences does not deter; under its excitement, judgment and will-power are completely swept away, and natural affection is lost." But Dr. Clouston puts the case more definitely.

Clouston, Vol. III., p. 200, c. 1.

In relation to the question of the arrested and enfeebled mind, he has, he says, studied "the large number of other nervous conditions which are often seen along with it during the development of the human body, from birth to the age of twenty-five"; and after citing many of these diseases, "pathological cousins of congenital feeble-mindedness," which "are often mixed up with it in the same individual, and the same family," he says: "They have all in common as a chief predisposing cause bad brain heredity, or direct brain poisons in the parents, such as alcohol and syphilis. . . .

Clouston, Vol. III., p. 200, c. 1.

In idiots and in the worst forms of congenital imbecility, as in many of the pathological cousins which I have enumerated, quite marked and unmistakable changes in certain portions of the brain, as compared with its normal condition, are seen. Advances in modern microscopical science have enabled us to make out such changes." According to this view, alcoholism, the poisoning of the body by repeated doses of alcohol, affects the brain organically, and produces definite mental disease.

We are not called upon to decide between the various well-known opinions which are held regarding the causal relationship of alcoholism and mental defect, still less between conflicting views concerning the possibility of alcoholism in the parents having any direct action on the germ or the organism of the offspring, and thus affecting the well-being of the race. Many opinions on these points have been submitted to us: definite conclusions could only be justified if we had embarked upon a prolonged and highly technical enquiry which we regarded as mainly outside our reference and destined in all probability to be incomplete. It is sufficient to insist on the salient and incontrovertible facts that many inebriates are mentally defective; that many mentally defective persons are specially liable to suffer speedily, seriously and permanently from the effects of alcohol; and that in any case alcohol in the parent leads practically to many evils in the family by destroying the organisation of the home and bringing about neglect, ill-treatment, starvation and disease among the children. And, of course, prolonged alcoholism in an individual is, beyond controversy, a frequent cause of that individual's mental deterioration.

The proportion of the mentally defective among habitual inebriates.

423. Dr. Fleck, the superintendent of the Brentry Certified Reformatory reported to us that an examination of patients there showed that the physical peculiarities which have become recognised as being associated with mental defect, though not so evident amongst inebriates as they are amongst idiots and imbeciles, were, yet in a less degree, evident amongst the patients there,

Fleck, Appendix, Vol. V., p. 242.

while "the actual mental conditions of these cases confirmed these physical indications." Of 771 cases admitted to Brentry, of all of whom careful records had been kept, 30 per cent. only were "of fair mental capacity, and capable, but for their drunken habits, of earning their own living." With regard to the remaining 70 per cent. he says: "I cannot conceive the possibility of their ever acquiring sufficient self-control to be able to keep them from drunkenness and support themselves." A small percentage of them have been found "certifiably insane"; another small percentage are epileptics, and in the rest the actual defect is undoubted but it shows itself in many different ways in different individuals.

Gill, Appendix, Vol. V., p. 243

Dr. Gill, of the Langho Inebriate Reformatory, estimates the mentally defectives at 50 per cent. Dr. Winder, of the State Inebriate

Reformatory at Aylesbury, to which "the most violent and troublesome" of all the persons committed under the Inebriates Act of 1898 are sent, says that "the greatest difficulty is experienced in distinguishing between those patients who are violent and vicious as the result of mental instability, and those whose bad conduct is due to their own evil courses. . . . Certainly not more than 2 or 3 per cent. of our inmates are of absolutely sound mental capacity." Out of 167 patients received since 1901, ten have proved "certifiably insane"; and 25 per cent. of the whole number are "definitely and undoubtedly feeble-minded high grade imbeciles for the most part and lunatics in all but actual delusions."

The proportion of the mentally defective among habitual inebriates—*contd.* Winder, Appendix, Vol. V., p. 244.

He continues :—

"If, however, the term "feeble-minded" is to be extended over a broader basis, and made to include all those individuals who are abnormally excitable, subject to attacks of uncontrollable temper, perverted morally, inconsequent in ideas, of feeble reasoning powers, and unable to acquire knowledge beyond the most rudimentary principles, then nearly all might be classed as feeble-minded, but certainly over 70 per cent. should be so defined. They are so mentally unstable as to be incapable of earning their livelihood on equal terms with their normal fellows."

424. A return of the mental condition of habitual inebriates obtained from the records of cases of persons committed to reformatories under the Act of 1898, "where they are kept under conditions which afford perfect opportunity for close observation," confirms this general conclusion. It is as follows :—

Classification according to mental state.	Number in each Class.	Percentage to Total Number of Persons admitted to Reformatories.
(1.) Insane—Certified and sent to asylums	48	17·0
(2.) Very defective—Imbeciles, degenerates, epileptics	271	62·7
(3.) Defective—As above, but less marked, eccentric, silly, dull, senile, or subject to periodical paroxysms of ungovernable temper.	857	45·7
(4.) Of average mental capacity—On admission, or after six months' detention.	697	37·3
Total Admissions	1,873	—

Report of Inspector under the Inebriates Acts for the year 1905 [Od 3246], pp. 9-10.

425. The following paragraphs explain the table :—

Explanation of classification adopted.

Some of the forty-eight persons classified in the above table as insane were found to be suffering from delusions when admitted to reformatories, others were in an excited state which gradually developed into mania, a third section of these persons were obviously demented, a fourth melancholic and suicidal, a fifth epileptic with periodical attacks of mania and a sixth were the subjects of recurrent mania which developed and subsided, in some cases, two or three times during their period of detention as inebriates. All these insane persons were admitted to reformatories as "habitual inebriates" and would have continued to be treated as such had they not been subjected to the closer and continued observation possible in reformatories. All were eventually sent to asylums, and many are now permanently insane.

Report of Inspector under the Inebriates Acts, for the year 1905 [Cd. 3246], p 10.

The "very defective" and "defective" classes may reasonably be considered together; the characteristics of each are the same, the only difference being one of degree. "Defective," in the sense used here, includes every person admitted to reformatories who has been considered much below an average standard of mental capacity but insufficiently so (in the opinion of general medical practitioners and magistrates) to justify a certificate of insanity, or only now and then certifiably insane during short transient paroxysms. Nearly all the 1,128 cases included in these two defective sections have given evidence of possessing some of the peculiarities in cranial conformation, general physique, and conduct, which have long been recognised as evidence of congenital defect. The smaller number of persons, where signs of early defect are wanting, are probable instances of brain degeneration produced by persistent alcoholism, advancing nervous disease, senility, or other cause.

Application of the general scheme to cases of mentally defective inebriates.

426. We may conclude, then, that probably some 60 to 70 per cent. of the habitual inebriates who are dealt with under the Acts are mentally defective, and for these we have to consider what, if any, provision should be made other than that which now exists, and, as part of this question, whether the general system which we recommend for dealing with the mentally defective is applicable to this class of mentally defective inebriates. The legal definition of an inebriate in the Act of 1879 is :—

Sec. 3 (3) (*b*).

> "A person who, not being amenable to any jurisdiction in lunacy, is notwithstanding, by reason of habitual intemperate drinking of intoxicating liquor, at times dangerous to himself or herself or to others, or incapable of managing himself or herself and his or her affairs."

This definition some of our witnesses desire to alter by including in it the habitual and intemperate use of drugs. But that question apart—for it lies outside our reference—the definition, we note, distinguishes inebriates from lunatics, and yet it makes use of some of the defining words of the Lunacy Act of 1890, and regards inebriates as "incapable of managing themselves and their affairs." This is practically to classify them, at least in great part, as a sub-class of the mentally defective. And the evidence which we have taken supports alike this conclusion and the definition which we have drawn of habitual inebriates, so far as inebriety is associated with mental defect. That definition would exclude the 30 or 40 per cent., or whatever it be, of inebriates who are not mentally defective, but it would include all inebriates who are mentally defective, such as imbeciles, feeble-minded, moral imbeciles and others.

Lunacy Act, 1890, Secs. 90 and 116.

Recommendation IV.

The mental deficiency of many inebriates has become patent only recently and since large numbers of them have been in detention and under close and skilled observation for sufficiently long periods. When fines or short sentences of imprisonment were the only methods of dealing with repeated offences of drunkenness, opportunities did not exist for ascertaining and demonstrating the latent cause of their criminal manifestations, though the medical officers of prisons and workhouses and other experts, as well as many theorists, anticipated our present knowledge.

Now, obviously, if our recommendations are adopted, it will be necessary to amend the Inebriates Acts and to provide that the committees of the county and borough councils should be placed under the obligation of dealing with all mentally defective inebriates. Also, the words of the definition of the Act of 1879 "not being amenable to any jurisdiction in lunacy" would have to be modified; for, if an habitual drunkard was certified as mentally defective, he would be amenable to "a jurisdiction," if not, "in lunacy," yet in mental defect, should the amending Act which we recommend for the care and control of the mentally defective be passed.

Recommendation XCI.

Recommendation II.

The Provision made under the Inebriates Acts in relation to the proposed scheme.

427. This raises, no doubt, the question whether it is worth while to preserve the provisions of the Inebriates Acts and the elaborate system which has grown up under them for the smaller number of habitual inebriates who are not, apparently, mentally defective. As we have pointed out, the institutions for inebriates are of two kinds : the certified inebriate reformatories and the State inebriate reformatories. Both may be in part adapted to new requirements. The chief aim of the certified reformatories is the improvement of the physical, mental, and moral state of those admitted to them. For these purposes reasonable freedom in association with continuous and healthy work is essential. The function of the State inebriate reformatories, two of which have been established by the Government, is somewhat different. It is to provide under the closest superintendence for the detention of habitual inebriates, both men and women, who are troublesome, refractory, and violent, and who have been admitted to these institutions because they have been proved to be unfit for the conditions of life in the certified reformatories. The State reformatories are custodial institutions which approximate to the condition of prisons. The certified reformatories retain the characteristics of the reformatory system. Both classes of institutions might continue to be used for mentally defective inebriates, and they might be brought under the inspection of the Board of Control. In so far as they continue to deal with persons convicted under the Inebriates Act, 1898, they would be maintained largely by the Government as at present. In so far as they might deal with cases of mentally defective

inebriates under reception and other orders, apart from the Inebriates Act, those admitted to them would be paid for by the local authority, who would contract for their maintenance as in other cases for which it did not directly provide. At present a weekly grant of 16s. is made by the Treasury in respect of each case committed under Sec. 1 of the Act of 1898, viz., inebriates who have been convicted, on indictment, of crime attributable to drink; and a weekly payment varying from 7s. to 10s. 6d. is made according to circumstances in respect of cases under Sec. 2, viz., inebriates who have been frequently convicted at police courts for the offence of drunkenness. The higher sum which is paid for the first class of cases practically covers the whole necessary expense of maintenance; and it is granted, no doubt, on the theory that persons convicted under Sec. 1 are criminals who would otherwise be maintained at the expense of the Government in convict or local prisons; while the other cases, those under Sec. 2, are cases dealt with at what might be considered adult reformatories, and a Government grant is paid for them on that basis. We think, however, that this distinction is hardly real; and we would suggest that in all the cases of persons who are dealt with under the Act of 1898, or under an amending Act, and who are maintained in State or certified reformatories, the Government contribution should not fall below one-half of the necessary cost involved in the detention and licensing of inmates.

The Provision made under the Inebriates Acts in relation to the proposed scheme —*contd.*

428.—Our conclusions in regard to mentally defective inebriates are as follows:—

General conclusions as to mentally defective inebriates.

(1) That the powers and duties of the county committees and of the Board of Control should extend to mentally defective inebriates as well as to other classes of the mentally defective.

(2) That the licensing and inspection of institutions which are established for the reception of mentally defective inebriates, or in which mentally defective inebriates are received devolve on the Board of Control.

(3) That county and county borough councils be placed under a legal obligation to provide accommodation for mentally defective inebriates, or to contribute towards the provision of such accommodation, and to contribute to the maintenance of mentally defective inebriates, including any such inebriates as a criminal court may think proper to commit to an institution established for the care and control of this class.

(4) That the Inebriate Acts be amended so as to facilitate the committal to suitable institutions of persons who are shown to the satisfaction of a criminal court to be mentally defective inebriates.

(5) That the processes of Reception Orders and all other methods applicable to other forms of mental defect be extended to mentally defective inebriates.

(6) That the existing system of Treasury contributions payable to State and certified inebriate reformatories be continued.

CHAPTER XXII.

Reformatory and Industrial Schools in Relation to Mentally Defective Children and Young Persons.

429. One scheme which has been submitted to us by several witnesses is the expansion of the industrial school system in such a way as to meet the needs of the mentally defective. This proposal, when more completely stated, was the establishment of special schools or classes under the Elementary Education (Defective and Epileptic Children) Act, which was to be made compulsory; the institution of special homes or special industrial schools to which children should be sent on leaving the special schools; the committal of children and young persons to these special industrial schools, under the terms of the Industrial School Acts; and finally for adults, similar institutions not unlike the certified reformatories established under the Inebriates Act of 1898. In estimating the utility of such a scheme we have to consider the essential features of the industrial school system.

Chapter XXII.

Reformatory and Industrial Schools in Relation to Mentally Defective Children and Young Persons.

The industrial school system considered from the point of view of the provision necessary for the feeble-minded.

430. The industrial and reformatory schools may be looked upon as the senior and the junior schools for children and young persons who are in danger of falling into crime or who have committed certain crimes and offences for which, if they were adults, they would be punished by imprisonment; but, since they are minors, and by presumption, therefore, not of an age sufficient to judge of the nature of their wrong doing, and are brought under educational and reformatory influences, they are not treated as wholly responsible persons.

Legge, Vol. I., 1163, 1165.

Feeble-minded children or young persons may be considered non-responsible by reason of defect of brain: these are so considered by reason of immaturity of mind. It follows that instead of a short sentence they receive a sentence for a comparatively long period. Less stress is laid on punishment than on reform; and for the reform of juvenile offenders, it is admitted that a long sentence is necessary, combined with a period of licence, in order to bring the delinquent back to normal life, by degrees, and under supervision. Hence, in these schools detention has been increased from not less than three to not more than five years, a period which at any rate is deemed sufficient for reform.

Legge, Vol. I., 1167.

431. In the case, however, of children or young persons who are mentally defective, reform, in the sense of influencing and educating them in such a way that they become normal members of society, is in most instances impossible. They can only develop within the limits of their defective or retarded brain power. Hence for them not a definite time-limited sentence, but a supervision that may be extended for a long time, sometimes for life, may in many instances, be required.

Legge, Vol. I., 1180.

432. Lastly, the Industrial Schools Acts recognise chiefly two causes as predisposing to crime: the want of proper control and care on the part of parents and relations, and the falling of the child into bad company—that of thieves, prostitutes, etc. In the case of the feeble-minded there are the same evil surroundings to be dealt with, but the children, though withdrawn from their evil surroundings, cannot rally like normal children, "the very cream of the juvenile street population of the country." Yet to withdraw them from such surroundings is at least equally necessary; and for them equally are required the "extensive powers granted to managers to dispose of children without their parents' consent under the Act of 1891." Feeble-minded juvenile offenders should have at least as much protection as other juvenile offenders who are sent to industrial schools. At present they do not have this protection. Feeble-minded children are in general excluded from industrial schools, or, if they are admitted, are usually discharged. Yet probably there are in the schools from 1 to 4 per cent. of these children. Mr. Legge, then His Majesty's Inspector of Reformatory and Industrial Schools, stated that as a result of inquiry made in November, 1904, it was found that 1·25 of the 4,876 inmates in such schools were feeble-minded. Mr. Legge stated that if he were forming an estimate he would be inclined to nearly treble the figures.

Legge, Vol. I., 1167.

Raw, Vol. II., 18145.

Legge, Vol. I., 1192. 1197.

O'Farrell, Vol. III. 22121.

Medical Investigators' Reports, Vol. VI., p. 44.

The figures reported by our Medical Investigators in Manchester, Glasgow, Belfast and Dublin show percentages of 4·6, 1·5, 1·5, and 2·48 respectively. These numbers at least equal if they do not exceed the numbers of the mentally-defective children in ordinary elementary schools in urban districts. And the tendency is to clear the industrial schools of hopeless cases, as educational requirements have become more stringent. Hence either feeble-minded children are excluded or, if considered educationally hopeless, they are discharged from industrial schools; and in either case when they have to be discharged from the industrial schools, they "find their destination in the union," either as deficient or imbecile.

Legge, Vol. I., 1191. 1197. 1198. 1267. 1270.

For this result, the managers can hardly be blamed. They have to consider the discipline and industrial education of the larger number of the children whom it is their chief duty to train; and in existing circumstances it is only possible for them to reject or discharge those who cannot be properly taught in an industrial school, and who, if they remain, are a hindrance to the rest of the inmates.

433. In these circumstances, it is not surprising that many witnesses considered that the industrial school system would need much amendment, if it were to be made a suitable method for the care of mentally defective children. They desired what they called a special industrial school or an industrial home or colony, which would be, as Sir James Russell put it: "more of a medical institution than an industrial school." And institutions of this kind managed on the effectual and economical methods in force at many industrial schools we would strongly recommend.

The Industrial school system considered from the point of view of the provision necessary for the Feeble-minded—*contd.*
Legge, Vol. I., 1198.
Wilkinson, Vol. II., 12766.
Raw, Vol. II., 18190.
Grayson, Vol. II., p. 349, c. 1. 16957, 16967.
Russell, Vol. III., 23764.

434. But the unprotected and uncared-for state of mentally defective children and young persons in regard to which we have to make proposals require, we think, a more extensive and more specialised administration than the mere adaptation of the industrial school system to a new purpose would allow. It would not serve, we believe, as a sufficient centre for the grouping of the various institutional and other arrangements necessary for the care and control of the mentally defective. It could not form a sufficiently strong organisation for guiding, utilising and in some measure unifying the efforts and endeavours that should be made for their protection. A comprehensive central administration linked to active and well-supported local authorities is required for that object. Only in this way can the continuous treatment of mentally defective persons be ensured, and the disconnection between departments which deal with them at different periods of life, or in different circumstances be avoided—the disconnection between the special school which is under the educational authority, the workhouse under the Poor Law guardians, the special industrial school or home for adults, which some suggest should be certified by the Secretary of State, and the hospitals or asylums for the unsound in mind which are under the Lunacy authorities.

Motion, Vol. III. 21804.
Sutherland, Vol. III. p. 239, c. 1.
Urquhart, Vol. III., 24460.
Russell, Vol. III., 23762. 23764.
Rainsford, Vol. III., 22466–22469.

435. Yet as a precedent the Reformatory and Industrial Schools Acts are valuable. They recognise the right of the non-responsible offender to special disciplinary and educational treatment. They are based on the principle of long committals with a view to the fulfilment of their special purpose. They justify the enforcement of the care of a child by the disposal of it, when the circumstances of the family require such action, without the parents' consent, and even the enforcement of tutelage for an indeterminate period, a line of intervention adopted by the Poor Law Act, 1899, which, subject to various conditions, permits a board of guardians, by resolution to vest themselves with the rights and powers of the parents until the child is of the age of eighteen. They furnish an example of successful co-operation between the State and local authorities on one side, and voluntary help and agencies on the other, with the result that many institutions, large and small, become on economic lines useful adjuncts and assistants in public administration.

Legge, Vol. I., 1167.
Legge, Vol. I., 1274. 1275.
Recommendation XLIX.
Legge, 1177. 1246. 1249.

CHAPTER XXIII.

Mental Defect and Criminal Responsibility.

436. Repeatedly, in the evidence which we have received, reference has been made by witnesses to the difficult questions which arise in criminal procedure in regard to uncertified or uncertifiable cases of insanity or mental defect. Mr. Troup, now Permanent Under-Secretary of State to the Home Department, who has had much experience in the criminal department of the Home Office, says:—

"Uncertified" mental defect and responsibili y.

"There are cases where weak-minded persons commit crimes, and they are not certifiably insane. They cannot, strictly speaking, be found insane under the law as laid down in Macnaghten's case, or under the law as ordinarily administered, and yet they are from weakness of mind really not wholly responsible. You cannot say that they are insane, and yet the state of their mind is such that they ought not to be set at liberty and allowed to commit further crimes of the same sort."

Troup, Vol. I., 1322.

"Uncertified" mental defect and responsibility—*contd.*

Sir James Crichton-Browne, one of the Lord Chancellor's Visitors, in Lunacy says :—

Crichton-Browne, Vol. I., 5985.

"There are undoubtedly numbers of persons who are not idiots or lunatics, or at least who are not regarded as either—persons of weak mind who are socially dangerous. In the affluent classes, there are numbers of weak-minded lads. I have known murders perpetrated by lads of that character, who were not thought to be certifiable, but allowed to go about uncertified though obviously weak-minded. Among the poorer classes, there are, no doubt, great numbers of morally incapables who are not certified, and who are moving about and are socially dangerous."

And Mr. Shadwell, one of the Commissioners in Lunacy, states that the question whether a person is or is not a lunatic, though he may be feeble-minded, often arises. Information is received that persons are being detained as lunatics. Inquiry is made by a medical man in regard to the place where they are being kept; and the report is that some of them are certifiable and some are not. He adds :—

Shadwell, Vol. I., 1545.

"Then we find a great difficulty in proving that they are certifiable. . . . I remember a case in which we prosecuted, and the defendant pleaded guilty, and yet we could not get one of the patients whom he had been detaining certified. . . . If they are not lunatics, and if they are not under the Idiots Act, they are uncared for by the State."

1613.

437. We find therefore—and there is evidence in regard to it from all quarters—that, while there is a large class of mentally defective persons who are certified as lunatics, and can thus be detained and receive the protection of the State, there is also another larger class of persons who can often be hardly distinguished from the "certifiably insane," who are "morally incapable," "socially dangerous," and "obviously weak-minded," who are "not thought to be certifiable," and who "from weakness of mind are really not wholly responsible." "Lunatic," according to the Lunacy Act of 1890, "means an idiot, or person of unsound mind"; and a person found to be in that condition is legally recognised as irresponsible. Questions arise accordingly, whether the condition of being irresponsible should not also attach to other mentally defective persons besides certified lunatics.

Crichton-Browne, Vol. I., 5985. Troup, Vol. I., 1322.

The ascertainment of conditions of unsoundness of mind, or irresponsibility.

438. On these points, we have three precedents: (1) The procedure under the Lunacy Acts of 1890 and 1891; (2) the procedure under the Criminal Lunatics Acts, 1800 and 1858, and the Trial of Lunatics Act, 1883; and (3) the procedure under the Habitual Drunkards and Inebriates Acts, 1879 and 1898. These we would submit in turn, and then (4) we would discuss the question of procedure in relation to the mentally defective charged with crime at Assizes and Quarter Sessions and in courts of summary jurisdiction, and finally, some suggestions that have been made to us for dealing with mentally defective offenders by indeterminate sentences.

Conditions which Imply a State of Insanity and Irresponsibility.

(1) Procedure under the Lunacy Acts, 1890–1.

(*a*) *The Procedure by Reception Orders.*

Procedure under the Lunacy Act of 1890.

439. We have before us, then, two questions: what are the various conditions which, according to present law and procedure, constitute insanity, or "unsoundness of mind," with the irresponsibility which may attach thereto; and, if irresponsibility is suggested in relation to some criminal act, what is the procedure to be adopted, in order that the allegation of irresponsibility may have due weight both in regard to the conviction and sentence, and also in regard to the after treatment of the individual.

The procedure by private application on petition, and the principle it represents.

Lunacy Act, 1890, Sec. 4.

440. In the case of an alleged "lunatic," or an idiot, or a person of unsound mind, under the Lunacy Act of 1890, one form of procedure is a private application which is made on petition, and accompanied by two certificates of medical men, and, if the application be successful, an order for detention by a judicial authority follows. The petition is presented to the judicial authority by "the husband or wife or by a relative of the alleged lunatic," or, if not so presented, it must contain a statement of the reasons why the petition is not so presented and of the connection of the petitioner with the alleged lunatic, and the circumstances under which he presented the petition. A statement of particulars accompanies the petition, and, as much turns on the general use of some such document in connection with the care and control of the mentally

defective, we state the questions which it contains rather fully: Name, sex, and age; married, single or widowed; rank; profession or previous occupation (if any); religious persuasion; residence; whether first attack; age on first attack; when or where previously under care and treatment as a lunatic, idiot or person of unsound mind; duration of existing attack; supposed cause; whether subject to epilepsy; whether suicidal; whether dangerous to others and in what way; whether any near relative has been afflicted with insanity; names, Christian names and full postal addresses of one or more relatives of the patient; names, etc., of persons to whom notice of death should be sent, and of the usual medical attendant. By its form, the medical certificate requires each of the medical practitioners to vouch that "separately from any other practitioner he has personally examined the alleged lunatic and come to the conclusion that he is a (lunatic, an idiot, or a person of unsound mind), and a proper person to be taken charge of and detained under care and treatment"; and he has to state that he has "formed this conclusion on the following grounds, viz.: (*a*) Facts indicating insanity observed by himself at the time of examination; and (*b*) facts communicated by others." Lastly, the judicial authority, that is a justice appointed under the Lunacy Act, 1890, a judge of county courts or a stipendiary magistrate, or a magistrate appointed to act at any of the police courts of the Metropolis, authorises the medical superintendent of an asylum, hospital, etc., to receive the patient on the understanding that the petitioner will visit him or see that he is visited once at least in every six months.

The procedure by private application on petition, and the principle it represents—*contd*

441. Here the recognition of the condition of lunacy is a private matter, starting from the application, if possible, of some members of the family, and the application is set forth in a kind of historical record, that touches on "supposed causes" and suggests "heredity," but it is explicit on four critical points: the nature of the "attack"; whether the mental defect has shown itself in the past and is recurrent; whether it is suicidal; and whether it is dangerous to others. The principle then which underlies this method is: to ascertain the nature of the mental defect with especial reference to its being a cause of danger to the man himself or to others; and this defines the state of mind that involves detention or exclusion from society.

"Being a cause of danger to oneself or others."

442. The same principle runs through the other modes of procedure under the Lunacy Act, 1890. In the case of the urgency order, which authorises detention for seven days only, the requirements of the Act are similar, but one medical certificate is dispensed with, and urgency of detention is recognised, either on the ground of the welfare of a person (not a pauper) who is alleged to be a lunatic, or on the ground of the public safety. So, again, in the summary reception order. Under it, the public authority, "the constable, relieving officer and overseer," intervenes. It refers to a person who is "deemed to be a lunatic and is not under proper care and control, or is cruelly treated or neglected by any relative or other person having the care and charge of him." In this case detention is adopted out of regard to the public safety or the better personal care of the lunatic; and, here again, the public safety is the reason for detaining the alleged wandering lunatic as a "proper person to be detained."

The Urgency Order, and the Summary Reception Order. Lunacy Act, 1890, Secs. 11 and 13.

Secs. 15 and 16.

443. And the principle of detention once accepted, the reception order may mark the beginning of a protracted period of detention and supervision. It remains in force "for a year . . . and thereafter for two years, and thereafter for three years, and, after the end of such periods of one, two, and three years, for successive periods of five years, if at the end of each period . . . a special report of the medical officer of the institution or of the medical attendant . . . is sent to the Commissioners certifying that the patient is still of unsound mind and a proper person to be detained under care and treatment."

Principle of continuing and renewable detention under a Reception Order. Lunacy Act, 1890, Sec. 38.

444. We have, therefore, under the Act of 1890, simple methods of intervention for the detention of persons of unsound mind, lunatics or idiots, on private petition or public statement, on the ground of the ill-treatment or neglect of the patient himself, and on the ground of his being a danger to himself or a danger to others. For necessary information, we have the statement

Principle of continuing and renewable detention under a Reception Order.—*contd.*

of particulars, as record or dossier, and the evidence of the medical practitioner, based on facts observed at the time of examination and on facts reported to him. And, as agents necessary to the detention, are the private relative, the public authority, the medical practitioners, and the judicial authority. We have here, then, one series of precedents which have been accepted as sufficient to place an individual outside the circle of normal responsibility and to deprive him of rights which he would otherwise enjoy.

(b) Procedure by Inquisition.

Procedure by Inquisition. Inability to manage oneself and one's affairs.

Lunacy Act of 1890, Sec. 90. Sec. 91. Sec. 92.

445. The next form of procedure is that by inquisition. "The Judge in Lunacy may, upon application, by order, direct an inquisition whether a person is of unsound mind and incapable of managing himself and his affairs." The alleged lunatic may demand an inquiry before a jury, and the Judge has to allow it, "unless he is satisfied, by personal examination of the alleged lunatic, that he is not mentally competent to form and express a wish for an inquisition before a jury." And if the Judge does not direct the return of a jury, "the Masters in Lunacy shall, without a jury, personally examine the alleged lunatic, and take such evidence, upon oath or otherwise, and call for such information as they think fit or the Judge directs, in order to ascertain whether or not the alleged lunatic is of unsound mind, and shall certify their finding thereon." There follows a further direction :—

Lunacy Act, 1890, Sec. 98.

"(1) The inquisition shall be confined to the question whether or not the alleged lunatic is, at the time of the inquisition, of unsound mind and incapable of managing himself or his affairs, and no evidence as to anything said or done by him, or as to his demeanour or state of mind at any time, being more than two years before the time of the inquisition, shall be receivable in proof of insanity.

"(2) If, upon such inquisition, it appears that the alleged lunatic is of unsound mind, so as to be incapable of managing his affairs, but that he is capable of managing himself, and is not dangerous to himself and to others, it may be so specially found and certified."

Here, with a different procedure, comes a new distinction : incapacity to manage himself and his affairs, or capacity to manage himself (without being dangerous to himself or others) but not to manage his affairs.

Criteria of unsoundness of mind.

446. We have, then, outside our Criminal Courts, the different criteria of unsoundness of mind, viz., a danger to oneself or a danger to others ; an incapability of managing oneself and one's affairs ; an incapability of managing one's affairs combined with a capability of managing oneself—without being a danger either to oneself or to others ; and "when this special finding is come to by a jury, it is not necessary, unless in the discretion of the Judge it appears proper to do so, to make any order as to the custody or commitment of the person of the lunatic."

Fischer, Vol. I., p. 155, c. 1.

(c) Procedure as to Management and Administration of Property.

Management, and administration of property under Sec. 116 of the Lunacy Act, 1890.

447. Another method of procedure which has been much discussed by witnesses, is contained in Sec. 116 of the Lunacy Act, 1890, which refers to to management and administration of property. This section allows to persons found lunatic by inquisition, or to persons lawfully detained as lunatics, in the ways above mentioned, the benefit of the management and administration of their property, if any, by the Judge in Lunacy ; but it also extends these benefits to persons who are not so found and not so detained ; and thus, for purposes of administration, it creates a further class of mentally defective persons whom in this regard, it brings under the protection of the law. The new classes which it creates are defined in the two subsections following :—

Lunacy Act, 1890, Sec. 116 (*d*) and (*e*).

(*d*) Every person not so detained and not found a lunatic by inquisition, with regard to whom it is proved to the satisfaction of the Judge in Lunacy that such person is, through mental infirmity arising from disease or age, incapable of managing his affairs.

(*e*) Every person with regard to whom it is proved to the satisfaction of the Judge in Lunacy by the certificate of a Master, or by the report of the Commissioners, or by affidavit or otherwise, that such person is of unsound mind, and incapable of managing his affairs, and that his property does not exceed £2,000 in value, or that the income thereof does not exceed £100 per annum.

448. These subsections, as compared with the rest of the Act, open out quite new ground. A very simple procedure suffices. In a case under Subsection (d) a notice is issued by a solicitor to the person alleged to be mentally infirm, with a summons, stating that "orders may be made that you are through mental infirmity arising from disease [or age], incapable of managing your affairs for the purpose (state the purpose, *e.g.*, of rendering your property or the income thereof, available for the maintenance or benefit of yourself *or* of yourself and your family, or for carrying on your trade or business), and that if you intend to object to such orders being made, notice of such objection must be signed by you, and attested by a solicitor." Then if the Judge is satisfied, the orders are made. The other subsection (*e*) has an even wider range, but by it proof is required, though it be "by affidavit" only, or "otherwise," both of unsoundness of mind, and of incapacity to manage one's affairs, and it applies to all such persons whose property does not exceed £2,000 in value, or where the income thereof does not exceed £100 a year.

Management and administration of property under Sec. 116 of the Lunacy Act, 1890—*contd.*
Rules in Lunacy (1892), 48-56 inclusive. Form 10.

Lunacy Act, 1890, Sec. 116 (*e*).

449. A non-lunatic class is thus included in the Act,—those who are mentally infirm, and are, owing to age, incapable of managing their affairs, but who are not detained. The "senile dement" is therefore recognised as a separate class with the incapacity of managing his own affairs as the sole criterion of his incapacity or mental defect. Also all cases of similar incapacity owing to disease are included—another very large class indeed. The conditions are incapacity and consequent limits of control, and are thus extended—so far as it is a question of the management of affairs—to two large classes of the "uncertified"; and that, by a simpler procedure than in other cases, and in such a way as not to involve detention.

(2) Procedure under the Criminal Lunatics Acts, 1800 and 1838, and the Trial of Lunatics Act, 1883.

450. Our next point is to ascertain whether the principle of irresponsibility and the extension of State protection with detention is, in the Criminal Lunatics Acts, applied still further. The words of the preamble of the Act of 1800 (which has now been repealed) refer to persons charged with "high treason, murder or felony who may have been, or may be, of unsound mind at the time of committing the offence wherewith they may have been or shall be charged, and by reason of such insanity may have been, or may be, found not guilty of such offence; "and," the paragraph continues, "it may be dangerous to permit persons so acquitted to go at large." This state of unsoundness of mind indicates a state of irresponsibility, for, if the unsoundness prevailed at the time of the committal of an offence, the person cannot be considered guilty, and cannot therefore be subject to punishment; but, being dangerous, he ought to be confined. What, then, in these cases are the accepted criteria of criminal irresponsibility, and what is the procedure? Mr. Troup says :—

Responsibility for criminal offences in relation to unsoundness of mind.

"I propose to take first the treatment of insanity in criminal procedure. When there is a prosecution for any serious crime, the question of insanity does not arise before the magistrates, nor before the Grand Jury. If there is a *prima facie* case of a crime having been committed, then the magistrates are bound to commit for trial without regard to the question of the prisoner's sanity, and the Grand Jury have to find a True Bill. The question of insanity may arise first on arraignment, that is, when the prisoner is formally accused and required to plead guilty or not guilty. The question may then be put to the jury whether the prisoner is so insane as to be unable to plead. They have, in that case, to determine his mental state in reference to the proceedings; whether he is able to understand the proceedings. If they find that he is so insane as not to be able to plead, the Court makes an Order that he shall be detained during His Majesty's pleasure. If the prisoner is fit to plead, then the question of insanity may come up on the trial for the offence on its merits. Then the defence may be that the prisoner committed the offence while insane. This is a question which is to be decided in each case by the jury in accordance with the law as to criminal responsibility."*

Troup, Vol. I., 1318.

We may here state that in employing the words "criminal responsibility," we use them in the strict legal sense of "liability to punishment."

Cf. "Criminal Responsibility," (Mercier, Clarendon Press), for a full discussion on the subject.

* At common law, if a person was insane at the time of committing what would otherwise be an offence, he was entitled to be acquitted; and so, under the Criminal Lunatics Acts, 1800 and 1838, until the Trial of Lunatics Act, 1883.

Responsibility for criminal offences in relation to unsoundness of mind—*contd.*

451. Thus, in any serious case, the committal for trial is made without regard to the alleged insanity. If, in the opinion of the jury, the prisoner is so insane as to be unable to plead, he is detained during the King's pleasure—a kind of indeterminate sentence, dependent not on the committal or non-committal of the crime, but on the state of the prisoner's mind as insane. If that state of mind disappears, he is considered able to plead, and the question of his insanity has then to be considered anew by a jury. So far, one might sum up the position thus: the insanity on arraignment does not modify the guilt of the offence, if the offence were committed: it excludes for the moment the trial of the issue whether there be guilt or not: the prisoner cannot then and there be made responsible: in that state he cannot be found either guilty or not guilty. On the other hand, if he becomes sane, he becomes responsible, and in theory the prisoner may be put on his trial, but in practice this is very rare, and, indeed, generally impracticable.

Lunacy Act, 1890, Sec. 341.
Troup, 1319.
Answers of the Judges in the Macnaghten case.

452. What, then, from the point of view of criminal responsibility, is the touchstone of insanity, or in other words of being lunatic or "an idiot or person of unsound mind?" To establish a defence on the ground of insanity, it must be clearly proved that "at the time of committing the act the accused was labouring under such a defect of reason from disease of the mind as not to know the nature and quality of the act he was doing; and, if he did know this, that he did not know that he was doing what was wrong."

Troup, 1319.
The Trial of Lunatics Act, 1883, Sec. 2.
Troup, 1321.

453. From the criminal point of view, then, lunacy is a state of mind in which "the person does not know the nature and quality of the act he was doing"—for this ruling of the judges on the general reference to them in the Macnaghten case in 1843 is still generally accepted—or, the alternative assumption, "if he did know this, he did not know that he was doing what was wrong." And the verdict is then either "guilty but insane"—he committed the act, but was not responsible for it; or "guilty"—he committed the act and was responsible for it. The Trial of Lunatics Act, 1883, substituted for the verdict of acquittal on the ground of insanity this special verdict, on the assumption, it was stated by the Attorney-General (Sir Henry James, now Lord James of Hereford), that "people who were only partially mad at the time they formed a resolution to commit a crime would be deterred from so doing, if the verdict was one of guilty of committing the act charged." In fact, if this explanation be accepted, it may be argued that the Act of 1883 recognised partial responsibility, and, on that ground or presumption, required the offender, if he committed the offence, to be adjudged both guilty and insane. From which it would follow that "partial responsibility" necessitated partial punishment. But the question was not carried to that length.*

Trial of Lunatics Act, 1883, Sec. 2.

Hansard's Debates, 3rd Series, Vol. 283, p. 922.

(3) The Procedure under the Habitual Drunkards and Inebriates Acts, 1879 and 1898.

Procedure under the Habitual Drunkards' Act, 1879, and the Inebriates Act, 1898.

454. We pass to another precedent, the procedure under the Habitual Drunkards Act, 1879, and the Inebriates Act of 1898, for in these Acts states of mind bordering on that of "lunacy" or "unsoundness of mind" are the subject of legislation.

Habitual Drunkards' Act, 1879, Sec. 3.

455. The definition of an habitual drunkard is "a person who, not being amenable to any jurisdiction in lunacy, is, notwithstanding, by reason of habitual intemperate drinking of intoxicating liquor, at times dangerous to himself or herself or to others, or incapable of managing himself or herself and his or her affairs." The definition evidently connects itself with the definitions of the Lunacy Act of 1890; and the words "incapable of managing himself *or* his affairs" have a very wide application. In this regard, the words of the Judges' answers, mentioned

*We should state that in making these remarks, we do not wish it to be inferred that we desire that the criminal law in regard to the trial of the insane should be altered in any way.
(See letter from the Lord Chief Justice to the Secretary of State for the Home Department, Appendix Vol. V, page 256.)
We are desirous only of considering the principle of the Trial of Lunatics Act of 1883 in relation to other classes of the mentally defective.

above, might be read in thus: "At the time of committing the act, the habitual drunkard was labouring under such a mental defect as not to know the nature and quality of the act he was doing," though, possibly, he might know that he was doing wrong. In that case, the habitual drunkard, if, and in so far as, he is suffering from mental defect, whether he be considered in the light of a person who is a quasi-lunatic, and on that ground dangerous, etc., or in the light of a person who is a quasi-criminal, and on that ground possibly "guilty but insane," might be regarded as coming within the terms of the procedure adopted in the case of the unsound in mind, though actually he be a member of the large "uncertified" or "uncertifiable" class. The Habitual Drunkards Act of 1879, however, has no reference to criminal acts; its object is only to provide a means by which an habitual drunkard may enter a Retreat voluntarily, and having done so, be there detained for a period.

Habitual Drunkards Act, 1879, Sec. 3 —*contd.*
See Paragraph 440.

456. The Inebriates Act of 1898, however, carries the matter one step further, and suggests an alternative procedure. It provides that "where a person is convicted on indictment of an offence punishable by imprisonment or penal servitude, if the Court is satisfied that the offence was committed under the influence of drink or that drunkenness was a contributing cause of the offence, and the offender admits that he is, or is found by the jury to be, an habitual drunkard," the Court may order that he be detained in an inebriate reformatory. Thus the two points are separated: the committal of the offence and the question of being an habitual drunkard. The first point to be settled is, whether he is guilty or not guilty as to the fact; and then, if it has been settled in the affirmative, the second point is taken; and if the verdict be that the offender is an habitual drunkard, the committal is not to a prison but to a reformatory. He is detained for a period not exceeding three years in a State inebriate reformatory or a certified inebriate reformatory. There are, in fact, two findings: one disposes of the question of guilt respecting the committal of the offence; the other, on the ground of "habitual drink," modifies the criminal sentence or adds to the criminal sentence a period of curative or reformatory detention.

The Inebriates Act of 1898, Sec. 1 (i.)

We have thus, in the case of the "lunatics" and of the habitual inebriates, definitions which are applicable to unsoundness of mind, or, in the case of habitual drinking, applicable to a state of mind very similar to that of unsoundness; and, parallel to these, we have the conditions under which, in cases of felony or serious offences on indictment, the jury has to decide whether the person, as insane or as habitual drunkard, is or is not to be treated as relatively irresponsible.

457. We have now to consider the second question raised by us at the outset of this discussion (*see* page 142, Para. 439). If such irresponsibility is suggested in relation to some criminal act, what is the procedure to be adopted in order that the allegation of irresponsibility, when raised in the case of mentally defective persons other than lunatics may have due weight, both in regard to the conviction and sentence and also in regard to the after treatment of the individual?

Procedure in regard to "uncertified" or "uncertifiable" cases in criminal courts.

458. At present, if we omit the procedure adopted in the case of the insane and in that of the habitual drunkard, there is no form of procedure available for other classes of mental defect—other classes of the "uncertifiable." The insane, as we have seen, may be sent to asylums, or, as criminal insane, may be kept under detention as King's Pleasure lunatics or Secretary of State's lunatics; and the habitual drunkard may be sent to reformatories for any period not greater than three years; but for the imbecile or feeble-minded or the moral imbecile there is neither recognised procedure nor available institution.

Troup, Vol. I., 1323.
Troup, Vol. I., 1328.
1329.
1338.

In general terms it may be said that in the case of feeble-minded offenders "the proper verdict," Mr. Troup, now Permanent Under-Secretary of State to the Home Department, said, "would be something to the effect that the prisoner was guilty of the act, but, owing to mental weakness, was not fully responsible, and that he requires control and constraint." But Mr. Troup added that this was a question which could not very well be put to or adequately dealt with by a jury.

Inebriates Act, 1898, Sec. 1. (i.)
Troup, Vol. I., 1323.

Procedure in regard to "uncertified" or "uncertifiable" cases in criminal courts —*contd.*

Fry, Vol. I., 5839.

It is of course true, as emphasised by Sir Edward Fry, that a person must be either responsible or irresponsible; that in the matter of criminal procedure these two terms cover the whole ground, and that where the question is "guilty or not guilty" it would be impossible for the law to admit the existence of any doubtful territory between the two terms.

It is, however, equally true that in the judgment and sentence which follow the verdict the widest differences may, without inconsistency, be permissible in order to ensure that the adjudications of the courts are as far as possible in harmony both with the public sense of justice and with the requirements of reason in dealing with criminals of various degrees of mental defect. The very words "guilt" and "responsibility" denote that a man shall be held to "answer for" his deeds; and the "answer" to be demanded from a person of imperfect mental development must differ from the "answer" to be given by a sane man.

While admitting, therefore, the inexpediency of a verdict "guilty but feeble-minded," one may consistently advocate a radical alteration of the methods of our law with regard to feeble-minded persons found guilty of crime.

Letter from the Lord Chief Justice to the Secretary of State for the Home Department, Appendix, Vol. V., p. 256

The authoritative advice of the Judges in regard to judicial procedure in the case of feeble-minded offenders, is stated in the following sentences taken from a letter addressed by the Chief Justice to the Secretary of State for the Home Department:—

> "The Judges"—the reference is to a meeting of the Judges of the King's Bench Division—"are unanimously of opinion that it is not desirable that any question should be raised before juries respecting the class of people described as 'feeble-minded,' analogous to that which is raised under the Trial of Lunatics Act, 1883, or under the Inebriates Act, 1898.
>
> "They think that any question of mental condition other than that of lunacy, or habitual drunkenness, should be considered either by the Judge in determining the sentence which should be awarded, or by the Home Secretary under his general power for the control and disposal of prisoners. . ."

459. Our experience, as we have said, appears to justify this view entirely. For the reasons we mentioned before we are of opinion that the question of feeble-mindedness should not in criminal cases be put to a jury, as the question of insanity is or as the question of ability to manage oneself and one's affairs may be put to a jury in an inquisition under the Lunacy Act of 1890, or as the question of being an habitual drunkard may be put to a jury under the Inebriates Act, 1898. We think that the *data* upon which a judgment should be formed, could not be submitted to a jury without great uncertainty and difficulty. To ascertain the facts, the opinion of a medical man trained in the knowledge of mental disease is necessary; and, often, some period of observation is required, as well as, if possible, some record of the history of the case; but a jury, who may well deal with the question whether or not such and such an act was committed by the defendant, can hardly be expected to decide also the very much more complicated question, whether the act was a voluntary act done by a responsible agent. In cases of alleged insanity, there has been a grave distrust of verdicts on inquisitions; and it can hardly be argued that it is desirable to extend this procedure to other classes of mental defect.

Crichton-Browne, Vol. I., 5990, 6168–6171.

Fischer, Vol. I., p. 155, c. 1. and Vol. IV., 29986.

460. It is not, therefore, necessary or desirable that the precedents under the Trial of Lunatics Act, 1883, and under the Inebriates Acts, should be pushed further. Accordingly, in all cases of mental defect noted in Recommendation IV., other than unsoundness of mind, an alternative course may be adopted. The question of fact may go to the jury, and when that is settled, the question of mental defect may be settled by the court in modification of the sentence. And there is a third course, that, on the ascertainment of mental defect, the charge should lapse on the plea of irresponsibility, and the offender be dealt with not as a criminal but as a patient. In regard to the second and third courses we have to consider the procedure in indictable offences tried at assizes and at quarter sessions, and the procedure in offences tried in courts of summary jurisdiction.

461. We will take the latter first. Here there is no question of reference to a jury. The question of mental defect comes before the court and the court only; and if it should decide that the offender suffers from such mental defect as to make him irresponsible, it should be entitled, we think, to let the charge drop, to assume the position of a judicial authority under the Lunacy Acts, and to deal with the offender as a patient. This line is suggested by the Circular which was sent to Magistrates by the Secretary of State on 23rd November, 1889. The words of the Circular are: Courts of Summary Jurisdiction.

> "The Secretary of State must strongly urge on the Magistrates that it is their duty to obtain, in all doubtful cases, evidence as to the mental condition of prisoners. In cases of serious crime it may be necessary to commit for trial persons supposed to be insane, in order that the question of their sanity may be decided by the verdict of a Jury. But where the offence is less serious, it is almost always open to Justices to dismiss the charge, and to deal with the prisoner as an ordinary lunatic, either handing him over to the care of his friends, or sending him as a pauper lunatic to an asylum."

Further, this principle has already been adopted in a very wide sense in the Probation of Offenders Act, 1907. The words of the Act are:—"Where any person is charged before a court of summary jurisdiction with an offence punishable by such a court, and the court thinks that the charge is proved, but is of opinion that, having regard to the character, antecedents, age, health, or mental condition of the person charged, or to the trivial nature of the offence, or to the extenuating circumstances under which the offence was committed, it is inexpedient to inflict any punishment, or any other than a nominal punishment, or that it is expedient to release the offender on probation, the court may, without proceeding to conviction, make an order either:— VII. Edw. 7. ch. 17, 1 (i.).

(1) Dismissing the information or charge; or

(2) Discharging the offender conditionally on his entering into a recognisance, with or without sureties, to be of good behaviour and to appear for conviction and sentence when called on at any time during such period, not exceeding three years, as may be specified in the order."

This statute, we quote, rather because it is illustrative of the course which we are discussing, than because it is altogether apposite to the question of procedure in regard to offenders alleged to be mentally defective. On this principle, however, we have recommended in summary jurisdiction two alternative forms of procedure,—prior to conviction and apart from it— remand to a receiving house, or ward, or to other interim custody, for purposes of observation, or,—prior to conviction and apart from it—adjournment of the charge *sine die*, followed by a reception order, if the medical certificate justifies that course. After conviction we have also suggested three courses: either on the surety of any officer or representative of the Committee to bind over the mentally defective person to come up for judgment at some future time or when called upon; or to authorise the reception of the offender under a summary reception order in any institution the Committee may determine; or instead of sending the offender to prison, to accept recognisances from a surety or sureties on the offenders' behalf, on the condition that he remains under the control of the Committee until they discharge him. Recommendation LXXXVII.

462. We have now to consider the question in reference to procedure in offences tried on indictment. In these cases, the offender has usually been committed for trial by justices; and we have suggested an alteration of procedure in the case of prisoners committed for trial, when the justices are satisfied that the person charged is mentally defective. We have proposed that, in these cases, the justices should be enabled to accept recognisances for the prisoner's appearance at the trial from any officer or other representative of the Committee, and to order the accused to the custody of the Committee instead of to prison. Among the depositions which have been taken down would be the depositions which had satisfied the justices that the prisoner was mentally defective; and these would be transmitted to the court of assize or to the court of quarter sessions, as the case might be. Following the general line of the suggestions we have made in regard to cases of mentally defective offenders after conviction in the lower court, we think that, in cases of mentally defective persons convicted at Assizes or Quarter Sessions, a similar course might be adopted. Assizes and Quarter Sessions. Recommendation LXXXVII., I. (3), (4), (5).

Assizes and Quarter Sessions —*contd.*

The offender, after conviction, might be bound over to come up for judgment on the surety of any officer or representative of the Committee, or the court instead of sending the offender to prison might authorise his reception in an institution which was maintained and controlled by the Committee and which the Committee might select; or it might accept recognisances from sureties on his behalf on condition that he remained under the control of the Committee until they discharged him.

While prisoners are in gaol awaiting trial, their state of mind can be, and generally would be, satisfactorily observed. The modern practice, however, of allowing prisoners to be out on bail after committal has happily so much increased that less is officially known before trial of the mental capacity of prisoners than was formerly the case. It is, however, often obvious from the demeanour of the accused in Court, from circumstances disclosed on the depositions, or given in evidence, or otherwise communicated to the judge, that, irrespective of any question of mental condition as affecting the guilt or innocence of the accused, he is so mentally defective that, alike in the interests of himself and of the public, his future care should be considered. In the event of a conviction, there is no difficulty in providing for proper medical examination, as detention is in all cases possible.

Intervention after the verdict.

463. Thus, after the verdict on the fact, the judge, acting on the advice of the medical officers as before, might pass a sentence, the terms of which would be qualified, according as he deemed the sense of responsibility on the part of the offender to be greater or less in, for instance, the case of an idiot, or an imbecile, or a feeble-minded person or a moral imbecile, a feeble-minded inebriate or epileptic or a mentally infirm deaf mute or blind person. Subject then to the completion of his sentence, the offender would be handed over to the committee of the county or county borough and detained under certificates renewable from year to year, and revised, suspended, or withdrawn, as in the course of time might appear right. Of course, if it could be argued that no such mentally defective person could be in any degree responsible, the course here suggested could not be defended; but all the evidence goes to show that in these cases there is no fixed line in regard to the sense of responsibility any more than there is a fixed line in the nature and extent of mental defect. Where the defect of the brain is greater, the responsibility is less, till a point is reached where it is practically non-existent, as in the case of idiots and low-grade imbeciles. Also where the degradation or disease of the brain is very far developed, as in the extremer cases of senile dementia or "mental infirmity," or in cases of acute or persistent "unsoundness of mind," the responsibility entirely, or almost entirely, disappears. Recognising these variations, therefore, we suggest that the element of punishment should be retained, so far as it is valid, but that, subject to that condition, treatment—care and control—should follow with a detention or segregation, which should not be penal in any sense, but, as far as may be, educative or curative, or, possibly, simply custodial. This method, it will be seen, is not that of an indeterminate sentence, nor is it that of a "sentence to be detained" for a period of years, as under the Inebriates Act, 1898; it is the method of judicial sentence simply, with an entirely separate adjudication following upon it similar to that made on a reception order.

Smalley, Vol. II., 3419, and Chap. XX.

In the event of acquittal, a prisoner is entitled to his freedom, and it is, moreover, provided by 55 Geo. 3, c. 50, Sect. 4, amended by 8 and 9 Vict., c. 114, Sect. 1, that every prisoner charged with any felony, or any other crime, or as an accessory thereto, before any Court holding criminal jurisdiction within England and Wales, against whom no bill of indictment shall be found by the Grand Jury, or who on trial shall be acquitted, or who shall be discharged on proclamation for want of prosecution, shall be immediately set at large without payment of any fee to the sheriff or gaoler in respect of such discharge.

We think that, in cases in which a prisoner has been acquitted upon his trial, a judge will have had such an opportunity of forming an opinion as to the necessity for medical examination that it is not unreasonable for him to be able to defer the discharge of the accused until this has been effected. It may be thought that in cases where no bill has been found or in which no prosecutor has appeared, even though the prisoner is in custody, that the judge might not be expected to have sufficient materials before him justly to authorise his making this interference with liberty. We have therefore framed our recommendation so as to meet those cases where a person must have been arraigned and a verdict taken.

Recommendation LXXXVII. (iv.)

464. Another method has also been suggested to us which has many advocates—the indeterminate sentence. We have, we think, made it clear that in our opinion the question of the committal or non-committal of the offence and the question of responsibility or non-responsibility for that committal should be kept distinct and separately dealt with. There should, we urge, be no confusion between the two. If this confusion is avoided, it will greatly affect the nature of the indeterminate sentence as a sentence; and the lengthened care and control which may follow the sentence on the fact of the committal of the offence, will attach itself, not to the fact of committal, but to the decision which the court may adopt, acting as a "judicial authority" in relation to the detention or segregation of the offender under the medical certificates which have been submitted to it. In that case there would be, strictly speaking, no indeterminate sentence pronounced on the ground of the nature of the offence, as a kind of combined penal and protective or custodial sentence, or as a reformatory sentence passed in lieu of a penal sentence. What might in that case be regarded as an indeterminate sentence, would not be a sentence at all; it would be an authorisation similar to other judicial authorisations of a like kind, to detain or segregate, and it would follow a determinate sentence or, as is above suggested as an alternative, it might follow an adjournment *sine die*.

The indeterminate sentence.

Crichton-Browne, Vol. I., 6182. Brayn, Vol. I., p. 165, c. 1, 3150. Scott, Vol. I., 4900. Fry, Vol. I., 5789, 5797, 5855.

On the whole, then, we consider that the measures which we recommend provide in the case of the mentally defective all that could be expected from a system of indeterminate sentences.

Recommendation LXXXVII.

465. There is, however, a further question to be decided: What should be the test of responsibility? In the case of unsoundness of mind the test was formulated in the Judges' reply in the Macnaghten case: "That at the time of committing the act the accused was labouring under such a defect of reason from disease of mind as not to know the nature and quality of the act he was doing; or, if he did know this, that he did not know that he was doing wrong." In this opinion, as has been pointed out, stress is laid on *knowing* the nature and quality of the act, and that is made the critical and definitive word. But, generally speaking, in the case of mentally defective persons other than those "of unsound mind," it is a question whether mental defect should not be considered to mean defect in any of the faculties or qualities of mind and not be limited to those of knowledge and judgment. Criminal jurisprudence and psychology would thus be in accord. Dr. Mercier, who gave evidence on behalf of the Royal College of Physicians of London, has pointed out that in relation to insanity the question of certification has been made to turn almost wholly on the assumption that it is "a disorder of the intellect," so that "a person is not regarded as insane by reason of any peculiarity of temper or disposition, although he may exhibit peculiarities that incapacitate him from earning his own living, and that render him a burden and a nuisance to his family, and to those who come in contact with him. . . . The conception of insanity," he says, "as an intellectual disorder solely should be superseded by the understanding that it is inability, by reason of mental (not necessarily intellectual) defect and disorder to manage oneself and one's affairs."

The judicial test of irresponsibility in cases of mental defect other than "unsoundness of mind."

Mercier, Vol. I., p. 365, c. 1.

Cf. also "Criminal Responsibility," by Dr. Mercier, 1905. Clarendon Press.

466. If this be true in relation to insanity generally, or in relation to the Lunacy Act of 1890, in so far as in practice mentally defective persons of very various types may at times be certificated under it, it is still more true in regard to other classes of the mentally defective. The mental defect, indicated by facts observed and recorded, may reveal itself, for instance, in the misuse and misapplication of the senses, or in misdirection or instability of the will, quite as much as in an inability to judge or know the nature and quality of particular acts. In determining the nature of mental defect, therefore, it is necessary that the state of the mind should be considered as a whole, and in this more complete manner; and a particular and partial test such as that suggested in the Macnaghten case cannot but be set aside as insufficient. The "intellectual" test, indeed, no longer covers the ground. Other classes of mental defect, under the title of "feebleness

The judicial test of irresponsibility in cases of mental defect other than "unsoundness of mind."—*contd.*

of mind," imbecility, etc., have to come under consideration, and have, by their very nature, to be determined on broader lines. Hence, in these cases, *quâ* mental defect and any irresponsibility consequent upon it, there seems to be no alternative but to adopt a system of examination and certification such as we have suggested.

Holmes, Vol. II., p. 205, c. 1.

467. Practically what happens in the police courts, in the case of such mentally defective persons, is either that the criminal charge is dismissed and the offender handed over to relations or friends, or on the criminal charge a sentence of committal to prison for a short term is enforced. How useless and disastrous these methods usually are we have amply shown. We propose instead that in all cases of apparent mental defect or of recurrent short sentences for offences usually associated with defect the police should be under statutory obligation to apply to the Committee for the Care of the Mentally Defective and to the Board of Control for any information which they may have in regard to the offender, and to lay the same before the court. All cases of mental defect which are dealt with by any public authority or voluntary association should be notified to the committee for the area of the county or county borough. Next, the medical officer of the committee or his representative would be under obligation on notification from the court to attend it when the case was remanded. And, further, we suggest that, when it appears to the justices that the person charged is mentally defective, the justices should be asked by circular from the Secretary of State, or be required by statute, to remand the person charged or to adjourn the hearing of the case ; and then, after consultation with the medical officer of the Committee or his representative, either to commit the offender to prison or to discharge him to the Committee for the Care of the Mentally Defective in order that if it is desirable, they may, in conjunction with relations or friends, arrange, for such suitable care and control as the committee is under statute required to provide. Further action would then be taken on the lines of certification and continuing control which we have sketched above.

Recommendation LXXXVII. (v.)

Recommendation LVI.

New forms of criminal procedure recommended.

468. To sum up: We have in this chapter stated first that there is a large number of offenders who are not insane, in the meaning attached to that word in the ordinary administration of the Lunacy Act, 1890, and the criminal law, who, being mentally defective and not certifiable under that Act, are excluded from the care and protection of the State. We have described, as far as possible side by side, on the one hand the conditions which are attached to the state of personal irresponsibility in the Lunacy Act of 1890—being a danger to oneself or others, or being unable to manage oneself and one's affairs, or not being under proper care and control, or cruelly treated and neglected ; and, on the other hand, we have described the procedure which is now in force, in connection with the Lunacy Act, for satisfying the public authority that persons alleged to be of unsound mind are, or are not, actually in that state ; and we have also stated what, as represented by the answers of judges in the Magnaghten case, is the chief general test of responsibility in regard to criminal acts on which the plea of insanity is raised. We have also considered the procedure under the Habitual Drunkards Act, 1879, and the Inebriates Act, 1898, as indicating methods which are closely akin to the methods adopted in regard to offenders alleged to be insane. In these procedures, we have found precedents which, we have suggested, may, with considerable modifications, be applied to the cases of offenders who are mentally defective in other ways. We have endeavoured also to settle whether any test of the state of mental defect similar to that associated with the criterion laid down in the Macnaghten case could be applied in these cases of feeble-mindedness. We have concluded from these precedents in part, in part from other suggestions and considerations ;

Recommendations LXXXVII.–LXXXIX.

(1) That excepting in cases of alleged insanity dealt with under the Trial of Lunatics Act, 1883, or in cases of habitual drunkenness dealt with under the Inebriates Act, 1898, the principle should be

adopted of keeping the question as to the committal of the alleged offence separate from questions of the alleged mental defectiveness, the relative irresponsibility of the offender, and his appropriate treatment when charged with crime or convicted.

New forms of criminal procedure recommended—*contd.*

(2) That, on this principle, in a court of summary jurisdiction, prior to conviction and apart from it, the justices should remand the offenders to a receiving house or ward, or institution, or to other interim custody, or adjourn the case, and subsequently, if the medical certificates justify such a course, adjourn the case *sine die*, and order the reception of the offender in an institution considered suitable by the Committee for the Care of the Mentally Defective ;

(3) That, on the same principle, in a court of summary jurisdiction, after the conviction of the offender, he may be bound over to come up for judgment on the surety of any officer or other representative of the committee, or be dealt with by a reception order, or instead of sending the offender to prison, the court may accept recognisances from a surety or sureties on his behalf, on the condition that he remains under the control of the committee until they discharge him.

(4) That on the same principle, so far as it can be applied to the procedure of assizes and quarter sessions, the offender tried for an indictable offence may, after conviction, be bound over to come up for judgment on the surety of any officer or other representative of the committee, as has been suggested in the cases which are dealt with under summary jurisdiction, or dealt with under a reception order, or, on recognisances entered into by sureties not being representatives of the committee be kept under the control of the committee until he is discharged in due course of law.

Moreover, we recommend that in cases tried at assizes and quarter sessions, the court should be empowered to direct that the accused be submitted to examination, and, if necessary, certification, notwithstanding that he has been acquitted of the offence charged, if, in the opinion of the court, it is desirable that his mental condition should be ascertained with a view to provision being made for his care.

(5) That if any sentence be imposed by the court, it be not an indeterminate sentence, but that instead there be, as we have proposed, such a sentence as to the fact of the offence, as the court, on the verdict of the jury, may decide ; and thereafter, where necessary, a reception order be made which would be renewable from time to time, on the lines of Sec. 38 of the Lunacy Act of 1890 respecting "the duration of reception orders," and which would lead to such treatment and care as, from the point of view of mental defect, the committee, having regard to the mental state of the patient and the reports of their medical officer, might think necessary ;

(6) That neither the question suggested by the judges in the Macnaghten case nor the question of "guilty" or "guilty but insane" which the Act of 1883 requires the court to put to the jury in the case of prisoners alleged to be insane, should be applicable to classes of mental defect other than those to which they are now applied.

The purport of these conclusions will be found stated in the form of recommendations in Recommendations LXXXVII–LXXXIX.

Protection of the Mentally Defective in regard to sexual offences.

469. We cannot conclude this chapter without referring incidentally to a question that lies outside our main arguments. It will have been evident that the aberrations of mental defect and disorder often take the form of sexual offences and impropriety, and that feeble-minded women and girls are especially liable to be taken advantage of by the vicious. Considerable discussion has taken place before us as to whether the law as it stands provides due protection against such acts and attempts. It is not necessary here, we think, to state the existing law on the subject in any detail or to examine the evidence at any length. We recommend that the attention of the Lord Chancellor and the Secretary of State be called to this evidence and that they be invited to consider whether the existing law provides adequate protection for the persons referred to. Recommendation XCV.

Dendy, Vol. I., 1058.
Troup, Vol. I., 1398, 1401, 1433.
Mason, Vol. I., 2028–2035.
Fleming, Vol. I., 2078, p. 115, c. 1. 2079, 2083, 2088, 2096, 2098, 2122.
Bagenal, Vol. I., p. 132, c. 1.
Evans, Vol. I., 2775, 2776.
Brayn, Vol. I., 3172, 3174.
Townsend, Vol. I., 4249.
Batty Tuke, Vol. I., 4569, p. 262, c. 1., 4671.
Scott, Vol. I., 4974–4976.
Russell, Vol. II., 12631–12632.
Ruspini, Vol. II., 12666–12667.
Wilkinson, Vol. II., 12895.
Gavin, Vol. II., 13277.
Parr, Vol. II., 13412.
Poole, Vol. II., 13550.
Odhams, Vol. II. 13663.
Stone, Vol. II., 13694, p. 156, c. 1. 13776–13777.
Booth, Vol. II., 14053, p. 175, c. 1. 14143.
Lynch, Vol. II., 14257.
Baker, Vol. II. 15326, 15407.
McKee, Vol. II., 16118.
Dixon, Vol. II., 16240.
Clifford, Vol. II., 16409.
Bartholomew, Vol. II., 16467.
Bund, Vol. II., 19330, 19419, 19493.
Norris, Vol. II., 19726.
Passmore, Vol. II., 20048, p. 535, c. 1.
Wycliffe Wilson, Vol. II., 11382.
Holmes, Vol. II., 14540.
Williams, Vol. II., 15945.
Penn Gaskell, Vol. II., 16492.
Matheson, Vol. III., 22878, 22931.
Woodhouse, Vol. III., 23065.
Dowdall, Vol. III., 23135.
Fagan, Vol. III., 23262.
Spence, Vol. III., 21126.

PART V.

VOLUNTARY INSTITUTIONS AND CARE.

CHAPTER XXIV.

Asylums for Idiots.

470. The charitable institutions for the care of idiots and imbeciles and the homes and societies for the care of the feeble-minded represent two distinct movements. The one led to the establishment of the Earlswood Asylum (1847), the Eastern Counties Asylum for Idiots and Imbeciles at Colchester (1859), the Western Counties Idiot Asylum at Starcross, near Exeter (1864), the Royal Albert Asylum at Lancaster (1864), and the Midland Counties Asylum at Knowle (1868). The other movement commenced about the year 1887, when the first home for feeble-minded girls over fourteen was opened; and it is now represented by a group of institutions of different types, some of which are described below, by the National Association for Promoting the Welfare of the Feeble-minded (1895), and by the Lancashire and Cheshire Society for the Permanent Care of the Feeble-minded (1902).

Fletcher Beach, Vol. I., 6937, p. 377, c. 2.
Townsend and Jefferies, Vol. I., 3903, pp. 224, 225 3967.

471. This later movement has led to a more careful consideration of the education of defective and feeble-minded children during the past fifteen years, and to a better knowledge of the extent to which they are improvable. But the earlier movement, that which led to the establishment of the idiot asylums, was also to a large extent educational. The asylums were intended to be and, indeed, are, to a large extent, educational centres for improvable cases, aiming at results similar to those which the later movement for the care of the feeble-minded desired to accomplish. We propose to give some account of these institutions and to state what has been their experience in the maintenance and care of mentally defective persons during the last half century.

Bartholomew, Vol. II., 16430, p. 307, col. 1.

Locke, Vol I., p. 634, c. 1 & 2

The classification of cases of mental defect into "lunatics" and "idiots."

472. In dealing with the definitions of mental defect in Chap. XXIX., we propose to state in detail the difference between "unsoundness of mind" and idiocy and other classes of mental defect. Here it is sufficient to say that the words "lunatic" and "idiot" have in the past stood for two divisions of mentally defective persons, the one implying insanity, or "disorder of the mind" in a person who has been in possession of his faculties; the other a state of fatuity or mental incapacity which has been evident at birth or at an early age. As Master Fischer, one of the Masters in Lunacy, stated: the old definition was "that an idiot was a person who never had a mind; a lunatic a person who had had a mind and lost it." Thus "idiocy" meant generally any form of congenital defect, but probably without consideration of any but extreme cases—and these defects used to be regarded as incurable and unimprovable.

Fischer, Vol. I. 2947.

The identification of the classes "idiot," "imbecile" and "feeble-minded."

473. At the time when the Idiot Asylums were established, from the year 1847 and onwards, the word "idiot" had this wide connotation, and included vaguely all the grades of mental defect to which we now apply the words "idiot," "imbecile," and "feeble-minded;" but the passing of the Idiots Act in 1886 marked a change both in nomenclature and administration. The Act dealt with idiots as apart from lunatics; and by the use of the word "imbeciles" a yet further sub-class of the mentally defective was recognised by statute as indicating a lesser degree of defect than that of idiocy. Soon after a further sub-class was recognised. Owing in part to a widespread desire for the more specialised treatment of cases of lesser mental defect, and more particularly for the better protection of girls and young women, who were deficient in mind and self control, the word "feeble-minded" came into use as indicating a yet minor degree of defect than that implied by the words "idiot" or "imbecile."

Caldecott, Vol. I., p. 595, c. 1, and p. 596, c. 1.

Chapter XXIV.
Asylums for Idiots.

"Idiot" asylums admit all classes of congenital mental defect.

474. We have, thus, two forms of institutions. First, there are the idiot asylums, which are now, by a recent alteration of title, called also institutions for the feeble-minded, that is, for all the classes of congenital defect, which had originally been comprised under the word "idiot." These, therefore, actually or by inference deal, as they have always done, with all classes of mentally defective persons excepting the insane or persons of unsound mind and the "mentally infirm" or senile dement. And, next, there are the Homes for the feeble-minded. These have always used the word "feeble-minded" in its narrowest sense as representing a sub-class of the mentally defective in which the mental defect, though serious, is, by comparison with the idiot and imbecile, slighter and less obvious; and they have dealt with that single sub-class only, or with that and to some extent with the imbeciles. This is but one instance of the confusion of nomenclature that has prevailed. Here, then, in speaking of the idiot asylums, as they are generally called, we refer to institutions which, in most instances, admit applicants who are suffering from all kinds of congenital mental defect, and who by consequence refuse to admit any applicants who are unsound in mind or insane or "mentally infirm."

Definitions in the Idiots Act and the Lunacy Acts.

475. But in regard to the definitions in the Idiots Act, a word should be added. The Idiots Act (1886) defined "idiots" or "imbeciles" as "not including lunatics," and, *vice versa*, stated that "'lunatic' did not mean or include idiot or imbecile"; from which it might be inferred that the two classes "idiot or imbecile" and "lunatic" were to be considered and treated entirely separately, though both, in varying degree, were to continue to be under the supervision and control of the Lunacy Commission. The Lunacy Act (1890), however, in spite of this, repeats the definitions of previous Acts, namely, the Lunacy Act of 1845 and the Lunatic Asylums Act of 1853, and states that a "'lunatic' means an idiot or person of unsound mind." Hence, though the Idiots Act applies to idiots and imbeciles only, the Lunacy Act is applicable to "idiots" no less than to "persons of unsound mind," both of whom, by the definition, rank as sub-classes of "lunacy." Thus, as in the use of the words "training institution for the feeble-minded," recently introduced into the titles of asylums for idiots, and in the use of the words "feeble-minded," with a different meaning, in the title of homes for the feeble-minded, there is great confusion; so now there is equal confusion in the use of the word "idiot" in the Idiots Act and the Lunacy Acts with, in each Act, apparently a different relation to the word lunatic.

Lunacy Act, 1845, 8 & 9 Vict., c. 100, Sec. 114, and the Lunatic Asylums Act, 1853, 16 & 17 Vict., c. 97, Sec. 132. Lunacy Act, 1890. Sec. 341.

The Idiots Act and the changes introduced by it.

476. The Idiots Act, under which the idiot asylums have a recognised *status*, provides a very simple machinery for the admission of idiots and for their continuous care and control. It furnishes thus a precedent of great value in developing methods suitable for dealing with the mentally defective of the congenital type.

49 & 50 Vict. c. 25, Sec. 4.

Schedule to the Idiots Act, 1886.

"An idiot or imbecile from birth or from an early age may, if under age, be placed by his parents or guardians, or by any person undertaking and performing towards him the duties of a parent or guardian, . . . in any hospital, institution, or licensed house registered under this Act, . . . upon the certificate in writing of a duly qualified medical practitioner." The certificate is to the effect that the person "is an idiot [*or* has been imbecile from birth, *or* for years past, *or* from an early age], and is capable of receiving benefit from [the institution (describing it)]." And a statement, signed by the parent or guardian, accompanies the certificate, and gives particulars as to "when and where previously the person was under care and treatment"; whether "in any asylum or institution"; "whether subject to epilepsy"; and "whether dangerous to others." The person is on this certificate detained until he is of full age. If he has been so detained, with the consent of the Commissioners in Lunacy, he may be retained after he is of full age. If, on the other hand, he be of full age at the time of application, he may be admitted on the same certificate and statement. In all cases after admission a notice of reception has to be sent to the Commissioners in Lunacy. All institutions for the care of idiots have to be registered by the Commissioners in Lunacy, and are inspected by them.

Sec. 5

Sec. 9.

Sec. 12.

477. The Act is suggestive on several grounds. The method of certification is the simplest possible; the fact that the person is a congenital idiot or imbecile is the single and essential issue; the single condition as to admission is that admission will be beneficial. Next, there is the principle of continuity of control.

The person, once admitted as a minor, continues in the institution, with the consent of the Commissioners in Lunacy, without any new certificate being required. Again, the method of registration and inspection is made applicable to charitable or voluntary institutions. The definition of the Act as to "hospitals" and "institutions" is practically the same as that in the Lunacy Act: "Any hospital or institution or part of a hospital or institution (not being an asylum for lunatics) wherein idiots and imbeciles are received and supported wholly or partly by voluntary contributions, or by any charitable bequest or gift, or by applying the excess of payments of some patients for or towards the support, provision, or benefit of other patients." Hence there is scope under this method and this definition to bring a large group of useful voluntary institutions into co-operation with a central body and local bodies under reasonable guarantees for good and responsible administration. Both method and definition might, it is obvious, be applied, for instance, to the various homes for the care of the feeble-minded. Lastly, the idiots and the imbeciles, while broadly distinguished from lunatics, remain under the jurisdiction of the same central authority, though a separate system of administration for lunatics, as compared with that for idiots and imbeciles, is enforceable in certain important points.

The Idiots Act and the changes introduced by it—*contd.*

Idiots Act, 1886, Sec. 17.

Sec. 11.

478. Thus we have already in the Lunacy Commission a central organisation which at present deals under different conditions with what, in the past at least, have been recognised as the two main classes of the mentally defective—the insane by "disorder of the mind," and the idiot by want of intelligence or imbecility from birth. The large class of "feeble-minded" has also in some measure in connection with idiot asylums been dealt with by the same organisation, as coming under the title "idiot," used in its originally wider sense; though the voluntary homes for the feeble-minded have never been brought into systematic relations with this or any other central authority, unless, as in some instances, they have been certified by the Local Government Board as institutions suitable for the reception of applicants sent by the boards of guardians. The growth of thought then in this branch of work and the gradual increase of institutions may be said to point to the conclusion that what for the most part would be a new central authority should assume the duties of the Lunacy Commission, and with a very considerable change, both in the scope, method and character of their work, and with the adoption of a new title significant of larger and more extended social obligations, should promote measures for meeting in many ways, and according to the wants of different classes of defect, the administrative needs of the mentally defective as a whole.

Cf. "Law and Practice of Lunacy in Ireland," by G. W. Abraham, 1886, p. 26.

479. We have now to submit particulars regarding the idiot asylums themselves.* There are some four or five main characteristics to be noted in regard to them. They are both educational and custodial. They are, without exception, general institutions for all classes of congenital defect. They are voluntary institutions and are supported largely by payments for individual cases, so much so that in one instance, at least, these payments form almost the entire income. They are institutions which, though they admit applicants as a rule from all parts of England, are chiefly interested in meeting the needs of particular groups of counties, from which also they receive considerable voluntary support. They are managed with one exception on the method of admission of candidates by the votes of subscribers. Lastly, considered as institutions, within the limits of voluntary work and its obligations, they show not a little power of expansion and adaptation.

Characteristics of the "idiot" asylums.

These institutions are all managed by Boards or Committees of Management appointed by the subscribers. Their object is indicated by the following extracts from regulations: "That the design of this charity be, not merely to take the idiot and imbecile under its care, but especially, by the skilful and earnest application of the best means in his education, to improve his bodily powers, and prepare him, as far as possible, for the duties and enjoyments of life." This is the definition in the regulations of the Earlswood Asylum. The corresponding regulation of the Midland Counties Asylum at Knowle is almost word for word the same. So is the regulation of the Royal Albert Asylum for the Northern Counties at Lancaster, and the regulation of the Asylum for the Eastern Counties at Colchester. But the Western Counties Asylum at Starcross, unlike in this and some other matters, has as its object: "To provide care and intellectual,

Caldecott, Vol. I., p. 597, c. 2.

Williams, Vol. I., p. 607, c. 1.
Douglas, Vol. II., p. 198, c. 1.
Turner, Vol. I., p. 623, c. 1.
Locke, Vol. I., p. 633, c. 1.

* Besides the asylums for idiots mentioned in the text, there are the private asylums for idiots, that at Normansfield, and the Downside Lodge Asylum at Bath.

Characteristics of the "idiot" asylums—*contd.*

physical, or industrial training for idiots." In general we may say that the object of the asylums is primarily educational, and that, originally at least, they were the outcome of a belief that in many cases special education would prepare "for the duties and enjoyments of life" the children or young persons who gained admission to them.

Caldecott, Vol. I. p. 597, c. 2.

Both sexes are admitted. At Earlswood: "All ages and all types; but no case is entertained for the foundation until after five years of age, and the Board prefer all cases as far as possible to be under sixteen." At Knowle: "Cases are admitted at any age." At Colchester: "Election cases are admitted from five years of age upwards," while there and probably elsewhere: "Payment cases are admitted at any age." So at Lancaster. At Starcross: "Preference is given to children; pupils are admitted from six years old and upwards." At all these institutions there is a constant entry of children and young persons, and the system should admit of that very early treatment which, as we have seen, is greatly needed in some cases.

Williams, Vol. I., 10520, p. 607, c. 1.
Turner, Vol. I., 10787, p. 623, c. 1.
Douglas, Vol. II., 14425, p. 195, c. 1.
Locke, Vol. I., 10966, p. 633, c. 1.

Average age of inmates.

480. The ages of the inmates indicate the state of the population in the institutions. At Earlswood the annual average number of inmates during the last ten years, male and female is: Under sixteen, eighty males and forty-five females, in all 125; over sixteen, 277 males and 135 females, in all 412. In 1905 there were in residence 109 patients maintained for the remainder of their lives, of whom fifty had been in residence forty years; and, except at Starcross, where all the inmates are counted as children and "retained until their training is completed, or until there is no probability of further improvement being effected in their condition," there must be a constant increase of the elderly inmates, if they are not gleaned out otherwise.

Reports: Earlswood Asylum, 1906, p. 23; 1905, p. 24.

Locke, Vol. I., p. 633, c. 2.

Admission and discharge.

481. Admission to the asylums is usually obtained in three ways.

Some are admitted on payment by relatives and friends; and some on election; and some on payment from public or voluntary bodies. Where relatives or friends pay, "the discharge is authorised by the relatives"; otherwise they "remain until they die." So in the case of those elected for life. But the other elected inmates, unless re-elected, leave at the end of seven years; and they cannot, as a rule, stand for re-election "unless there are distinct prospects of further improvement." So it is at Knowle, with the exception that the term of years is five. So at Colchester—where the term for elected cases is now seven years—for in not more than twelve cases are the elections made for life. So at Lancaster. There is thus a more or less constant discharge of election cases every five or seven years, while the inmates who are paid for stay on. This must act sometimes rather sweepingly. At Lancaster, for instance, out of 702 residents only 235 were twenty years of age and upwards. And the question naturally rises—what is the result of the method? Do those admitted as children, at or after the five or seven years of age or even after a second term of re-elected life, prove themselves able to take part in the duties and enjoyments of life in the world outside, or are they, when they leave, so carefully supervised and controlled that they do not lose the good results of the seven years' education? In the main, the answer is in the negative.

Caldecott Vol. I., p. 598, c. 1.

Williams, Vol. I., p. 607, c. 2.
Turner, Vol. I., p. 623, c. 2.
Douglas, Vol. II., p. 199, c. 1.
Report Royal Albert Institution, 1906, p. 86

Results of training: Earlswood.

482. Dr. Caldecott, the Medical Superintendent of Earlswood, says: "Roughly speaking, I should reckon two-fifths of our patients are idiots, two-fifths low grade imbeciles, and one-fifth high grade or trainable imbeciles." In reply to a circular to the parents of patients discharged during the last fifteen years, 341 answers were received; of which the following is a summary:—45 died; 89 gone to county asylums; 111 gone away with no address; 6 gone to other imbecile institutions; 11 at work for wages; 13 at home, very useful; 26 at home, useful; 40 at home, no use.

Caldecott, Vol. I., 10378.

Vol. I., 10379, 10488, 10490, 10492.

Thus, "3·25 per cent. were earning wages," Dr. Caldecott said: "3·81 were at home very useful; 7·5 at home, useful. The rest no good." Some, when they leave, go to their homes—the bulk of them in the first instance—and are of no use, some go to the county asylums, and some (26 per cent.) go to the unions. "They should be taken care of for life."

Colchester.

Speaking of the Eastern Counties Asylum at Colchester, Mr. Turner, the Superintendent, said in regard to cases sent away after seven years:—

Turner, Vol. I., 10836, 10905.

"In some cases they go out and earn their own living under a certain amount of supervision. I have amongst my old cases three who have been married, one who has brought up a family,

and others (I cannot give you the exact percentage now, but there are several) who are earning their own living either as tailors or shoemakers, or doing odd work on farms." Results of training—*contd.*

To avoid discharges of hopeless cases, "we allow a system of re-election"; and thus "cases have been re-elected again and again. We have tried to meet that difficulty." On the other hand, he stated: "I think we get a larger proportion of helpless cases" than other asylums. A good many "could not by any possibility earn their own living or do anything of use in an asylum." Turner, Vol. I., 10837. 10890. 10889.

At the Royal Albert Asylum, Lancaster, a circular issued to 367 patients discharged in the last twelve years produced these results: thirty-three (or 9·0 per cent.) are earning wages or the equivalent; 123 (or 33·5 per cent.) are living at home with parents or relations, of whom forty-two are very useful and thirty-two useful; one is in a public school; and 148 (or 40·3 per cent.) are in workhouses, lunatic asylums, etc. It is not a very satisfactory result, and comparable with that at Earlswood mentioned above. A circular was also issued in regard to sixty-seven patients who had much improved; information was received as to fifty-one. Of these sixteen were earning wages, five were useful in workhouses; seventeen were useful at home, six were either not useful or nothing was said of them; four were in lunatic asylums; and three were dead. This was a census of cases in which there had been great improvement; and it shows that a small number can receive considerable benefit from the teaching and discipline of the asylum. Dr. Douglas, the Resident Medical Officer of the Royal Albert Asylum, said: These people revisit the institution at holiday times and on such occasions "I have been pleased with their tidy appearance and self-respecting bearing. Intercourse with the world has improved them." However, he adds: "One thing I frequently observe is, that boys who have learned a trade do not continue it, but generally turn to common forms of labour. . . . They need judicious supervision and an ordinary master or foreman will not be troubled with them while the labour of perfectly sane workmen can be had cheaply. Sometimes their friends . . . let them idly loaf about the streets, and who can wonder if they get into mischief?" Lancaster. Douglas, Vol. II., p. 202, c. 1. Vol. II., p. 199, c. 2. Vol. II., p. 195, c. 2.

As at Earlswood it must be borne in mind that a large proportion of the inmates can only be to a very small extent improvable by reason of the extent of the mental defect from which they suffer. Thus at Lancaster, out of an institutional population of 626, eighty-five are idiots, 308 imbeciles, and only 233, or some 37 per cent., high grade imbeciles or "feeble-minded." Vol. II., p. 199, c. 1.

At Starcross the custodial element in the institution is very small. "The admissions are now restricted to improvable cases only, as it has become recognised that beyond a slight improvement in habits and intelligence, little can be effected by training in the lowest grades of congenitally-defective persons. The institution was moreover founded essentially as a *training*, and not simply as a custodial, establishment." Accordingly an analysis of the institutional population of 270—180 males and ninety females—gives the following figures:—Idiot, twenty-six, or 9 per cent.; low grade imbeciles, ninety-three, or 34 per cent.; high grade imbeciles, ninety-three, or 34 per cent.; and feeble-minded, fifty-eight, or 21 per cent. On this method the results are stated thus: "I think that during the last ten years about forty children have been placed out in the world. I have information from about twenty of them; several of those are earning their own living independently, but they were brilliant exceptions, the others were living at home and making themselves of use, going out to work for instance in gardens or doing needlework at home, and so on." But, it is added, those who are discharged, properly speaking, "ought not to go out into the world, any of them, never mind how competent they are to work." Starcross. Locke, Vol. I., p. 633, c. 1. Locke, Vol. I., p. 634. Vol I., 11016. Vol. I., 11017.

483. This view is held by all our witnesses in regard to this branch of work. Already the institutions are, with the exception of Starcross, to the extent of at least two-thirds of the cases, custodial, that is, cases of idiocy or low grade imbecility; and even for those who leave the educational departments as improved there is need of after custody or after supervision. The experience of the managers of voluntary homes, as we shall see, coincides with this opinion. Necessity for continued detention or supervision.

484. Of the well known and elaborate educational system at these establishments we need say but little. It is admitted that it should be more and more manual and industrial. In the different institutions there is a careful classification. That at Earlswood may be mentioned. There there are "six or seven different classes according to social and mental standard, the best and worst not associating with the general run of patients on each—the male or the female—side. According to the general rule of the institution all patients who are Classification of inmates. Douglas, Vol. II., p. 195, c. 1. Turner, Vol. I., p. 624, c. 2. Williams, Vol. I., p. 608, c. 1. Caldecott, Vol. I., p. 598, c. 2.

Classification of Inmates—*contd.*
Williams, Vol. I., p. 607, c. 1.
Turner, Vol. I., p. 624, c. 1.
Locke, Vol. I., p. 633, c. 2.
Caldecott, Vol. I., p. 597.

in any way capable of doing anything are expected to attend either the schools, the workshops, or housework during the working hours of the day." Sometimes the classification is by degree of defectiveness as at Knowle, or by age and mental capacity as at Colchester and Starcross; at Starcross "the classes are numbered as in an ordinary school." And it appears from the visits which we have paid to the asylums and from their evidence and annual reports that great attention is paid to the educational and especially the industrial side of their work, including labour on farms or gardens. This is, perhaps, especially noteworthy in the case of Starcross.

Williams, Vol. I., p. 6
Turner, Vol
p. 623.
Locke, Vol.
p. 633.
Douglas,
Vol. II., p.

Finance in relation to the classes in the asylums.
Caldecott, Vol. I., p. 600, 10342,10403.
Williams, Vol. I., p. 608, 10563.
Turner, Vol. I., p. 625, 10886, 10888.
Locke, Vol. I., p. 635, 10977.
Douglas, Vol. II., p. 200.

485. The financial statements as they are submitted to us are inevitably somewhat misleading. The cost of the two-thirds of the inmates who are in the asylum chiefly for custodial purposes must in the worst cases be very considerable owing to the constant care and nursing which they require. For different reasons those who are indicated as being improvable, a large number, have to be provided for at a relatively large cost. They can only be taught in small classes, and require close supervision, though in some instances the industrial trainers are old inmates of exceptional ability. On the other hand, for the economy of the institution the best work is done by the high grade imbeciles and feeble-minded, but these do not remain in the asylums continuously. If they do, their work is the most productive. The "trainables" do their best work from the age of twenty-five to fifty. "If we simply took the higher grades," Mr. Turner, the Superintendent of the Eastern Counties Asylum at Colchester, said, "we could undoubtedly reduce the cost." As institutions are homes for all kinds of congenital defect, they may be compared generally one with another; but they cannot be compared with institutions for any single or special class, except, again, possibly in the case of Starcross. And there is yet another consideration. Many of the patients are paid for by relations and friends, and the charges incurred on their behalf are on a scale commensurate with their payments. Thus at Earlswood, "Of the higher payments there are five of 250 guineas or more, ten of 120 guineas and upwards, twenty of 65 guineas and upwards, and 103 paying cases up to 65 guineas." And so in a lesser, but always considerable, degree elsewhere. Including administrative and maintenance charges only—that is, excluding all charges for purchase of land erection of buildings, and, generally speaking, all capital expenditure—the figures stand as follows :—

	Average number of patients.	Average weekly cost.
		s. d.
Earlswood	485	19 6¼
Colchester	253	14 3½
Knowle	95	14 1½
Lancaster	610	13 10
Starcross	271	10 7¾
Total	1,714	14 6

Maintenance payments for individual cases.

Earlswood Annual Reports, 1905, 1906, Financial Report.
Colchester Annual Report, 1906, p. 52.
Lancaster: Annual Report, 1906, p. 60.
Western Counties Asylum, Starcross: Annual Report, 1905, p. 38.
Turner, Vol. I., 10794, 10791, 10820.
Williams, Vol. I., 10535.
Douglas, Vol. II., 14437.
Caldecott, Vol. I., 10506.

486. The financial position thus depends largely on the extent to which patients are received on payment—often it is the chief asset. At Earlswood, for instance (1904), there was received for "pupils and part payment cases" a sum of £13,249, as against £7,030 received from other sources, including legacies £1,926; in 1905 the corresponding figures were £12,547 and £11,428, including £5,013 legacies, and so it is more or less elsewhere. At Starcross the receipts for "maintenance of patients" were £8,699 out of a total income of about £9,258; and there is everywhere a large demand for accommodation, both on the part of private persons and of public authorities. Except Earlswood, all the asylums receive cases from boards of guardians. Outside the group of eastern counties guardians pay to the Eastern Counties Asylum at Colchester 15s. a week, within the group 12s.; £1,500 to £2,000 a year is thus received, but it is also said that "the payments from boards of guardians do not in any way recoup us for expenditure applied to bringing the institution up to date"; "they do not pay anything beyond the actual cost, do not pay initial charges." At the Midland Counties Asylum at Knowle, there are thirty-four cases from Poor Law Unions, who pay for them £34 and £35. At the Northern Counties Asylum at Lancaster the guardians pay £35 a year for each case, and provide for some 100 cases. It is clear from this, and from the accounts of the institutions generally, that the payment for individual cases is the largest and most stable element in their finances. Except for the voting system it might, as at Starcross, become almost the sole source of income.

The voting system.

487. On the defects of the voting system we need not dwell. The management committees of the asylums endeavour to neutralise the effect of it by extending the re-election of inmates after their seven years' stay in the asylums or, as at the Royal Albert Asylum, where it is arranged that anyone once placed on the list should be sooner or later admitted. It is believed that without the votes which they have at the election of candidates donors would lose their interest and the contributions of donors would fall off, and as long as there is apprehension on this score it is not likely to be abolished. It is, however, a system for which it is difficult to find a place in the general organisation of institutions for the care of the mentally defective, and it has hampered negotiations with public authorities. To these negotiations we will now turn.

Schemes for co-operation between local authorities and the idiot asylums.

488. Of recent years—and especially since the passing of the Elementary Education (Defective and Epileptic Children) Act 1899—there has been a general desire to increase the provision for mentally defective persons, and if possible to utilise and extend the "idiot" asylums. A statement of the difficulties in carrying out this policy may serve as a guide as to what should be done or avoided in this relation now. At Earlswood, Dr. Caldecott suggested to the Chairman of the School Committee of the Education Committee of the Surrey County Council that "if they chose to select what they called mentally defective cases, cases for which they proposed to make special classes," they might be taken on a reduced payment scale, coming from the county of Surrey, such as 45 guineas a year. But the matter, so far as we know, has gone no further. To the Committee of the Eastern Counties Asylum the Visiting Committee of the Essex County Asylum made the proposal that they should take and train some fifty or sixty idiot children who are at the Brentwood Asylum; and the Eastern Counties Committee reluctantly concluded that "it would not be possible to assimilate the two systems. Ours," we were told, "is really an election charity, and theirs for cases passed on by boards of guardians or in other ways. The difficulty was to work the two systems." At the Western Counties Asylum, there was a proposal from the Devonshire County Council that the asylum should undertake the education of their defective children. "My Committee," Mr. Locke, the Superintendent, said, "were willing to undertake the charge, and to build separate dormitory accommodation for these children, so that they could come and be educated in the same classes with our children in the workshops and schools, but with separate dormitories, but it was found we could not take them unless they were certified as imbeciles; therefore the scheme had to be dropped." It should be pointed out that although certified as imbeciles there is in reality no difference between the inmates of Starcross and most of the children who are educated in special schools.

Caldecott, Vol. I., 10500.

Turner, Vol. I., 10824.

Locke, Vol. I., 10996.

In these two instances, for in the first the question did not go further than an offer, proposals for the extension of the asylums were made by public authorities, and, if adopted, they would have been of great service to the community. They would have brought children of the same class which the institutions were already helping and maintaining under the care of bodies who were specially fitted to train them. They would have given important local authorities a large stake and a special interest in the asylums, which would probably have of itself tended to efficiency. The Committee of Management would have provided the buildings; the public authorities would have paid for the maintenance and education of the inmates admitted on their behalf. In great part the financial difficulty would have been removed.

Conclusions as to co-operation between local authorities and idiot asylums.

489. We think that there should be powers to use such institutions in some definite and recognised manner; and we believe that this may be done by a local authority, charged with this branch of work, and empowered to pay for cases at these institutions according to the cost of maintenance and training, or, indeed, so as to cover some part of the expense of buildings. This would add an inducement to co-operate, and would be fair, inasmuch as only in view of the cases to be sent by the authority would the new buildings be undertaken. It would also, we think, lead to negotiations, by which the voting system, if it were continued, would be confined to yet smaller proportions than at present; and in any case the arrangements undertaken at the request of the county authority, and in conjunction with it would be of a special character, and the asylum would account to the local authority separately in regard to them. A better system of definition and certification would remove the difficulty which prevented co-operation between the Devonshire County Council and the asylum at Starcross.

Conclusions as to co-operation between local authorities and idiot asylums—*contd.*

We should add that the asylum authorities, if changes were made to create new local arrangements for the supply of accommodation or for supervision, would prefer to be connected with the county councils rather than with the boards of guardians, and they are of opinion that the visits and supervision of the Lunacy Commission have been of great service to them. There seems, therefore, to be no difficulty in placing these and other voluntary institutions under official inspection. Further conclusions and recommendations we will defer until after we have considered the want of institutions for the feeble-minded.

Idiot Asylums as centres for scientific research.

490. The reports bear witness to the expansion and progressive management of these asylums ; and the point is important in its bearing on the utility of these bodies as parties to a contract with county authorities. At the same time we are bound to say that it seems to us that the idiot asylums, like the lunatic asylums, should be of much greater service to the community than they are, as affording centres for a close and scientific record of facts and for research. And we think that the authorities should encourage ingenuity and versatility of experiment to a much larger extent than they now do in stimulating the activity of defective persons, and training them. Everything should be done to keep up what may be called the hospital side of the work, and to prevent asylums becoming asylums merely. In inspection special attention should be paid to these and other points which indicate zeal and thought on the part of the authorities and of the staff.

CHAPTER XXV.

Voluntary Homes for the Feeble-minded.

491. The homes for the feeble-minded which form the second group of voluntary institutions may be conveniently classed as homes for improvable cases, boys and girls ; homes for the permanent care of children, working women and girls ; and homes (one institution only) for women and their infants from maternity wards of Metropolitan workhouses.

1. Homes for Improvable Cases, Boys and Girls.

Townsend and Jefferies, Vol. I., 3903, p. 227.

492. This class includes two homes connected with the National Association for the Welfare of the Feeble-minded, one for boys at Upshire Bury, in Essex, and one for girls at Alexander House, Hammersmith; and six other institutions for girls, a training home at Clapton; another at Knotty Ash, Liverpool; the Scott Home at Hitchin, which receives cases sent by Metropolitan Poor Law guardians ; the Handford Home at Ipswich, which receives in preference East Anglian cases ; and the Laundry and Home of Industry at Morpeth, which takes girls from the Northern counties. Another home for girls of this class is the Elizabeth Barclay Home of Industry at Bodmin.

These homes represent a variety of experiments, the conditions and results of which it may be well to state. Their aim has been to fit those admitted to the homes to become, as far as possible, self-supporting. Their work throws light on the extent to which this is possible ; it shows also how far in individual cases there may be improvement within the home, but not improvement sufficient for self-maintenance outside it.

Upshire Bury Home for boys. Townsend and Jefferies, Vol. I., 3903, p. 231, c. 2. Beach, Vol. I., 6937, p. 383, col. 1.

493. The Upshire Bury Home stands by itself as an experiment in the training of defective boys with a view to enabling them to earn a living wholly or in part under certain safeguards. The home was established in 1897. Since then seventy-two boys have been admitted at from fourteen to sixteen years of age. They are taught gardening and farm work in the summer, carpentering or shoe-making in the winter. There is accommodation for twenty boys, two masters, and a matron. In the summer the lads get work in the neighbouring farms, and there is no difficulty in their getting employment up to the extent of their capacity. They would soon fail, however, if they were not looked

Townsend and Jefferies, Vol. I., 3994.

after by members of the committee or by the master, who help them to spend and save their wages. And when they leave they are still looked after. Of those who have left the home, fifty-two in all, ten or twelve are wage-earners, earning on an average 10s. weekly. One or two, however, earn 14s. to 17s. a week, which is a very fair agricultural wage. Two act as assistant postmen, "going long rounds with absolute fidelity and regularity." Thirty per cent. of the boys who leave are stated to be able to earn a living and provide for themselves. Besides the boys accommodated in the home, there are out-boys, boarded with cottagers near their work, under the supervision of the master. The cost of the home has been small. The house is rented at £55. The cost of furnishing it was £50, together with considerable gifts of furniture. The cost of maintenance per head per annum, inclusive of service, but exclusive of rent, is £23 10s., with gross earnings amounting to £118 a year.

Upshire Bury Home for boys —*contd.* Townsend and Jefferies, Vol. I., 3994-3997. 3989. p 231, c. 2. Vol. I., p. 228.

Most of the boys are sent by boards of guardians, who usually pay 10s. a week for them, as against 11s. the average cost, including rent. The difference is made up by the boys' earnings.

Vol. I., p. 231. 4083-4085.

The experiment is considered successful, but the boys should be received earlier. "The difficulties with which the home has to contend arise from the late age at which the boys' training begins, when bad and vicious habits are often ineradicably formed."

Vol. I., p. 231, c. 2.

494. The institutions for improvable girls tend to become in part homes for girls who, after training, are able to provide in some degree for themselves, in part permanent homes. Two or three may be noted in some detail as typical.

The Clapton Homes for Girls.

The Training Homes for Feeble-minded Girls at Clapton were opened in 1892 for the purpose of training for domestic service young girls in dangerous circumstances morally. It was occasionally found that girls who proved very troublesome were actually deficient in ordinary mental power, and in 1897 it was decided to receive only little girls of school age who were mentally deficient. A teacher was engaged and the children taught in the home, and the home was certified for twenty children by the Local Government Board. There was, and is, no limitation as to the age of admission. It soon became evident, however, that only a small percentage of the children could earn their own living; and therefore a second house was taken for permanent girls. There are thus two homes, one with twenty children, three matrons, and a daily teacher, and one for elder girls, with two matrons and a laundress.

Bartholomew, Vol. II., 16430, p. 306, c. 2 and p. 307, c. 1. Townsend and Jefferies, Vol. I., 3903, p. 226.

As to results. Of ninety-one girls received into the homes between September, 1897 and September, 1905, fifty-five have been dismissed. Of these forty-five come under the following headings: imbecile, eighteen; moral imbecile six; uncontrollable, eight; insane, six; sick, five; and epileptic, two. Of the remainder there were sent to other homes, three; boarded out, one; returned to friends, four; and sent to service, two.

Bartholomew, Vol. II., 16430, p. 307. col. 1.

As an instance in which the treatment at the home had a remarkable effect, the case is mentioned of a:—

> "Girl sent at six years old to the Hants County Asylum. . . . She was in the asylum for five years, and was found there by a lady guardian of Basingstoke Union, amongst idiots of so low a type that they could not feed themselves. . . . She was removed to the Union, thence to our little girls' house in September, 1899. She has now apparently lost every trace of mental weakness. She lives for the present in my private house, and goes for some hours daily to the school at the little girls' house. . . . She has rather more common sense than most girls of sixteen. . . ."

p. 307, cols. 1 and 2.

The average cost of maintenance at the little girls' home is £26 per annum per child; at the elder girls' home it is £20 6s., less £3 10s., the average contribution of each girl by laundry work. The girls are paid for by boards of guardians; cases eligible for admission to the homes of the Metropolitan Asylums Board are not received.

Vol. II., p. 308, c. 1. Vol. II., p. 307, c. 1.

495. Another typical home of this class is the Scott Home at Hitchin. It was opened in 1892 in connection with the Metropolitan Association for Befriending Young Servants, and certified by the Local Government Board for twenty-four inmates. It is a training and laundry home and receives almost entirely girls who have been brought up in Poor Law schools and are chargeable to Metropolitan boards of guardians. It tends to become a permanent home. Miss Poole, the Secretary of the Association, said:—

The Scott Home. Poole, Vol. II., 13545. p. 147, col. 2. p. 148, col. 1.

> "We keep the girls in the home for a good many years. There is practically no limit [of age]. . . . We have girls over twenty there now. We place out all we can

Poole, Vol. II., 13571, 13572.

The Scott Home —*contd.*

> safely trust in service, and at present we do place some as to whom we have anything but a certainty of their doing well, simply because they can earn a living; their manual power is sufficient and we do not think it right to make them chargeable on the Poor Law, and indeed we want the vacancies in the homes."

Poole, Vol. II., 13545, p. 147, c. 2. 13580.

The results stated in figures were as follows:—114 girls have been admitted to the Home. Of these forty-seven have been placed in service; of them twenty-eight were doing, most of them, well, some fairly; and many had been in service for long periods—for four to as many as ten years; thirteen had fallen, several of them after doing well for two, three, four, and five years; six had gone to friends or been lost sight of. Of the remainder fourteen had been returned to friends, twenty-five to the Poor Law, and two to other homes, and two had died. In the home twenty-four still remained.

Vol. II., 13571; 13593-13594.

The home is maintained by a payment of 6s. a week for each case sent by the boards of guardians, *plus* the profits on the laundry and private contributions.

The Alexandra House: The Handford Home.

496. The Alexander House at Hammersmith, and the Handford Home at Ipswich, further illustrate the position.

Townsend and Jefferies, Vol. I., 3903, p. 231, col. 2.

The Alexander House accommodates eighteen girls and three matrons. The greater number of the girls are sent by the Metropolitan boards of guardians, who pay 10s. a week, as against the weekly cost, which is 11s. The girls are taught sewing, house and laundry work, but no profits are made on the laundry; the balance is made up by subscription. Since 1897 sixty-nine girls have been admitted to the home, fifty-one have left; and of these "seventeen have been sent to service, out of whom nine are still under supervision, earning on an average 2s. 9d. weekly and their board." Admission to the home is from the age of fourteen. The home is certified by the Local Government Board.

p. 232, col. 1.

The Handford Home, also certified, receives girls from the age of eight to eighteen at a weekly charge of 6s. The cost is 7s. and the difference is made good by subscriptions and laundry earnings. The girls are taught house work, laundry work, and sewing, besides rug-making, basket work, etc. The younger children receive regular school teaching. In 1898 the home was enlarged, and in 1902 an "overflow home" was added. There is now accommodation for thirty girls. The girls' ages vary from seven to twenty-seven; three are over twenty, thirteen between sixteen and twenty, nine between twelve and fourteen, five are under twelve. Of the thirty girls, twenty-three were sent by guardians, five by friends, and two by parents. As to results. Fifty-four girls have left the home; and of these fourteen have been sent to service, twenty returned to friends, eight to Poor Law guardians, eight to other homes, three to asylums, and one has died.

The Morpeth Home.

497. Notes in regard to the Laundry and Home of Industry at Morpeth and the Elizabeth Barclay Home of Industry at Bodmin will further define this group of homes and its limitations.

Pease, Vol. II., 15060, p. 232, col. 1.

Townsend and Jefferies, Vol. I., 3903, p. 227.

The Morpeth Home was established with the aim of saving the young girls who were too old to stay on in the workhouse schools from drifting into the able-bodied wards of the Newcastle workhouse. It is certified by the Local Government Board, and receives girls from twelve years of age at a charge of 6s. a week. It has accommodation for fifteen girls.

Pease, Vol. II., p. 237, footnote to col. 1.

As to the cost. "The gross cost of each of the fifteen girls is £31 12s. per annum, or 12s. a week." The profit on the laundry is £246. This, credited to the girls, makes the net cost £15 4s. per annum, or 5s. 10d. a week. If credit is taken for everything, including guardians' payments and subscriptions, the result shows a surplus per girl of £8 4s. per annum, or 3s. 2d. a week. At present this credit balance is being used to pay off a mortgage on the building, which is being largely reduced year by year.

Pease, Vol. II., p. 232, col. 1 and 2.

Miss Pease, who was one of the founders of the Morpeth Home, says:—

> "The home has proved a great and growing success. I do not think that any girl who is really feeble-minded ever is cured; yet they become happy and useful—very different to the miserable, dull, pathetic creatures they were formerly. Most of these girls can be kept in homes without compulsion, for the tendency to escape is not great; but there are a few for whom forcible control is necessary. We have had thirty-four inmates; five have been in from the beginning, seven have been returned to the workhouses because they have been too violent, or had fits, or been too depraved; three have died; two are in asylums; three are in service with kind mistresses who look after them; and we have two younger girls who in two or three years will probably be able to go out; only one girl has been entirely lost sight of."

"I believe that in a home like ours where we are supposed to take improvable cases, there will be a small percentage of girls, who, under careful and kind supervision, can earn their own living outside a home, but it is most anxious work placing out these girls, and I should much prefer keeping them under care and letting them go out for the day and return at night to the home. We have done this with great success in two or three cases. Sometimes a girl who has been steadily improving in the home when she goes to service slowly deteriorates. The girls notice this themselves. At a treat we had last summer I asked a mistress to allow an old girl to come for the day, and her young sister who is at the home said to me, 'Our Lizzie is not as bright as she used to be.' Good food, regular work, and living a good deal in the open air, does improve the girls in a wonderful way, mentally as well as physically, but our experience goes to prove that for the majority permanent care is needed, either in homes such as ours where the girls will stay voluntarily, or in colonies or in custodial homes where there is compulsory detention. The Morpeth Home—*contd.* Pease, Vol. II., p. 232, co's. 1 and 2.

Five of our girls have been taken away against the strong wish of the committee. Guardians and relations come to the home and see the girls apparently new creatures, doing their work well and perfectly happy; they consider that they are cured, and are capable of going out in the world, and of earning their own living, or of being useful at home. No one can judge the mental capabilities of a girl from an afternoon's visit; they may be perfectly good and almost normal for three or four months, and then suddenly lapse, have violent attacks of temper, when they are a danger to themselves and the other girls; or they have fits of sullenness, when nothing can be done with them; sometimes they become almost imbecile. When the girls are seen at their best the guardians or relations insist that they shall go to service; they are taken away, and the work of years is undone, for sooner or later the majority of those taken away drift into crime, or find their way into the maternity wards of the workhouse, and in the end are a much heavier burden on the community than if they were allowed to stay on in the homes at the moderate charge to the rates of 6s. a week. One of our girls whose father insisted on taking her out two years ago, had a baby last spring. We need powers to protect our girls from relations such as these. It is miserable to think of the ruin of this girl; she was an innocent and happy child two years ago and now there is no end to the sin and misery before her. If we can keep and safeguard these girls we shall at least relieve the rates from the keeping of illegitimate children. I am quite certain that the majority of them are happier as well as safer under control. . . . Laundry work is especially suitable for feeble-minded girls; they enjoy it and do it well, and live contented, happy lives, instead of being a source of misery both to themselves and to the world at large. It is always a pleasure to me to visit the home, and to feel that there are fifteen girls living simple useful lives in safety. They ought to be protected from the misery and temptations which they fall into when they have the power of asking for their discharge in the workhouse.

I am connected with a training home for ordinary girls, and there are a number of feeble-minded girls who come into these homes. Several have been passed on to us at Morpeth. One girl had been in two different training homes, and had been a great source of trouble and annoyance in the homes, and when she went to service the secretary at last wrote to me saying that the doctor felt she was feeble-minded, and not responsible for her actions. I suggested that she should come to Morpeth, and it certainly has proved the right step; she had been a total failure in service, but with us she has been good and happy, and works well, but I do not think that she will ever be fit to earn her own living outside the home."

498. The Barclay Home of Industry was established to provide for feeble-minded girls who could not be certified as imbecile, and who might otherwise "come into the workhouse over and over again in trouble." They were to be admitted "from the age of fourteen, cared for, and if possible trained for service, or, at all events, trained to some useful work." Since 1903 the home has been certified by the Local Government Board for twenty girls. The Barclay Home. Sterling, Vol. II., 14377, p. 190, col. 2.

As to cost and charges. The charge for girls from Cornwall and Devon is 5s., 7s. from other counties; but in several cases the payment asked of the Poor Law guardians has been reduced from 5s. to 4s., 3s., and 2s., in view of the increased earnings of the girls for whom they pay. The cost of maintaining the children is about 14s. a week, all told, and in some cases 3s. is earned by the child, reducing the cost to 11s. For the laundry work £344 was taken, as against laundry wage and expenses £150. The site of the home was given by friends, and the present house was built by trustees out of a sum of £2,000 left in part by Miss Barclay for charitable purposes. Sterling, 14377, p. 192, c. 1. 14384. 14385. Vol. II. p. 192. col. 1. Vol. II. p. 191, cols. 1 and 2. rling, Vol. p. 190, c. 1.

The general results are summed up in the following paragraphs:—

"Our experience shows us that very few of those sent to us can ever be able to earn their own bread. We made the mistake at first of sending them out too freely, though never without selecting their places as carefully as we could. We find that many can be trained to do good work in the home under constant supervision (our principal industry is laundry work); that they fall back and probably get into trouble after being sent out into any kind of service."

The Barclay Home—*contd.*
Sterling, Vol. II., p. 191, cols. 1 and 2.

"Of those that have passed through our hands I may mention that four have had to be moved on to the asylum, thirteen have been failures, six are doing fairly well in places, and nineteen or twenty remain in the home. . . Dr. Francis Warner, who came down to Bodmin on purpose to advise us, points out that unless we keep on teaching and waking them up, all our girls are liable to slip back. The lessons in such simple matters as the time of the clock, the value of coins, the writing of a short letter and so on, have to be repeated over and over again. Indeed the chief need we have in all the members of our staff is cheerful patience.

We have tried as industries rugmaking, knitting, etc., but in the long run we find laundry work the most satisfactory, as there are different parts in it suited to differing capacities, and under our three laundry matrons we can get the girls supervised and helped on gradually; moreover, there is a constant demand for the work, and the need of care, promptness, and punctuality means a continual discipline and education. We are this year making the experiment of engaging a trained teacher of the Swedish physical exercises, as we desire to test what they can do for the development of mind and body among these backward girls.

We try to select the most improvable cases from among the numerous applications sent us, although we are fully aware of the crying need of such institutions as exist in the United States for what they call 'custodial cases.' But in such a small home as ours, carried on as far as possible on the lines of a family, we are bound to concentrate on a particular class and to do our best to keep raising their level. We admit no girls who have lost their character, and we try to select those who have passed some school standard as evidence of their teachableness. As a rule the girls improve distinctly in health and brightness under regular management and with good food and healthy conditions, but the disappointment comes when they slip back into bad habits, which is sure to happen unless constant pressure and discipline are maintained."

Conclusions in regard to Homes for Improvable cases.

499. The experience of the managers and promoters of these homes for feeble-minded children shows that it is of the utmost importance that training should commence early, and that in permanent homes or otherwise a sufficient outlet should be provided for persons who have been trained at training homes.

Early training of children necessary.

500. At most of these homes children are admitted at fourteen or after school age; but it is very important that their training should begin much earlier. Thus of the Upshire Bury Home for boys it is said: "The difficulties it has to contend with arise from the late age at which the boys' training begins."

Townsend and Jefferies, Vol. I., 3903, p. 231, col. 2.

And Miss Poole, the Secretary of the Metropolitan Association for Befriending Young Servants, says:—

"All children noted as feeble-minded should, at the earliest possible time be put in the way of receiving special education suitable to their mental capacity. It only makes a dull child duller to leave it in the infants' room long after the proper age. As early as possible the children should be moved from school to an industrial home or school, there to be taught the trade or employment by which they are most likely to prove self-supporting. Habits of industry cannot be inculcated too early. It tries their feeble brains less to work with their hands than to learn lessons."

Poole, Vol. II., 13456, p. 148, col. 1.

Experience of the Clapton Home led to girls being admitted at any age, and Miss Bartholomew, the Honorary Secretary, says:—

Bartholomew, Vol. II., 16430, p. 307, c. 2, and p. 308, c. 1.

"As regards the moral imbecile, I believe that if the defect were recognised early in life and the child brought up in a small home, not containing more than sixteen to eighteen inmates, it is possible that a conscience might be at least partially developed, and the years of training would certainly form habits of order and industry."

In speaking of the homes of the National Association for the Welfare of the Feeble-minded and of the Handford Home, Miss Townsend and Miss Jefferies say that:—

Townsend and Jefferies, Vol. I., 3950.

"The bulk of the girls would not be able to take care of themselves, would not be able to go without supervision, unless the training is begun very much earlier. I think a very great deal depends upon that. . . . . There has not been time to tell with the younger children at present," Miss Jefferies adds, "with the older ones certainly it is so."

Miss Pease, one of the founders of the Morpeth Home and a Poor Law guardian, says:—

Pease, Vol. II., p. 233, cols. 1 and 2.

"I think that it is necessary to have boarding schools as well as day schools, because in them there is more hold on the children, attendance is longer and more regular, and the teaching and supervision far superior. It is important to take the children from bad homes; their attendance sometimes is most irregular, especially when the day school is far from the child's home. A woman came to see me the other day whose daughter had been attending the special class, and she had entirely disappeared for eight days; on the ninth night the police found her and she was remanded to the workhouse for a week. She had slept on door-steps or in open spaces all this time. She is a nice looking tall girl of eleven; if this sort of life continues she will be ruined, and as she is a naughty, wilful girl, when she does occasionally attend the day classes she has a very bad influence over the other children. She would be a different creature in a boarding school away from a bad mother and street life. The sooner the training begins the better. Our school has only so lately started that we cannot yet tell the results of systematic early training; some of the children only came when they were over fourteen."

501. Next an outlet is necessary for the homes for improvable cases if they are to do their proper work. These homes are for the most part filled by girls who, though able to earn enough by their work for their maintenance, cannot safely be placed out because of their absolute inability to protect themselves, and often because they are morally as well as mentally deficient. The girls have received all the benefit they are capable of receiving from the training given in such homes and now should be passed into some permanent home or colony in which they could remain for life and where, under favourable circumstances, they should be self-supporting.

Outlet necessary for improved stationary cases. Poole, Vol. II., 13546, p. 148, col. 1. Poole, Vol. II., 13572.

"The stationary class," the National Association for the Welfare of the Feeble-minded state, "is by far the most numerous, and may indeed be said to form the bulk of the inmates of the homes for older boys and girls and for adults. It consists of those who improve up to a certain point but then remain stationary or even go very slowly backward. . . They must be under permanent supervision, and it would be well that institutions should be established where they would earn their own living as far as they were able, and enjoy such a measure of personal liberty as was compatible with their condition."

Townsend, Vol. I., 3903, p. 230, col. 1.

Miss Sterling, Honorary Secretary of the Elizabeth Barclay Home, says :—

"We could do much more in training girls, if we could hand on those who are unimprovable. . . I am sure philanthropic effort would not reach custodial cases : they all go for the improvable cases, and want to see results."

Sterling, Vol. II., 14390, 14396.

Miss Townsend, who gave evidence on behalf of the National Association for promoting the welfare of the feeble-minded, says :—

"The girls in the homes are happy and contented, and rarely wish to leave, except that all cherish the hope of 'going to service,' some day. One girl has been in the home six and a half years, another six years, most of the present inmates between two and three years."

Townsend and Jefferies, Vol. I., 3903, p. 231, col. 2.

502. There is thus, apart even from the general insufficiency of accommodation, a great block of cases in homes in which the inmates were admitted as improvable, in the hope that, to a certain extent, they would be able to earn their own living in the world. But owing to this block not only are the homes full of inmates whom it would be desired to move into custodial homes, but girls have to be sent from the homes when there is often a very doubtful prospect of their doing well outside.

Block of cases in homes for the improvable.

Miss Poole, the Secretary of the Metropolitan Association for Befriending Young Servants, says :—

Poole, Vol. II., 13572.

"In regard to the Scott Home, we are always overwhelmed with applications so we place out those who we know can be self-supporting, though we feel they would be safer under continual supervision in some home. What we should like would be a kind of continuation home. The girls in our home are all looking forward very much to being self- supporting and going out to service, and we try to make them have a spirit of anxiety to support themselves. We should like to say to those who cannot be trusted out in the world by reason of their feeble-minded condition : 'We are going to send you to a nice laundry home, where you will be able to earn wages.' We should like to be able to take a house, have it certified by the Local Government Board inspector, and have it subsidised to a certain extent for the more feeble ones."

Miss Sterling said :—

Sterling, Vol. II., 14406,

"If there were custodial homes, it would be very much better, because your workhouse officials do not understand them—weak-minded girls—and have not time for careful supervision."

"After five or six years in a home a girl who comes in at fifteen and is then twenty or twenty-one, wants a change, she wants to go to another home. It is not advisable for her to remain in the same home for ten or twenty years. Our girls range from seven to twenty-one. It is most awkward to deal with them."

Jefferies, Vol. I., 4047.

Thus the block in the homes tends to promote the discharge of girls, who should still be under the supervision of a home, to spoil the utility of the homes as small centres for well classified cases, and to prevent changes in the home population, which are necessary for the mental and physical health of the inmates.

503. The homes serve chiefly as institutions auxiliary to boards of guardians who at a comparatively small charge obtain the advantage of a system which, if it were extended, would promote the care and classification of a large number of inmates quite unsuitable for maintenance in workhouses or as recipients of outdoor relief. The charges paid by boards of guardians in these homes are : Upshire, 10s. ; Alexander House, 10s. ; Handford House, 6s. ; the Barclay Home, 5s. to 7s., or less if the girls can earn part; the Morpeth Home, 5s. or 6s. ; the Clapton Homes, 8s. 6d. ; the Guildford Home for Boys, 12s.

The Homes are usually auxiliary to Boards of Guardians. Townsend, Vol. I., 3903, pp. 226, 227. 4218. Sterling, Vol. II., 14384. Pease, Vol. II., 15060, p. 232, col. 2. Townsend, Vol. I., p. 226.

Custodial homes and voluntary effort.
Townsend, Vol. I., 4069.

504. There is a general feeling that custodial homes could not be established by voluntary effort. "The number of homes has been stationary for the last three or four years." Miss Townsend said :—

> "I see no special reason why they (homes for the permanent protection and maintenance of the feeble-minded) should not be supported by the rates entirely, if they are at all. It is very difficult to carry on these homes without payment being made in full by the guardians. The public sympathy is not at all keen on the subject. It is very difficult to get voluntary subscriptions and donations."

4077, 4078.

Poole, Vol. II., 13545, p. 148, col. 2.

Miss Poole said :—

> If the home were an institution based on the rates, it would not be conducted so cheaply. "If such homes could be placed under efficient voluntary management apart from the Poor Law it would be much better for the inmates and less expensive to the community. The difficulty would be to find volunteers willing to organise and carry on such places. It would be very suitable work for sisterhoods and far more hopeful and interesting than penitentiary work. The homes should of course be certified and inspected by the Local Government Board, both to safeguard the inmates and to enable the board of guardians to contribute towards the maintenance of those who cannot be wholly self-supporting."

Sterling, Vol. II., 14396, 14415. Cf. McKee, Vol. II., 16144, and Grayson, Vol. II., 16948.

Miss Sterling said :—

> "I feel sure philanthropic effort would not meet custodial cases. I am inclined to think that the State should intervene in the case of the custodial institutions and that charity might bear the burthen of the more improvable cases."

Pease, Vol. II., 15076, 15082.

Miss Pease said :—

> "It would be very difficult indeed to raise the money for homes of this kind—that is at Morpeth. People do not notice the need in the country at all. . . I think the need is so great that voluntary effort cannot cope with it."

Bartholomew, Vol. II., 16430, p. 308, col. 1.

Miss Bartholomew said :—

> "It is not easy to establish voluntary homes, chiefly because of the difficulty in obtaining money for initial expenses. Charitable people do not, as a rule, take a keen interest in the question, and they do not readily understand, that although boards of guardians have power to pay for maintenance of feeble-minded persons over sixteen years of age in homes, they do not establish such homes themselves."

Possible use of voluntary work or resources in connection with public provision for the feeble-minded.

505. On the possibility of connecting the establishment of new homes or "colonies" more or less closely to charitable or voluntary work and resources, the following suggestions are made by persons connected with homes for the feeble-minded. Miss Dendy, Honorary Secretary of the Lancashire and Cheshire Association for the Permanent Care of the Feeble-minded, said :—

Dendy, Vol. I., 861.

> "It would be economically a very great saving, and I should like to point out to the Commission that we have large quantities of land in England that are going out of cultivation for want of labour. This land could be acquired probably at a very reasonable rate, and powers of detention would be all that would be necessary to enable charitable people or other people to care for these children in suitable ways. We have been trying in a small way to solve the problem at Sandlebridge, but anybody who knows what it means to have to collect £10,000 and then to keep a place of that kind going can see how enormously legislation would help, and how impossible it is for charitable effort to cope with the whole trouble."

Grayson, Vol. II., 17003.

Miss Grayson, Honorary Secretary of the Liverpool Ladies Association for the Care and Training of Girls, suggested that "if the State or the local authority and the Board of Education took it up, they could form committees with voluntary outside help, who might obtain subscriptions towards the maintenance, so that it would not be thrown wholly on the State." Mrs. Bramwell Booth, who gave evidence on behalf of the Salvation Army, proposed that the capital for building or suitable buildings should be provided, and the rent, rates and taxes met from public sources, that the institutions should be subject to State inspection, but that they should be Salvation Army institutions in which the Army should receive cases on payment of 1s. a day. Miss McKee, President of St. Marylebone Workhouse Girls Aid Committee, speaking of London, thought that homes for feeble-minded girls from the maternity wards of workhouses should be established by the Asylums Boards, or some body of that kind, as part of the general administration of Poor Law relief. But Miss Townsend, agreeing to the suggestion that the guardians or some local authority might make a grant towards the capital expenditure thought that this should be conditional on there being "a good body of managers who were not guardians."

Booth, Vol. II., 14117, 14118.

McKee, Vol. II., 16145.

Townsend, Vol. I., 4113, 4114.

II.—Homes for the Permanent Care of Children, Working Women and Girls.

506. Of the permanent homes six, perhaps, may be mentioned as of special interest from the point of view of the light they throw on the problem of the care of the feeble-minded. They are Miss Stacey's Homes near Birmingham, and Miss Grayson's at Parkgate, near Liverpool; the Coningham Road Home, and Miss Wemyss' Home at Painswick; and lastly the Sandlebridge Boarding School set on foot chiefly by the efforts of Miss Dendy, and the Institution at Sandwell Hall, West Bromwich, founded by the Rev. H. N. Burden and Mrs. Burden, where the principle of permanent care has been most absolutely and adequately accepted. Townsend, Vol. I., pp. 226–227.

507. The Laundry and Home of Industry near Birmingham have been established for girls over fifteen years of age. One contains accommodation for twenty inmates, "pure-minded and innocent young women needing a permanent home;" the other contains accommodation for twenty-five "young women who have had a first fall, and though not depraved, need a permanent home." The homes are approved by the Local Government Board and the charge is 6s. a week. The Birmingham Homes. Vol. I., 3903, p. 226.

As to results :—

> In twelve years, 101 cases have left the homes. Of these only *two or three* are reported to be doing well, so that the work of these homes if regarded as "Training," can hardly be said to be satisfactory, and neither is it satisfactory as permanent care, for only four of the original inmates admitted to those homes are now inmates. . . . With the exception of the two or three above mentioned *none* of the 101 girls who for one or other reason have left or been discharged were really fit to return to ordinary life, but they should all have been kept under restraint and supervision. Pinsent, Vol. II., 19148, p. 466, col. 2., p. 467.

The average weekly cost per inmate is at the one home 9s. 4½d., at the other 8s. 2½d. The earnings of the girls in the industrial departments—the laundry and the rug-making produce a nett profit of 1s. 11¾d. in the one case, and 2s. 4¾d. in the other. The actual cost of the inmates is thus 7s. 4½d. in the one, and 5s. 9½d. in the other home. These figures include rent and all other expenses.

508. At Liverpool, experience connected with a preventive home for girls over fifteen years of age showed that "the majority" of those admitted were "failures," sinking, more or less, rapidly into the lowest *stratum* of society; and it appeared that the fault "lay not in the home but in the girls themselves—they were feeble-minded"—that is, they were "so far of weak mind as not to be able to look after themselves"; they were lacking in "will power." As in the case of the Clapton and other homes, it was hoped at first that the girls after two or three years' training might be trusted out in the world, if placed in carefully selected places. It was found, however, that permanent care was absolutely necessary. There are two homes now, one for the permanent care of higher-grade defectives, admitted over fifteen years of age; one for the permanent care of lower-grade defectives of fourteen years of age. At each, there is accommodation for twenty cases; at both, there is laundry work. The Liverpool Homes. Grayson, Vol. II., 16933, p. 343, cols. 1 and 2. p. 343, col. 2.

In the "higher-grade" home, it appears that out of seventy-five inmates that have been admitted between the year 1892 and the end of 1904 twenty are still in the home, and have been there, many of them, for long periods. Of the rest, eleven have been placed out in service, of whom six are doing well; six have been sent to other homes, two as paid girls; twenty-four have been sent away as insane, fallen, or too feeble; eight have been taken away to relatives; one ran away; and four died of consumption. p. 346.

In the "lower-grade" home, established in 1898, the results in regard to those who have left or been discharged are still less satisfactory. p. 348.

In 1904 the average weekly cost per inmate at the higher-grade home was 12s. 6d., including rent, sinking fund for mortgage and all expenses. The laundry earnings amounted to £540; and by these earnings and individual payment for individual cases, *plus* about £21, the home is supported. The guardians pay about 6s. for cases. The inmates in the lower-grade home cost 13s. 9d. weekly, and the laundry earnings amount to £387; but about £100 has to be raised by private subscription to meet the annual deficiency. p. 347. p. 346. 16939. p. 348. 16944

509. Miss McKee, the President of the Marylebone Workhouse Girls Aid Committee, gives the following account of the Coningham Road Home for women and their infants, admitted chiefly from the maternity wards of Metropolitan workhouses. The Coningham Road Home. McKee, Vol. II., 16051, p. 292, cols. 1 and 2.

> "The Coningham Road Home was started in 1902. Eighteen girls have been admitted in three and a half years, the majority being from Metropolitan workhouses. Ten are still in the home, which is full. Two of these have been there from the commencement; six had had two children, and one, four or five. Five were under twenty-one

The Coningham Road Home—*contd.*

McKee, Vol. II, p. 292, cols. 1 and 2.

years of age, the others respectively twenty-eight and twenty-nine. Of the remaining eleven, three were very young, seventeen were of the age of seventeen and eighteen. Two of the girls had suffered from syphilis, and their two babies died from this cause. One girl only has been removed by the parent. The others had to be discharged for various reasons: one showed marked symptoms of insanity, and after being under supervision in a workhouse was sent to Colney Hatch. Several of the others were very unmanageable and as the demands on the home were greater than could be met undesirable cases were sent away to make room for more suitable ones. Two girls only have run away from the home; one returned of her own accord in a few hours, and the other took refuge in a workhouse and got so tired of scrubbing that she was only too glad to get back. The babies of both these girls were dead. Most of the girls in the home have come from very poor surroundings and are of a low type. Their parents are, as a rule, unsatisfactory. Two girls are reported to us as having been brought up in workhouse schools, and one only as of illegitimate birth. The children (eight) all under four years of age, have improved wonderfully with care, attention and proper feeding; two are considered by medical experts to be fairly normal, the others have neurotic and other unfavourable tendencies. We have been able to glean little information, if any, about the putative fathers of the children—the girls seldom know their names, they are, as a rule, 'loafers' who easily disappear, and the guardians do not follow them up for affiliation purposes, presumably because there is not sufficient evidence of paternity. The prevailing characteristics of these girls are—obstinacy, sullenness, untruthfulness, want of self-control, mental and physical, and laziness. It is, however, surprising what improvement *judicious* training (of which previously they have had little or none), regular hours, plenty of sleep, good wholesome food eaten at stated times, constant and varied employment, but not excessive work, makes in the girls; but I fully realise that this improvement is not sufficient to keep them safe from temptation if they were out in the world. I am convinced that if all our girls had to try and earn their own living and support their babies they would soon succumb again. Their work is not good; they are slow, clumsy, and careless; they require constant supervision, more than they could or would get in service; few mistresses of the better sort would put up with them as servants. One reason I assign for the little trouble we have had in keeping the girls is that we have not taken in laundry work, as is so usual in homes, and that, therefore, they have not been kept at the wash-tub and ironing-board from Monday morning till Saturday night. 'Feeble-minded' and morally weak as these girls are, they are sharp and cunning enough, most of them, to know when they are earning money; they are not keen in working for other people with no money for themselves, but are content to go on quietly doing the domestic work of the house—washing for the household, needlework, etc."

Vol. II., 16108.

Vol. II., 16101, 16152.

The experiment which the home represents is considered to have proved that, in the case of feeble-minded women leaving the maternity wards of workhouses, it is best for both mother and child that they should keep together; that the mothers can be employed, and will improve in small homes under strong personal influence, and that the children should attend the regular elementary school in the neighbourhood while the mother continues in the permanent home.

Townsend, Vol. I., 4023.

Another view is that there should be:—"A probationary home from which the women and babies should be drafted into the country—bringing up the children apart from their mothers, but to be in some touch with them until they are of an age when it could be definitely tested whether they are feeble-minded or not—at six or seven years old. Then they could be dealt with by the guardians."

Vol. II., 16081–16088.

The cost of maintenance is 10s. a week for the girls and 5s. for the babies: it is provided almost entirely by the payments from Boards of Guardians. The home is approved by the Local Government Board.

St. Mary's Home, Painswick.

510. Of St. Mary's Home at Painswick, a "permanent home for women and girls," Miss Wemyss says:—

Wemyss, Vol. II., 18505, p. 430, col. 1.

"The home began (1890) in a very humble way with only one inmate; at present it contains from thirty-three to thirty-six, of all grades of capability. The work done includes laundry, chair-caning, knitting rubbers, dressing dolls, besides the ordinary household work, and cooking. All are busy, from the skilled laundress to the poor defective who can only turn a washing machine and peel potatoes or knit rubbers; each gives the best of her service, and each one earns a wage in proportion to the value of her labour. By this method even the feeblest worker feels that she is of some use, and has the gratification of buying her own clothes, and contributing to her own little charities and pleasures, whilst the skilled, well paid laundresses have the joy of knowing that their work is helping to provide these great blessings in life, a good and peaceful home, and happy and useful employment not only for themselves but also for their weaker sisters.

Vol. II., 18538.

"The house is an ordinary one; two or three thrown into one. It is not very convenient, but it is the best we can have, and it answers its purpose. They do not live in an expensive way. They all live in the same way, and the amount spent on them is not great, yet I know it is sufficient, for nobody has ever complained.

Vol. II., 18528, 18529.

"The staff consists of a superintendent and an assistant matron in the house, and a cook matron and a workroom matron; and in the laundry a superintendent and six experienced laundry maids; and for outside work two men. The feeble-minded do a great deal, because they do the whole of the housework; they help in the cooking, so that they leave the laundresses absolutely free to do the whole of their work, so that it

Vol. II., 18543.

nyss, II., 3, 18526.

gives them a great advantage. Thus the inmates themselves earn very little indeed. The whole earning of the home, added to guardians payments, comes to 16s. or 17s. a head." St. Mary's Home, Painswick—*contd.*

Taking the series of years from October, 1896, to October, 1904, the receipts on the industrial work were £7,541, the expenditure was £7,538, so that the home in these years just paid its way. It is "maintained by its own industry, except the payment from the guardians." "It is about two-thirds maintained by having experienced workers in the home, working with the inmates." Nearly all the cases are workhouse cases. Wemyss, Vol. II., 18532, 18513.

This home is distinctive in several ways. It is supported by the recognised association of strong and capable women, who are paid wages, with the feeble-minded, who also earn wages in proportion to the value of their labour, on the understanding that the net profits of the common work should maintain the feeble. It has also been from the first a permanent home.

511. The boarding homes for boys and girls at Sandlebridge represent the most complete experiment for providing permanently for the feeble-minded. The aim of the homes is to deal with both boys and girls permanently. The Sandlebridge Homes.

Miss Dendy, Honorary Secretary of the Lancashire and Cheshire Association for the Permanent Care of the Feeble-minded, said :—

"Dr. Ashby, being physician to the Children's Hospital, has acquaintance in other ways with a great number of the poor mothers. I attend all his examinations of defective children, and in one way or another, we do arrive at a large number of family histories. We find the trouble quite as often handed down through the father or the father's side, of the family as through the mother or the mother's side of the family. Apart from that, we have this question; we generally know quite definitely who we have the children to deal with who are the children of feeble-minded mothers, but we very often do not know when we get the children of feeble-minded men. They do not come under notice in the same way as a woman—at every crisis of life the woman comes under notice but the man does not. As criminals and as paupers and as parents I consider that men are quite as dangerous as the women and very nearly, if not quite, as suffering. Dendy, Vol. I., 815.

The following is Miss Dendy's description of the establishment of these Homes :— Vol. I., 822.

"Perhaps you will allow me to go back a little way again to 1897. When I had seen these children and seen many of their parents I became quite convinced that to treat them only in day schools was, to a very great extent, a waste of time and money. I approached a few influential gentlemen in Manchester and put my case before them, and asked them if they would form a preliminary committee to enable me to take action. They were very good about it, and they did, and we formed a society which is known as The Lancashire and Cheshire Society for the Permanent Care of the Feeble-Minded, with the intention of getting hold of a certain number of children, and trying to prove that those children, in proper conditions, could be kept happily throughout their lives without hardship or forcible detention; though we should be very glad indeed to have powers of forcible detention. This society has about 500 subscribers and 300 members in Cheshire. It owns twenty acres of land, and we have built two schools, one for twenty-five girls, and one for twenty-five boys. We have accommodation there now for fifty children. We have great insufficiency of accommodation. We are about to build another school for fifty children, and the Cheshire County Council has entered into an agreement with us to take their defectives, and they are making us a grant towards our building expenses. We have, further, just arranged to rent a farm which is abutting on our premises, and which will, for some years to come, serve us as an overflow to put the boys in as they arrive at the age of sixteen or seventeen.

"We do not take in anyone over the age of thirteen. If we had powers of forcible detention we would take them in at any school age; but we find if we want to form their habits we must take them in young, so we take them in as young as we can get them, and we teach them that that is to be their home. The principle upon which we have gone is to hold it out to them as a reward that they may stay there if they are good and if they are naughty the chances are that they may get sent away.

"Our boys are now arriving at the age of sixteen, and they have never slept a night off the place since they have been there. Neither boys nor girls show the least restlessness. They are orderly and good. It is rather sad, in a way; you can manage them with a word; they are great big fellows now, working in the garden, some of them.

"We have two gardeners, two matrons, two deputy matrons, two teachers who teach the boys and girls in common in a little school which we have built outside both houses, and two servants. Besides that, we get a certain amount of voluntary help and this winter we shall have voluntary help from one of the Manual Instructors from the Manchester Education Committee, who, feeling that nothing could possibly be so good for defective boys as his own work (woodwork), volunteered to come down on Saturday afternoons, and teach these children all through the winter if we liked to accept his services. We shall have them at the benches all through the winter when the more delicate of them would not be able to be at work in the garden.

The Sandlebridge Homes—*contd.*

> "The results of putting these children into boarding schools are simply wonderful Boys who could not button their own clothes, and could not feed themselves decently when they came down, behave now quite absolutely nicely; they not only button their own clothes, but when the buttons come off, they go to their mother, as they call her, to fetch needles and cotton to put the buttons on. They knit their own stockings and knit all their own vests; they do a great deal of garden work and a great deal of cooking; they are making their own night shirts and, in fact, doing everything that girls usually do. As far as possible we are getting girls to do what boys usually do, so as to afford as much variety of occupation as we can. We have a little more difficulty with the girls, but not on the point of restlessness; simply they are rather more imbecile, taking them all round, than the boys. I have my meals with the children when I go down to stay the night, and they behave at table quite like little ladies or gentlemen. It is quite enough for the matron to say that she will 'tell Miss Dendy.' It is the utmost punishment really that is necessary, even for the big ones. They are as easily guided as little children, and their delight in the place is delightful to witness. We have pigs, poultry, cows, and sheep, and we have had corn and so forth this year. All those who are able put a hand to everything that goes on on the little farm; and every fresh event makes a fresh desire to stay.

Dendy, Vol. I., 971.

The boarding schools were built privately by the Lancashire and Cheshire Society for the Permanent Care of the Feeble-minded, but the society works in conjunction with the education authority, not only of Manchester but of Salford. The Cheshire County Council entered into an agreement with the society to supply twenty-five beds for Cheshire children on the receipt of a loan for £2,000 granted on the understanding that, in the event of the homes at Sandlebridge being closed, the loan should be repaid subject to certain deductions. "The society undertakes to give the council the first choice of so many beds, but does not pledge itself to keep them vacant." The Manchester and Salford school authorities and those at Bolton and Blackburn contributed towards the furnishing of the schools.

99.

1140.
1118.
1122.
1129.
1126.
1119.

The children at Sandlebridge cost £20 a head per annum, exclusive of charges for land and buildings. The £20 includes clothing, teaching, everything. The staff consists of two matrons, two teachers, two assistant matrons, two servants and two gardeners. There are fifty children. The buildings last erected, which are of an excellent class, cost £112 a bed; the next being semi-detached were estimated to cost £80 a bed. "The cost of food is 3s. 8d. a week. We feed them largely on what they grow themselves in the place. They get a little meat, but not a great deal."

Dendy, Vol. I., 824.

1140.
1131-1135.
1108.

Up to sixteen years of age, the education authorities pay for the children —contributing authorities £20, non-contributing authorities £25. The guardians pay £25 a year. Of children who have left at sixteen, Miss Dendy says:—

> "In Manchester at present we have only had five leave us at the age of sixteen There were two girls, and in each case I got the Union (in one case the Manchester Union, and in the other case the Chorlton Union) to have those girls and send them straight to Miss Grayson's Home for feeble-minded girls in Liverpool. In one case the girl has remained there—it is over a year—in the other case the mother, a bad woman and feeble-minded woman, at the end of six months removed the girl, and she is now at large in Manchester. The other three cases were boys, all epileptic. One is working with his father, who is a joiner. As the poor man says, 'he will be all right as long as I live, but I should like to know what will become of him after.' In the other cases the boys are at large. One is suffering very much. He beseeched me himself to take him to Sandlebridge, but he was too big and dangerous."

Sandwell Hall, West Bromwich.

512. Sandwell Hall, West Bromwich, an institution for the training and permanent care of the mentally defective was opened on April 23rd, 1907. The warden undertakes the organisation and management and is assisted by a Council and Visiting Committee.

The objects of the Institution are:—

(1) To provide training for certain mentally defective children who are unable to benefit by day school education and require custodial care. These children may be shortly classified as follows:—

(*a*) Mentally defective children living in very bad homes.

(*b*) Mentally defective children whose regular attendance it is not possible to secure at a day school owing to confirmed truant habits, or to the fact that their parents are periodically moving from house to house.

(*c*) Mentally defective children known as moral defectives.

(2) To provide a permanent home for mentally defective persons who can never become capable of earning their own living or of leading an independent life

It is hoped that the inmates will remain in the Institution during the whole of their lives, and, with this object, simple industries have been provided for them, including market gardening, farming, boot-making, tailoring, carpentering, laundry-work, weaving, etc. After long and careful training it is expected that most of the inmates will eventually be able to earn something towards their own support. Sandwell Hall, West Bromwich. —*contd.*

Children are maintained at the Institution (1) By friends or parents (2) By education committees; (3) By boards of guardians.

The fees are as follows:—for children under sixteen years of age, £24 per annum; for those over sixteen years of age, £27 10s. per annum. The reason for the increase of charge for over sixteen cases is that the Institution receives no grant from the Board of Education for cases over sixteen years of age.

The Institution is certified by the Board of Education for 200 children and during the last six months more applications have been made than the Committee could deal with. Before the Institution had been opened a year, the number of admissions exceeded 150. The Institution was also certified on December 28th, 1907, by the Home Office as an industrial school for mentally defective children, since which date several cases have been received under the Industrial Schools Acts.

513. To pass from description to conclusions. The notes that follow supplement the conclusions that were drawn in regard to the Homes for Improvable Cases (paragraphs 500-505). They show how far the inmates of these homes continue to be able to maintain themselves in them, and they throw light both on the greatness of the demand for accommodation, combined with suitable supervision, and on the character of the relations between the feeble-minded and their parents—evidence on which proposals and suggestions that we make are largely based, though often without specific reference to these pages. Conclusions in regard to Homes for permanent care.

514. First of all a summary statement may be submitted. The general results, in the case of the Homes for Feeble-minded Girls, Miss Townsend reported as follows:— General Results. Townsend, Vol. I., p. 232, col. 1 and 2.

> "One of these homes was started in 1890, three in 1892, five in 1897, and one in 1903.
>
> "Six hundred and ninety-seven girls have been received into the homes, 422 girls have left. Of these: 102 were sent to service, 145 returned to friends and relatives, 124 returned to unions, thirty-two were placed in other homes, eleven in asylums, eight died.
>
> "The after history of these girls to October 1st, 1904, shows that only seventy-one are now wage-earners, average 2s. weekly. Seven have been sent to workhouses, ten have been sent to homes, thirteen to asylums, five have married, twenty-one have illegitimate children, thirteen have died."

It appears from this:—

(*a*) That of the girls who have left the homes, in regard to whom there are notes, namely 371, about 27 per cent. went into service, with what result does not appear. The evidence which is given above shows, however, that possibly about two-thirds of those placed in service do well or fairly well under supervision. Townsend, Vol. I., p. 232, c. 2.

(*b*) That about 39 per cent. returned to friends and relatives. This result must be read in connection with the evidence above—and probably in the main it cannot be considered satisfactory.

(*c*) That about 33 per cent. had to fall back on some form of custodial treatment.

(*d*) That the notes given in regard to 140 girls respecting whom there is an after history show that the girls (seventy-one) in service earn about £5 a year and their board and lodging, probably about as much as should be expected in the circumstances; and that of the remainder (fifty-six), excluding thirteen who have died, more than half had had illegitimate children.

515. Next, the demand for accommodation is very great, and that which is available is quite insufficient. Thus Miss Dendy says:— Demand for accommodation. Dendy, Vol. I., 843.

> "At Sandlebridge we have a long waiting list. . . I do not know of places to which to send children. I am constantly asked: 'Will you tell me where to send my child, I can pay so much and so much.' There is nothing but the asylum. If they are not bad cases you can get them into an asylum for a period of years. If they are bad cases the asylum will not look at them, even if they can pay, unless they pay very heavily."

Demand for Accommodation —*contd.*
Pinsent, Vol. II., 19148, p. 466, col. 1.
Grayson, Vol. II., 16935.
Poole, Vol. II., 13572.
Pease, Vol. II., 15087.
Wemyss, Vol. II. 18558.

The National Association for the Welfare of the Feeble-minded report that in six years they received 2,686 applications; and that of these, 217—ninety-one men and boys, and 126 women and girls—were received into their homes. Two hundred and thirty-eight were referred to other homes and agencies; 281 were over age; forty-four under age; 338 were written off "no vacancy," and for the rest—except thirty, "not in need of charity," and 555 "applications withdrawn or not carried further"—no provision could be made. Townsend, Vol. I., 3903, p. 229. Bartholomew, Vol. II., 16430, p. 308, col. 1.

Others give similar testimony—alike in regard to the need of accommodation for residential training Homes for the higher grade cases, where the inmates will remain for long periods or permanently, and for cases of a lower grade in regard to which a permanent home is, properly speaking, indispensable.

Charges for accommodation.

516. Next, as in the first group of homes, those for the more improvable cases, the payments which public authorities are asked to make for those admitted to the more permanent homes are very moderate. The smaller charges are made in homes where there is additional income from subscriptions or other sources and where the inmates, either owing to being adults or to their better mental condition, can contribute by their earnings to a more material extent towards the cost of their maintenance. Thus: Birmingham, for women, 6s.; Liverpool, for women, 6s.; Painswick, 5s. to 7s.; Sandlebridge, children and young persons, about 10s. per week; Sandwell Hall, from 9s. 3d. to 10s. 7d. per week. The cost would appear to be a little in excess of what guardians would pay to maintain the feeble-minded in the workhouse.

Townsend, Vol. I., 3903, 226.

Need of speedier decision by the authorities as to admissions to Homes.
Townsend, Vol. I., 4008, 4009, 4011.

517. In the case of women with infants admitted to the Coningham Road Home from the maternity wards of workhouses, it is stated that:—

> "Probably the larger number of the applications that have not been admitted were those who refused to come at the last moment or had left the workhouse. One great difficulty is that it takes so long to have them admitted, owing to the delays of the Local Government Board and the guardians, that they very often take their discharge before it is settled. Each case separately has to be referred from the guardians to the Local Government Board and the consent of the Board to be obtained in each individual case. The delay is often fatal."

Relation of the feeble-minded to parents.
Townsend, Vol. I., 4025.

518. In regard to the relation of the feeble-minded to their parents some experiences may be noted. At the Coningham Road Home for the feeble-minded mothers from workhouse maternity wards it is said:—

> "The affection of the mothers for their children has all to be manufactured by us, practically. In very few cases of feeble-minded mothers is there any real maternal feeling."

As to payment, Miss Dendy, asked whether parents could pay, said:—

Dendy, Vol. I., 1001.

> "Yes, I do think so. I hold very strong opinions about that. I judge rather from the fact that money is always forthcoming, if the parents want to have it forthcoming. For instance, I had a child sent down to Sandlebridge and the officer who collects the money for the Educational Authority, found great difficulty in getting something for that particular case, but the relations found no difficulty in coming down seven strong, and paying 1s. 11d. fare each to see the child. . We have children at Sandlebridge whose parents pay sixpence. . . We have one whose father is paying £25 a year—that is as much as we ask—and we have another who is paying 5s. a week and finding his boy in clothes. It is mostly from sixpence to a shilling a week that is asked. The officers tell me that they are fairly successful in getting it. . . . If pains are taken the money can generally be got."

Vol. I., 1003.

Vol. I., 1008.

As to relations with the parents when the child is trained, we quote the views of some of our witnesses.

Miss Townsend:—

Townsend, Vol. I., 4264.

> "If we put the elementary school children into boarding schools, the parents will be very quiet as long as it saves them the trouble of the child, but when you have improved the child and he arrives at the age of sixteen, I think the probability is that the parents will take him away for what he can do for them."

Miss Bartholomew:—

Bartholomew, Vol. II., p. 307, col. 2.

> "The great difficulty with which we have to contend is the absence of any legal control over the girls when they reach the age of sixteen years."

Miss Grayson:—

Grayson, Vol. II., 16953.

> "To go back to their homes is very bad both for the girls and the home."

Miss Sterling:—

Sterling, Vol. II., 14377, p. 191, col. 2.

> "Naturally the parents, being responsible, have been pressed to contribute to the payment for the girls at the home. The result we find is that after some months they get tired of paying and begin to think the time is come for the girls to earn. Of course, *as the law now stands* there is no power to keep the girls under care, and so we have to let them go when the parents insist; and almost invariably they are sent to service, where they break down and return in trouble to their parents or to the workhouse."

519. On the financial side, it may be noted that apart from the payment by local authorities for individual cases, the Cheshire County Council have led the way towards the subsidy of voluntary homes by its conditional loan of £2,000 to the boarding Homes at Sandlebridge.

Financial aid for voluntary homes from local authorities.
Dendy, Vol. I., 999.

520. The question of detention has already been dealt with. The managers of the voluntary homes, it may be said, are unanimously in favour of the power to detain being vested in some authority or otherwise made enforceable.

Necessity for powers of detention.

521. Some general statistics based on the work of voluntary homes may perhaps be usefully appended. Miss Poole states that out of 1,500 girls dealt with by the Metropolitan Association for Befriending Young Servants in three years, 120 were, according to a practical working analysis, considered feeble-minded.

Some general statistics.
M.A.B.Y.S.
Poole, Vol. II., 13599, 13600.

522. During the three years—1902 to 1904—inquiries were made of all the Magdalen Homes in England—numbering 284; answers were received from 100 homes or groups of homes. From them it appeared :—

Magdalen Homes.
Townsend, Vol. I., p. 232, col. 2.

> "That 14,725 inmates had passed through the homes in that period, and that of these 2,521, or about 16 per cent., were returned as feeble-minded. Of this number 588, or 25 per cent., had one illegitimate child, and 198 (or 8 per cent.) were known to have had more than one, making a total of 786 (or 33 per cent.) mothers of illegitimate children, among the feeble-minded inmates. . . Tested in local groups or by comparison of separate homes the proportion of the feeble-minded was shown almost invariably to be 15 or 16 per cent."

In regard to this general count it has, however, to be noted (1) that no direct medical evidence as to the mental condition of the inmates was obtainable; (2) that some allowance should be made for girls who drift from home to home; (3) that some have criticised the figures as below the actual number.

Of the Magdalen Home at Birmingham, Dr. Potts states that :—

Potts, Vol. II., p. 470, col. 1.

> "Of 100 consecutive cases admitted twenty-six were feeble-minded, seven were cases of moral insanity, one was epileptic, one was lunatic, and one was deaf and dumb;"

and he gives statistics generally confirmatory of this percentage from other homes for defective girls.

523. Speaking on behalf of the Church Penitentiary Association, Mrs. Ruspini said :—

Penitentiary and Rescue Homes.
Ruspini, Vol. II., 12693, 12699, 12701.

> "In the home I have we take about 100 girls each year and pass them through my hands. I say quite half are feeble-minded and feeble-willed—quite fifty per cent. in my experience of eighteen years. I find they go down as soon as they get out from the care of a home. They want keeping for life, many of them."

And Her Grace Adeline Duchess of Bedford, Vice-President of the Pimlico Ladies' Association, referring to a Rescue Home said that :—

Bedford, Vol. II., p. 327, col. 2. p. 328, c. 1.

> "In four years twenty-seven out of 106 cases that had been received were found to be decidedly deficient in moral responsibility and will-power—ten being deficient to a marked degree in mental capacity. A few may be trained for service, but, as a rule, they are quite unfit to be trusted without supervision. We usually refuse such cases.
>
> "Thirty-one cases out of an average of sixty-seven inmates might be classified as feeble-minded. Many drift, after two years of the utmost care, to asylums, the union or their old life."

Mrs. Bramwell Booth stated that out of 5,518 new cases admitted to rescue homes of the Salvation Army in the United Kingdom, it was found that 573 were feeble-minded. Of these 115 had had one illegitimate child, twenty-six more than one.

Booth, Vol. II., 14053, p. 174, col. 1.

524. Inquiries were made by the National Association for the Welfare of the Feeble-minded of 222 reformatories, industrial schools and voluntary homes for boys, and 288 for girls, in regard to the number of the feeble-minded. In the case of the boys, eighty-nine institutions replied; fifty-two saying that they had no such boys; thirty-seven that 126 such boys had passed through the homes. Of fifty-six of these notes are given: thirty-eight are said to be wage-earners; ten have been sent to workhouses, six to asylums, and two to prisons. In the case of the girls, forty institutions stated that they had no feeble-

Reformatory and Industrial Schools.
Townsend, Vol. I., p. 233, col. 1.

Reformatory and Industrial Schools—*contd.*

minded girls, forty-seven that 216 such girls had passed through the homes. Notes of 102 of these are given: fifty-three are said to be wage-earners; thirty have been sent to workhouses, three to asylums, three to prisons, and thirteen are known to have had illegitimate children.

Homes for waifs and strays.

Rudolph, Vol. II., 13018, 13020, 13022.

525. Rev. E. de M. Rudolf says that of children who have passed through the institutions of the Church of England Homes for Waifs and Strays, 10 per cent. are feeble-minded. This amounts to 1,100 defective children in twenty-four years.

> "Of these some drift into infirmaries—I am afraid a great many. Some come to grief altogether, possibly drift lower and lower until they drift out of life altogether."

CHAPTER XXVI.

Conclusions and Recommendations.

526. This survey of the two main groups of voluntary institutions for the care of the mentally defective, apart from cases of unsound mind, suggests several conclusions.

Need of new definitions of classes of mental defect.

Recommendation IV., below.

527. First, that there is a great need for a better definition and classification of cases of congenital defect. We have had placed before us evidence of a change in the use of the word "idiot." Once it meant the whole class of congenital cases. Now it has come to mean the lowest degree of congenital defect, of which the higher degrees are indicated by the words "imbecile" and "feeble-minded." In Recommendation IV. we have adopted these words and given them, as far as possible, a definite meaning.

Need of a single statute for the care and control of the mentally defective.

Recommendation II.

528. Next, it appears to us that the confusion which we have shown to exist between the terminology of the Idiots Act and that of the Lunacy Acts of 1890 and 1891 should be removed, and that it should be made clear what provisions are applicable to idiots and to institutions for idiots—or rather applicable to the congenitally defective and the institutions for them—and what to those of unsound mind, or, as they are now called, to lunatics; and we recommend that the Idiots Act, and the Lunacy Acts be remodelled and drafted in the form of a single statute, which should contain all regulations for procedure, certification and the supervision of institutions which it may be necessary to insert in an Act for the care and control of the mentally defective. Such an Act should contain provisions materially extending the powers of the central authority over institutions of all kinds for the mentally defective, and especially that adequate provisions respecting ill-treatment, or neglect, carnal knowledge additions to or alterations of buildings, rules and regulations, and mechanical restraint should be made applicable to all classes of mental defectives.

Necessity for asylums for "idiots" to specialise.

Turner, Vol. I., 10825.

529. Next, we are of opinion that idiot asylums which now receive all types of congenital mental defect should in some way modify their policy. The tendency of progress is towards the better analysis and more varied treatment of these cases. As this takes place, the function of the institutions in which they are cared for must in some measure be specialised. The same staff for supervision and control is not required for the two-thirds of their patients, who are probably for the most part unimprovable, as for the one-third who are improvable. It cannot be any great advantage, therefore, that they should be all housed under one roof. If the one-third may best be cared for in the colony, or (as several of the superintendents of the asylums prefer, an institution to a colony) in the farm and industrial sections of the institution, they should form practically a separate establishment. Separately, in all probability, they would be able to provide for themselves to a much greater extent. A less expensive staff also should suffice for them, and it probably would have to be a different kind of staff. What the precise form of their specialisation should be may possibly be different in different institutions. It was, for instance, suggested that the county council or some such authority

should take over the worst cases. This would lead to the better or the more improvable cases being received and retained at the present asylums. But where, as at Earlswood, there is a large *clientèle* of paying patients the institution might assume that function as its chief purpose. And at Starcross, which has already specialised as an industrial school for the improvable, the work might be organised still further on that basis. In any event, however, it is clear that specialisation on the part of the asylums is almost inevitable, if the differences of the several classes of the mental defective are more and more clearly appreciated and if it becomes usual to provide for them in different ways. This applies also to Homes for the feeble-minded; but they already represent an endeavour to deal with a particular class, the class that is not imbecile but "feeble-minded."

Necessity for asylums for "idiots" to specialise—*contd.*

530. Another conclusion the facts suggest. The change of title which the committees of management of the asylums have already introduced should we think, be continued and even pushed further. The word "asylum," as now used, appears to us misleading. It savours of the mere detention of extreme cases whether of lunacy or idiocy. If the institution be in effect a hospital, it would be better so to call it. If it be a training home, it would better that it should bear that name. Probably, indeed, the reorganisation of the functions of the present asylums and homes for the feeble-minded will involve a change in the nomenclature of these institutions. We think that this would be a great advantage, not only for the reasons we have given, but because it would coincide with changes in public sentiment, an important factor in the success or failure of dealing with the mentally defective.

The disuse of the word "asylum" in the title of the institutions suggested. Recommendation III.

531. Next, the suggestions of the Idiots Act, with other evidence, lead us to propose that the section under which only one medical certificate is required in the case of persons under the age of twenty-one, for whom parents or guardians desire to obtain admission to any hospital or institution or licensed house, registered for the care, education, training and control of idiots and imbeciles, should be extended. We recommend that this procedure should be applicable to idiots, imbeciles, feeble-minded persons, moral imbeciles, and to inebriates, epileptics, or deaf and dumb persons who are also mentally defective. We, also, recommend that the Committee should have similar power to that of a parent or guardian in such cases. And after twenty-one, we recommend that supervision and control may, with the consent of the Board of Control, be continued in the same manner.

Adoption of the system of the single certificate.

Recommendations IV. and LII.

Recommendations XXVIII. and XLII.

532. Thus, as we have elsewhere explained, we suggest the adoption of a local authority, connected with county or county borough councils on the one hand, and on the other with the central authority, the Board of Control.

Suggestions for the utilisation of the asylums and the homes for the feeble-minded as part of a common system.

On this local authority would be placed, according to our suggestions, the statutory duty of making, directly or indirectly, "suitable and sufficient provision for the care and control of the mentally defective in the county or county borough." And besides powers of building, purchasing, etc., subject to approval, they may use grants from the Exchequer "in any way they may think best for the well-being of the mentally defective, and may contract with any . . . public or voluntary agency or private person . . . . for the care, education, training, or maintenance of any mentally defective person." We suggest, therefore, a plan which will impose on the local authority the statutory obligation to make provision for this class, and which will place at its disposal funds for making contracts with voluntary and other institutions for the purpose. The method, on which voluntary institutions are chiefly financed at the present time—payment for individual cases—may thus become established and regularised, without the least administrative difficulty, and arrangements may also be made for its extension. It is admitted generally that voluntary institutions are economically managed, and that it is of great service to have at the disposal of the authorities and the community that personal work, endeavour and influence which is characteristic of it. We hope that, subject to the imposition of certain conditions, a large amount of help may in this way be forthcoming under the encouragement of the committees for the care of the mentally defective, and the Board of Control.

Recommendation XLII.

Legge, Vol. I., 1177, 1200, 1246.
Bagenal, Vol. I., 2390.
Jenner-Fust, Vol. I., 2695.
Eichholz, Vol. I., 3874, 3876.
Fry, Vol. I., 5602, 5683.
Allen, Vol. I., 7542.
Allbutt, Vol. I., 9215.
Turner, Vol. I., 10808.

Conditions to be required of voluntary institutions.

Recommendations LIX-LXIII

533. If, where necessary, there is to be continuity of training and control—and that we accept as a fixed and inevitable principle—on the part of all voluntary homes, certain safeguards must be afforded. We propose that every institution should be registered and inspected, and should be required to appoint a medical officer, honorary or paid. This, useful in many ways, would greatly facilitate the transfer of persons from one institution to another, and their discharge.

Arrangements to avoid the clogging of special institutions by unimprovable cases.

534. Lastly, it is clear that all the institutions are clogged with cases of unimprovable mental defect, for which other and special provision should be made, unless they send their patients out, on expiry of their election term, as in the case of the asylums, or as in the case of the Homes, when they realise that further training is of no use. The result is either that the institution fails to be educational or that it becomes the passing abode of persons who leave it often only very partially improved, and who, when they return to the world, are quite unable to compete fairly with others or to take care of themselves. To meet this difficulty, of which the last two chapters afford ample evidence, we propose that there should be one authority in the county or county borough, which should have supervision of all institutions for the mentally defective, and be able, through its medical officers and by its annual survey of all cases, to ensure that the institutions should, as far as possible, be used each for its several purposes, and that those persons who require custodial treatment should be passed on to institutions fitted for them.

PART VI.

CAUSATION OF MENTAL DEFECT; DEFINITIONS OF CLASSES OF DEFECT; AND INVESTIGATION OF THE NUMBERS OF MENTALLY DEFECTIVE PERSONS.

CHAPTER XXVII.

The Causation of Mental Defect.

Reasons for, and extent of, investigation as to "causation."

535. In the reference upon which it is our duty to report, we are instructed "to consider the existing methods of dealing with idiots and epileptics and with imbeciles, feeble-minded or defective persons not certified under the Lunacy Laws," and "in view of the hardship or danger resulting to such persons and the community from insufficient provision for their care, training and control" we have "to report as to amendments in the law or other measures" that may be adopted to meet these evils. The widespread conviction which had been expressed by public bodies, charitable associations, and private persons conversant with the subject, that, under the existing laws, they were unable to provide the care, training and control that these persons required, was indeed a principal ground for the appointment of the Commission.

536. But perhaps the most important of our duties has been to consider the condition and circumstances of the class of "persons not certified under the Lunacy Laws." This class we provisionally defined as consisting of persons who were acknowledged to be suffering from mental defect, but whom, in practice, medical men were usually unwilling to certify under any of the existing forms of legal procedure; and inquiry has made it clear that the larger number of these persons are popularly described and known as "imbeciles" or "feeble-minded."

537. We endeavoured next to ascertain whether the exclusion of these persons from the operation of the existing laws was as unavoidable as it seems to be under the present practice of medical men; and after hearing a mass of evidence, which was submitted to us by many authorities of eminence and experience, we came to the conclusion that this was actually the case, and that it was necessary to make considerable changes in the law, if "imbecile" and "feeble-minded" persons were to be properly treated and controlled. This was illustrated especially by the present system of certification. Detention is usually a necessary part of "care" and "control"; but, before it can be enforced, certificates have to be furnished to prove that the case is one in which detention would be justified. This certification, it was amply shown in evidence, was, under the present procedure, applied to hardly any persons but those who were "lunatics" in the popular sense, that is, subjects of "acquired insanity"; or to those who were "idiots" in the popular sense, that is, persons in the lowest grades of mental defect. Certification was thus working so as to lead to the detention only of persons who, in accordance with popular phraseology, might be termed "lunatics" and "idiots," and to the exclusion of all other classes of mental defect from the benefits of segregation or detention in homes or colonies which might be of real service to themselves and to the community at large.

538. In the course of our inquiry we were satisfied that in this way a considerable number of persons for whom "proper provision for care, training and control" was necessary, were excluded from the operation of the law; and it followed that on this head we should make it our main object to recommend means (1) for providing appropriate care and training, and, wherever possible, individual improvement, and (2) for bringing under effective and suitable control persons of feeble mental powers who, left at large and without supervision, would be a danger and a heavy burden to the community and themselves.

539. While we were collecting information on these matters, we found it practically impossible, and deemed it undesirable, to exclude from consideration the great mass of evidence which was tendered to us in reference to the conditions and antecedents of mental defect, especially in the very large class of cases in which the evil dated from birth or from early life. Inquiries regarding the proper care and treatment of any disorder naturally involve the consideration of questions of causation and prevention; and, on these points, many of our

Reasons for, and extent of, investigation as to "causation" —*contd.*

witnesses held strong opinions. Accordingly, so far as it may be said to fall within the terms of our reference, we propose to deal with this branch of our subject in the present chapter.

540. An exhaustive investigation of the causation of mental defect is not within our province. We are not, as a body, specially constituted to undertake such a task, and perhaps the time has hardly yet come for a final pronouncement. We may fairly deal with the question, however, so far as to show the nature of the evidence that is forthcoming, its insufficiency as the basis of an absolutely final dictum on the subject, and its sufficiency as a general guide in practical administration.

541. In much of the evidence on causation terms were used without fixed meaning, in different senses by different witnesses, or in more than one sense by a single witness. This confusion has been no less noticeable in the medical than in the general evidence given on the important question of "Heredity," both before this Commission and at other inquiries of a cognate kind; and it seems to us to be desirable that this subject which forms an important part of physiology should be more specially emphasised than it now is in the medical curriculum. It is to this question of heredity that we now chiefly confine ourselves.

The relationship of "heredity" to mental defect.

542. Several witnesses dealt with the causation of all forms of mental abnormality collectively, including both insanity, commonly so-called, and mental defect dating from birth or early life; and, on this principle, without differentiation of terms, they ascribed a certain proportion of the whole sum of mental defects to "heredity." Others included in their purview of "mental defect," cases of mere "backwardness" in children, due to causes confessedly removable and attributed to heredity a corresponding percentage of "mental defect." Some used the word "inherited" in its strict sense and applied it only to transmissible traits which are innate and are of a like nature with ancestral traits, and not due to injury or disease acquired during gestation or after birth; while others attributed to the causal category of "heredity" all cases in which there was a history of any marked mental abnormality, or of nervous disorder of any kind among the more immediate ancestors. Others, again, whose experience or impressions led them to conclude that cases of mental defect occurred more frequently among the children of "tubercular" or "inebriate" parents than among the average population were apt to class under the "heredity" category those cases in which mentally defective children were the offspring of consumptive or drunken parents.

543. Apart from this loose and equivocal use of the terms "mental defect" and "heredity," another great difficulty has been the absence of any considerable body of statistics, showing, for instance, what number of mentally defective children are born in cases in which one or both of the parents are mentally defective, and, on the other hand, what number of normal children are born in these circumstances. Or again, where the parent or parents are normal what number of mentally defective children are born to them. In no country are there statistics available as to the number of children born with mental defect; and, to make a conclusive inquiry, it would be necessary to extend it beyond the immediate parentage of the persons adjudged to be mentally defective. This, under present conditions of administration and treatment, is practically impossible. It will thus be seen that, owing to the absence of necessary statistics, an absolutely conclusive reply, based on facts alone, cannot be given to the question whether a parent or parents who are mentally defective from birth are much more likely to have mentally defective children than are mentally normal parents. But though no such final reply may be given we may reasonably seek an approximate solution of our question in the detailed experience of qualified observers and in the contributory evidence of science.

Mercier, Vol. I., 6604, p. 363, c. 1 and 2.

See Chap. III.

544. There is a well-nigh universal agreement among witnesses, who appreciate and accept the term "feeble-mindedness" as indicating one of several degrees of mental defect, of which gross idiocy represents the lowest, that the greater number of these "feeble-minded" persons are mentally deficient from birth, though often the fact that mental defect exists is not discovered until later. And, further, it is agreed that, although by training some of these mentally defective persons may improve in a greater or lesser degree, most of them will remain unable to take their place in the world and to earn their own living without supervision or some external driving power. It is to the evidence offered to us respecting this class of case, rather than to that submitted to us in reference

Sherlock, Vol. I., 8905–8932.

to gross and very obvious forms of mental defect, that our comments on the lack of co-ordinated data as to causation are intended to apply. For undoubtedly, most of those who have great experience in the care and supervision of persons suffering from mental defect in these forms, such as "idiots" or "imbeciles," as described in Chapter XXVIII., state that in a very large proportion these persons are the offspring of mentally defective parents or are members of families in which other nearly related members are mentally defective.

The relationship of "heredity" to mental defect —*contd.*
Mercier, Vol. I., 6604, p. 364, col. 1.
Beresford, Vol. I., 5534–5546.

545. The evidence, however, reveals a marked difference of opinion in regard to the relative importance to be assigned to "heredity" as against what may be termed the influence of environment. Hence in respect to the causation of the large class of cases which in our Report we have designated as "feeble-minded" two opposing doctrines have been submitted to us. (1) According to the one, mental defect is spontaneous in its beginnings, and has a great tendency to recur in descendants, and thus is truly inborn and transmissible by inheritance. (2) According to the other, the evil influences of the environment are far more important than the innate and spontaneous defect of mental capacity; for, it is argued, they affect both parent and child, and include many adverse conditions incidental to intra-uterine existence. In the opinion of this second class of witnesses, therefore, mental defect tends not to be inherited, although some of them expressed a belief that not only is mental defect caused by external influences, but also that defect so caused tends to be inherited. The first of these doctrines is held, it should be said, by the large majority of witnesses.

Pinsent, Vol. II., pp. 463, 464, 465
Parr, Vol. II., p. 137, c. 1 and 2, 13,347, 13,348, 13,345.

546. Avoiding, as far as possible minute discussion as to the strictly biological aspects of the modes of hereditary transmission of mental capacity, and taking the word "hereditary" in this context as implying mainly the universal tendency of like to produce like, it would seem that this question is of practical importance to our inquiry in so far as any conclusions that can be drawn therefrom may support Recommendations made on other grounds for the indeterminate or permanent control of certain of the "Feeble-minded." There can be no doubt that feeble-minded parents do not and cannot bring up their children to be satisfactory members of the community. To this, those who are familiar with the home conditions of families where one, or both, parents are mentally defective, bear ample witness. Their children are often familiar from infancy with drink, crime, and all forms of sexual vice. Neglect and ill-treatment often render them physically infirm, and eventually, either as criminals or paupers, they have to be supported by the community. These reasons for permanent control are entirely apart from the question of direct transmission of mental defect, but in proportion as the probability be great of feeble-minded persons having similar offspring, the above-mentioned reasons for controlling them, in the interests of the community, would be strongly corroborated.

547. Among thirty-five witnesses (besides many others who have merely touched on the subject) who have expressed opinions on the part played by heredity in the production of mentally defective individuals, twenty-five attach supreme importance to the fact that in a very large proportion of cases of mental defect there is a history of mental defect in the parents or near ancestors. It is true that some of these witnesses include among cases of mental defect cases of acquired insanity, as well as cases in which, on the part of the parents, development of the brain has been defective from birth, and thus find support for their argument in a group of cases—cases of acquired defect or insanity—that lie outside it; and that others attribute mental defect in varying degrees to causes that lie altogether outside heredity, as we have defined it, as, for instance, to alcoholism or tuberculosis. Most of them, however, explicitly state their conviction that congenital mental defect is largely transmitted from parent to child; and many give large numbers of detailed and striking instances in support of this conviction.

Professor Sir T. Clifford Allbutt, K.C.B., Regius Professor of Physic in the University of Cambridge, says:—

Allbutt, Vol. I., 9156–9161, p. 533, c. 2.

> "I regard feeble-mindedness (if not accidental) as always hereditary, or in other words, it is a ratio of variation. I have never met with a case of manufactured feeble-mindedness apart from some accident either at birth or afterwards. . . . In a stationary population the prevalence of feeble-mindedness would be a calculable quantity; but in towns which have not stationary populations I should expect some diminution of it by mixture of strains." I do not believe in the existence of any transition between physical deterioration and feeble-mindedness. All arrested development is apt to run in families. I attach great weight to inheritance. Its influence is obvious to physicians in private practice; these know the difficulty of getting family histories which are worth anything. Feeble-minded persons are prolific; the thing can only be bred out.

The relationship of "heredity" to mental defect —*contd.*

Ashby, Vol. I., 9995, p. 580, c. 1, also 10058–10063.

Dr. Ashby, Medical Officer to Special Schools at Manchester, speaking from a very large and special experience, and using the term "amentia" as covering all grades of mental defect found in early life, says that :—

> "In at least 75 per cent. of the children with amentia that I have examined there was a strong probability that the amentia was hereditary and primary" (*i.e.*, spontaneous—not due to external influences.) He further says that he has observed no special tendency in the children of alcoholics or of women who suffer privation during pregnancy, or in those children who live in unfavourable conditions subsequent to birth, to develop "amentia."

Bedford Pierce, Vol. I., 10577, p. 611, col. 2.

Dr. Bedford Pierce, Medical Superintendent of the Retreat, York, stated from special experience that he considered heredity to be "by far the most important factor, and relatively more important in mental enfeeblement than in insanity."

Bevan Lewis, Vol. II., 11178–11181, p. 18.

Dr. Bevan Lewis, Medical Director of the West Riding Asylum, Wakefield, regards heredity in the strict sense as playing a very large part in the causation of feeble-mindedness :—

> "There is not the least doubt of it in my mind. I look upon feeble-mindedness as a germinal variation just as all 'variations' are."

Tredgold, Vol. I., 7281, p. 396, c. 1, 7343, 7345, 7351. Mott, Vol. I., 8015, p. 453, c. 2 and p. 454, c. 1, 8348. Bond, Vol. I., 8126, p. 465, c. 1. Kerr, Vol. I., p. 436, c. 1. Beach, Vol. I., 6937; p 383. c. 2, 7042–7043. Crichton-Browne, Vol. I., 5983, p. 329, c. 1. Beresford, Vol. I., 5530–5547. Scott, Vol. I., 4869. Parker Wilson, Vol. I., 4489. Sherlock, Vol. I., 8830, p. 514, c. 1. Smalley, Vol. I., 3542.

Dr. Tredgold, Physician to the Littleton Home for Defective Children, from an extensive study of the antecedents of mental defectiveness, states that over 80 per cent. of cases are connected with neuropathic inheritance, the remainder being due, in his opinion, to causes such as alcoholism or tuberculosis incident on the parents ; or to other influences affecting the children themselves. He has never seen a normal child born of two feeble-minded persons.

Similar evidence, with numerous cases adduced, was given by Dr. Mott, Director of the Pathological Laboratory of the London County Council ; Dr. Hubert Bond, Medical Superintendent of the County of London Colony for Insane Epileptics ; Dr. James Kerr, Medical Officer (Education) to the London County Council ; Dr. Fletcher Beach, who gave evidence on behalf of the Royal College of Physicians ; Sir James Crichton-Browne, one of the Lord Chancellor's Visitors in Lunacy ; Dr. Beresford, Medical Superintendent of Tooting Bec Asylum ; Dr. Scott, Medical Officer, His Majesty's Prison, Brixton ; Dr. Parker Wilson, Medical Officer, His Majesty's Prison, Pentonville ; Dr. Sherlock, Medical Officer of Belmont Asylum ; Dr. Smalley, Medical Inspector of the Prison Commission ; and several others.

Vol. II., p. 569.

Lastly we may quote the evidence of Mr. Frederic Wilkinson, Director of Education, Bolton Education Committee, to the effect that in almost every case when parents of mentally defective children appeared before the committee or before magistrates, it was found that the parents themselves were similarly afflicted. He gives an interesting list of cases medically noted in support of this statement.

548. The ten witnesses remaining out of the thirty-five mentioned in Paragraph 547 either relegate hereditary transmission of defective brain development (*i.e.*, of congenitally defective mental capacity) to a low place in their list of the causes of mental defect or, in some few instances, practically give it no place at all. Most of these witnesses consider that the conditions of the environment which affect the individuals and also the "physical deterioration" which enfeebles the parents are far more important causal factors. But few of the witnesses who hold these last-named views have had the experience, like most of those whose evidence is quoted in Paragraph 547, of large numbers of congenitally defective persons in institutions, or of seeing for themselves many of the parents of children under their care. Their opinions are, therefore, to a great extent, based on the theories which they hold concerning the nature of hereditary transmission of characters, and, in some instances, are due, in part, to the fact that they include within the category of mental defect, certain cases of mental dulness which are in all probability the result of neglect or other incidental causes, and are curable by proper care and training.

Of these witnesses, at least half merely express opinions which tend to minimise the importance of the factor of hereditary transmission, though they do not quote cases in support of their views ; while two of them express doubts of its importance, but state that their experience is not sufficient to come to a decision. Accordingly we quote from the evidence of three witnesses who have maintained these opinions most strongly and have cited certain statistics in support of them.

Eichholz, Vol. I., 3614, p. 205, c. 2

Dr. Eichholz, H.M. Inspector of Special Schools under the Board of Education, stated that feeble-mindedness was largely bound up with "general physical degeneracy" and was mainly congenital; but that there was no proof that heredity had any part in the production of 70 per cent. of all cases. He was of

opinion that a history of direct nervous heredity was to be obtained in only 5 per cent. of all cases; and that drink, phthisis, and depravity of living on the part of parents are much more frequently associated with feeble-mindedness in the child than either direct or indirect heredity. He further laid stress on the theory of a "law of healthy birth," and alleged that there was a marked diminution in the fertility of the feeble-minded and a great mortality among the infants of so-called feeble-minded families. In the course of his evidence he further stated that, according to his observations, from 40 to 50 per cent. of the cases which he classed as "feeble-minded" recovered under care and training.

The relationship of "heredity" to mental defect —*contd.*

3614, pp. 209 and 210.

In so far as Dr. Eichholz's evidence is based on facts, it appears to rest mainly on histories of school children taken for him by the teachers. His statements regarding the greater prevalence of feeble-mindedness in connection with physical degeneracy and in urban areas will be considered below with reference to the reports of the medical investigators; as, also, his allegation of the non-fertility of the feeble-minded. Among the cases which he quotes, many instances of backwardness, due to the absence of proper training, are apparently included.

Dr. Robert Hutchison, Assistant Physician to the Hospital for Sick Children, Great Ormond Street, bases his evidence wholly on 100 cases of mentally defective children observed by him in the course of ordinary medical practice. From these he deduces the conclusion that neither hereditary transmission nor any of the other factors which have been alleged as productive of mental defect play any part in its causation. He concludes, accordingly, that feeble-minded persons are not more likely to produce feeble-minded children than are persons of normal mental capacity, and that bad conditions in the environment are not to be credited with any causal influence. He considers the occurrence of feeble-mindedness to be a "pure accident," apparently not attributing it to any organic defect of the brain. At the same time, he admits the influence of heredity in the production of "lunacy." This evidence tells against the views of all other witnesses and authorities alike, and on the ground that the data on which it is founded are quite inadequate, we may disregard it. Moreover, it is difficult to conceive what can be meant by a "pure accident" which is neither a spontaneous variation nor an injury occurring before or after birth.

Hutchison, Vol. II., 11127 to 11133, pp. 9 and 10.

Inadequacy of data is, indeed, a difficulty which militates at present against any absolutely final statement. Thus Dr. Mercier, who gave evidence on behalf of the Royal College of Physicians, the third witness on this side whom we quote, holds that the paramount influence of heredity in the production of feeble-mindedness is not proved by statistical evidence. He uses the word "feeble-mindedness" in the definite sense detailed in Chapter XXVIII. of this Report; and thus differentiates it from idiocy and imbecility. He admits that idiocy and imbecility are probably due, in the main, to an inherent and transmitted vice of organisation, and that there is a much greater chance of feeble-minded than of normally-minded parents producing feeble-minded children; but the minor defect of feeble-mindedness may result, he considers, from incidental forces alone, apart from hereditary transmission. Accordingly, in the absence of any sufficient statistics, he is of opinion that injurious conditions of environment may so affect the development of the brain in childhood that they may account for a large number of cases of "feeble-mindedness" which may be congenital only in appearance, and may not be necessarily due to any innate brain defect. Dr. Mercier's evidence is clear and consecutive, and amounts to the conclusion that not only is the frequent transmission of feeble-mindedness by inheritance not proved, but, also, that the organic defect of brain which underlies feeble-mindedness may be often the result of external influences which during childhood affect the growth of the brain injuriously.

Mercier, 6604. Vol. I., p. 363.

549. We have now to consider briefly whether the balance of evidence is in favour of hereditary transmission of mental incapacity as an important factor in the causation of "feeble-mindedness"; or, in other words, whether it is in favour of the probability that mentally defective children will be born of mentally defective parents to a much greater extent than of normal parents.

In support of the importance of heredity, there is such evidence as this:—

(*a*) A large majority of experienced witnesses who hold this view and cite, many of them, a large number of weighty instances in support of it. This evidence of itself establishes a strong *prima facie* case, and the evidence which may traverse it is still to seek.

(*b*) The wide prevalence of this view among numerous observant individuals, other than medical, who visit the homes of the feeble-

The relationship of "heredity" to mental defect —*contd.*

Reid, App. Vol. V., p. 247.

minded. The value of this kind of evidence, based on simple enumeration unchecked by negative instances, cannot be precisely estimated; but its importance can scarcely be called in question.

(*c*) The almost overwhelming probability, from the biological standpoint, of this view being true. Against this position, shortly set forth below, there has been adduced practically but one argument, viz., the operation of the so-called "law of healthy birth," or, in other words, of the tendency of comparatively rare peculiarities, such as feeble-mindedness, to be swamped in the course of generations by blending or cross-breeding, *i.e.*, by the influence of normal parents. This argument, however sound, is clearly of little practical weight unless it be denied that feeble-mindedness is such a heritable peculiarity subject to such eventual swamping. Dr. Eichholz, however, who adduces this argument, does not deny this; for he enunciates the hypothesis that a "feeble-minded family is on the racial down grade, subject, in a few generations, to extinction." In this connection the probable nature of the swamping is of some importance. Speaking generally, the trend of the evidence indicates that the offspring and descendants of feeble-minded persons are either apparently normal or distinctly feeble-minded. In the same family occur both types, the same person may have both normal and feeble-minded offspring and descendants; the defect may skip one or more generations and appear later. It would appear, therefore, that the swamping may be due not so much to a gradual obliteration of the defect by a blending with normality, as to its becoming latent or overlaid by the latter. It would seem also that the probability of its re-appearance amongst descendants is in some degree proportionate to the frequency with which it has occurred amongst ancestors.

In corroboration of the belief widely held, as we have seen, by expert observers and very explicitly expressed (especially by Professor Sir T. Clifford Allbutt, K.C.B., Dr. Ashby and others) in the transmissibility and very frequent transmission of mental defect from parent to child, we would call attention to two memoranda submitted to us by Professor Sir E. Ray Lankester, K.C.B., and Dr. Archdall Reid respectively.

App. Vol. V., pp. 246–249.

Professor Sir E. Ray Lankester holds that congenital feeble-mindedness, or mental defect dating from birth or observed at a very early age, is spontaneous originally, and truly hereditary subsequently. It is a reversion to a more primitive condition of brain, and is certainly transmitted. It is not brought about by starvation or other such conditions; but, more probably, it is the result of easy conditions of life, which involve the absence of such selective destruction as obtains in nature and among more primitive men. The notion that causes such as "innutrition," wasting disease, improper period of parentage, or alcoholism, have anything to do with the form of "amentia" called feeble-mindedness is devoid of all proof. The teaching of biology is opposed to the possibility of such a connection.

App. Vol. V., p. 247, c. 2.

Dr. Archdall Reid is of the same opinion as Professor Sir E. Ray Lankester. Like most of the witnesses, he considers that the great majority of the cases of feeble-mindedness are innate, and that feeble-mindedness implies a brain defect, which is a reversion—a true variation—and must tend to be inherited. He also adduces several arguments and instances which traverse the theory of the environmental causation of feeble-mindedness.

550. The view that injurious conditions in the environment which affect the parent or the child *in utero* or after birth are of importance in the production of feeble-mindedness needs some further practical comment. The Memoranda quoted in the preceding paragraph (549) contain strong arguments against any likelihood of such factors being in any way operative as causes. Many races have been exposed to one or other of all the ill conditions which have been alleged as causes of filial deterioration. In every case the only apparent effect has been to render these races capable of dwelling comparatively unharmed under such conditions. It is not to be conceived that a race which deteriorates in every generation can emerge from the struggle not weakened, but strengthened. Moreover, almost conclusive disproof of this hypothesis is furnished by the facts submitted to us by the medical investigators. These observers show that feeble-mindedness is practically as common in rural as in urban districts, and probably no less prevalent among the well-to-do than among the poor. It is clear that if the contentions of those witnesses who place predominant stress

Vol. VI., pp. 234, 235, 236.

on adverse environmental influences as a cause of feeble-mindedness were just, there would be an unquestionable prevalence of this affliction among the urban poor :—the chief victims of poverty and disease.

The relationship of "heredity" to mental defect —*contd.*

551. With regard to the allegation of the small fertility of mentally deficient persons the reports of some of our medical investigators and other witnesses, both medical and otherwise, tend to show that although, as might be expected for several reasons, there is great mortality among the children of these persons, there is also a very marked degree of fertility and survival to adult age, especially among those of the higher grades who are termed feeble-minded. Miss Dendy, Honorary Secretary of the Lancashire and Cheshire Association for the Permanent Care of the Feeble-minded, a very experienced witness, has stated elsewhere that from her personal knowledge she can show that the higher grades of feeble-minded persons (who are the most numerous and dangerous) tend to have very large families ; and that she can prove this from the detailed records of 1,000 cases.

See Chapter XXIX.

552. It is not necessary here to dwell upon some other causes of mental defect, such as disease or accident in early life, or even before or at birth, operating through injury to the brain. Cases of this kind are recognised by all ; and do not complicate the present question. They occur in comparatively few instances.

553. In conclusion, we may fairly sum up the general effect of the evidence as follows :—

(1) That both on the grounds of fact and of theory there is the highest degree of probability that "feeble-mindedness" is usually spontaneous in origin—that is not due to influences acting on the parent—and tends strongly to be inherited.

(2) That, especially in view of the evidence concerning fertility, the prevention of mentally defective persons from becoming parents would tend largely to diminish the number of such persons in the population.

(3) That the evidence for these conclusions strongly supports measures, which on other grounds are of pressing importance, for placing mentally defective persons, men and women, who are living at large and uncontrolled, in institutions where they will be employed and detained ; and in this, and in other ways, kept under effectual supervision so long as may be necessary.

Conclusions
Scott, Vol. I., p. 276, c. 2.
Mercier, Vol. I., p. 364, c. 2, 6625, 6630, 6656, 6864.
Kerr, Vol. I., p.436, c. 1, 7867, 7954.
Mott, Vol. I., p. 456, c. 2.
Allbutt, Vol. I., p. 532, c. 2, 9190.
Langdon-Down, Vol. I., 9262.
Shuttleworth, Vol. I., p. 574, c. 1.
Ashby, Vol. I., 10067.
Bedford Pierce, Vol. I., 10663.
Damer Harrisson, Vol. I., p. 617, c. 2, 10772.
Wilkinson, Vol. II 12901.
Miss Dixon, Vol. II., p. 296, c. 2, 16176, 16199, 16207, 16231.
Penn Gaskell, Vol. II., p. 319, c. 2, 16504.
Whitcombe, Vol. II., p. 432, c. 2.
Potts, Vol. II., p. 475, c. 1.
Hime, Vol. II., p 518, c. 1, 19925.
Pasmore, Vol. II., p. 535, c. 1.
Rainsford, Vol III., p. 97, c. 2.
Nixon, Vol. III., p. 103, c. 2.

In our opinion, the general feeling of the people would at present rightly condemn any legislation directed chiefly or exclusively to the prevention of hereditary transmission of mental defect by surgical or other artificial measures. The possibility of adopting such measures was referred to by twenty-one of the witnesses, but only three of them expressed opinions in favour of the practicability of such a course.

The question naturally rises whether it is desirable and practicable that any steps should be taken to place obstacles in the way of the marriage of persons ascertained to be mentally defective over and above the restrictions on marriage and procreation which ensue from the detention in institutions of mentally defective persons in whose case such procedure is deemed necessary ; and, if there be a disposition to answer the question in the affirmative, the problem must be faced, to which of the classes of the mentally defective should such additional restrictions be applied.

Such legislation would not be an absolute novelty in English speaking communities ; but there is little or no reliable information as to the practical results of the tentative efforts in this direction which have been made in New Jersey and elsewhere ; and it is clear that such legislation however carefully restricted would in effect operate less by imposing an easily enforceable legal prohibition than by guiding and directing the advisory functions of medical and other authorities and in other ways, educating public opinion to the proper consideration of a very serious evil.

We are of opinion that it would be unwise to attempt to modify or supplement the existing law with respect to the marriage of "persons of unsound mind." It is perhaps unnecessary to refer to other objections to any such proposal ; it is clear that the limited and often temporary nature of this particular mental disability renders it impossible either to prohibit permanently the marriage of such persons or to set out in practically useful legislative proposals the conditions under which such marriages might take place.

No such obstacle, however, presents itself in the case of those persons who exhibit the congenital and incurable forms of mental defect, and we believe that a legislative prohibition affecting these classes would have useful direct and indirect effects.

CHAPTER XXVIII.

The Definition of Classes of Mental Defect.

The nomenclature of mental defect considered from the point of view of administration.

554. In our last chapter we discussed, especially, the causes of mental defect in early life; and concluded that, in the main it was attributable to primary defect of the brain, *i.e.*, not due to external causes; that it was truly transmissible by inheritance; and that its subjects were only within certain limits improvable. We have now to define and classify its variations. Mental defect represents several distinct variations from the normal, between which there are many grades that pass almost imperceptibly from the characteristics of one group to those of another. Our object, however, is to distinguish classes of defect for purposes of administration, rather than to note, identify, and compare grades of defect, from the point of view of science. Still we desire to adopt a system of classification which is in harmony with the best scientific opinion that we can obtain, for on it, if our proposals are adopted, will depend the system which we recommend, of registration and record, of certification, and of provision, institutional and other.

The selection of terms in place of the word "Lunatic."

555. We have considered the desirability of employing some one general term to indicate the whole class of mental defectives for purposes of certification and record, ignoring all subdivisions. This would be simplicity itself and much could be urged in favour of it. But we have adopted in preference the plan of definition and classification; because it is common practice to degrade words suggestive of objectionable conditions which people are unwilling to believe to be applicable to themselves or their relations. Hence the word "lunacy" has become more and more repellent until the use of it is indeed a hindrance in administration. The same sentiment in a degree affects the use of the words "idiot" or "imbecile," and even the later word "feeble-minded." But this feeling would be aggravated if the single word, whatever it might be, suggested for use as representing all classes of defects, became, like the word "lunatic," a word which, in the general estimation, represented only or almost entirely the extreme and more repulsive forms of mental defect. An endeavour would then everywhere be made to avoid both the use of the word and the use of the organisation for the care and protection of the several classes for which the State had made provision, but which would be inacceptable on account of associations connected with the name. The administration of the Lunacy Act, 1890, itself affords some evidence on this point. More and more it would seem that "receivership cases," dealt with under Section 116 (*d*) of that Act as cases of mental infirmity, owing to disease or age, in such a way as to control the property of the person only, are increasing in number; for "in the great majority of cases of alleged lunacy it is not necessary to obtain a greater amount of control over the person of an alleged lunatic than is indirectly obtained by the power of the purse." On the other hand "inquisition cases," cases in which the question of lunacy is settled by the Masters in Lunacy or by a jury, tend to become fewer. The method of inquisition brings the question of lunacy into prominence in relation both to person and property; the method of receivership minimises it and affords a private control over the mentally infirm person through the control of his property. The one therefore is acceptable and popular, the other deterrent and unattractive; and in matters which are at the option of the applicant, the greater or less considerateness of the procedure is always a chief question.

Shuttleworth, Vol. I., 9857.
Mercier, Vol. I., 6698, 6701.
Fischer, Vol. I., p. 155 c. 1.
2914, 2917, 2919, 2960.
Crichton Browne. Vol. I., 6168.
Fischer. Vol. I., 2961.

The relation of nomenclature to administration.

Recommendation III.

556. For such reasons as these we have recommended the use of the words "mentally defective" as a general term indicative of all classes of mental disorders, thus displacing the word lunacy from that position; for in certification at the present time there is hardly a question but that the word "lunacy" stands for the whole class, and that, as lunatics, many mentally defective persons besides those who would strictly be called "lunatics" and "idiots," are admitted to asylums. Thus, at Darenth, the children admitted to the institutions of the Metropolitan Asylums Board, though neither lunatics nor idiots, as these words are generally understood, are certified as such. So, in lunatic asylums of the county council, there are many imbeciles as well as idiots, "700 idiots and imbeciles, out of a total population of a little over 14,000, or roughly about 5 per cent." So also in such cases as that mentioned by Mr.

Rotherham, Vol. I., 8759.
Tredgold, Vol. I., p. 399, c. 1.
Troup, Vol. I., 1353.

Troup, in which "the Lunacy Commissioners were consulted and said that no idiot asylum would take the lad in question; they did not think he was certifiably insane." Yet finally he had to be left in the county asylum, which "certainly did not seem a very appropriate place for an imbecile of that class." Accordingly we would displace the word "lunatic" as representing the whole class of mentally defective. But we would go further and would displace it also as a word signifying the more extreme forms of mental defect due to mental disorder or derangement. Instead of it, in that sense, we would use the words "person of unsound mind." The change is not merely pedantic. We desire to promote the establishment of such institutions as are necessary for the classes which the different words of our classification represent; and we would prevent the sending of patients who, though differing in the extent of their defectiveness, are called by one name, to institutions unsuitable for them, as much as we would avoid the sending of such patients to suitable institutions under quite unsuitable names, as when feeble-minded children are sent to Darenth as certified lunatics or idiots. Thus, the utility of a satisfactory nomenclature is largely administrative. By its use, also, another advantage may to some extent be gained. The expenditure on some classes of mental defectives, as we saw in the case of some classes in the idiot asylums, and amongst other instances in the case of the senile dements at Tooting Bec, is much greater than on others. Difference in nomenclature should tend to prevent this, carrying into it a difference in certification, and by sequence a difference in the selection of the institution suitable for patients certified. Instead, therefore, of imbeciles, for instance, being treated in expensive establishments, they would be provided for economically as requiring little beyond employment, maintenance, shelter and control. And, in consequence of changes of this kind, consistent alike with a better nomenclature and more exact certification, institutions and homes might to a larger extent be specialised; and asylums might become hospitals to a much greater extent than they are at present, thereby fulfilling an infinitely greater service to science and to administration. Thus the names which we desire to introduce imply differences of treatment, and suggest discrimination, both in the selection and admission of cases and in the use of means.

The relation of nomenclature to administration —*contd.*

Pelby, Vol. I., 5293.

Dendy, Vol. I., 986.
Lawrence, Vol. I., 7679.
Caldecott, Vol. I., 10385.
Tredgold, Vol. I., p. 399.

557. From very early days, not the word "lunatic" only, but also the words "of unsound mind," or "*non compos mentis*," have been in use as representing the class which we generally term "insane," as distinguished from the class "idiot" or "natural fool." And the Statutes ring the changes on the words "lunatic," "insane," "of unsound mind" as representing a mental condition which the judges in 1843, in their answer regarding the Macnaghten case, defined as "defect of reason from disease of the mind." Of these words, we have chosen "of unsound mind" as the most suitable to supersede the word "lunatic;" and our definition of it is a "person who requires care and control owing to disorder of the mind and is consequently incapable of managing himself or his affairs."

The use of the words of "unsound mind."

The Law and practice of Lunacy; G. W. Abraham, p. 25.

Cf. Criminal Lunacy Act, 1800, Criminal Lunacy Act, 1838. Lunatics Removal (India) Act, 1851. Trial of Lunatics Act, 1883. Recommendation IV.

558. This definition requires further consideration in reference to the terms now used in the Lunacy Act of 1890.

The classes dealt with under the Lunacy Act of 1890.

We propose that future procedure in regard to cases of alleged unsoundness of mind should be founded as closely as possible on the procedure of the Lunacy Act of 1890. It is the more necessary, therefore, to consider the terminology of the Act in relation to the classes which it mentions. The first part of the Act, that on "Reception of Lunatics," as the forms of certificates show, refers to "a lunatic [or idiot or person of unsound mind]." We desire, as we have said, to omit the word "lunatic," and to use the words "person of unsound mind" as the sole words applicable to the class above defined. The use of the word "idiot" in connection with this class would thus be set aside absolutely; it would have the special meaning now generally ascribed to it, as defined below.

The other phrase in the Lunacy Act which defines a lunatic is found in Part III., "Judicial inquisition as to Lunacy." A person found lunatic on inquisition (Sec. 90) is adjudged to be "a person of unsound mind and incapable of managing himself and his affairs," or "himself *or* his affairs." (Sec. 94 and 95.)

The classes dealt with under the Lunacy Act of 1890—*contd.*

A third class provided for by the Lunacy Act is the "mentally infirm." This class is not a "lunatic" class. By Sec. 116 (*d*) the benefit of the Act as to the management of property is extended to "persons not detained as lunatics and not found lunatic by inquisition with regard to whom it is proved to the satisfaction of the Judge in Lunacy that such persons are through mental infirmity arising from disease or age incapable of managing their affairs." Hence these persons are included in the Act in order that their property may be protected and cared for, when they are themselves unable to care for it owing to mental infirmity. They are not technically "unsound in mind."

Recommendation X.

The advantages of this clause, for the management and administration of property, we propose to extend to all classes of the mentally defective. We consider it here, therefore, merely as representing a class of the mentally defective, and we retain the term "mentally infirm" as the name of a class of persons who "through mental infirmity, arising from age or from the decay of their faculties, are incapable of managing themselves or their affairs." The proviso "arising from disease" we omit. It is unnecessary, as the definition of "persons of unsound mind," in which the mental defect is referred to as due to "disorder to the mind," already provides for such cases.

Recommendation IV. (1).

Definitions of classes of mentally defective persons.

559. The distinctive phrase of the Lunacy Act "unable to manage themselves or their affairs" we have taken as the determining words in these and other definitions, and in view of the definitions in the Act we have in the first place recommended these two, as representing classes of persons who should come under the supervision of the Board of Control:—

Recommendation IV.

(1) "Persons of unsound mind," *i.e.*, persons who require care and control owing to disorder of the mind and are consequently incapable of managing themselves or their affairs, and are not included in Classes (2), (3), (4), (5), (6), (7), (8), and (9) below.

Recommendation IV.

(2) "Persons mentally infirm," *i.e.* persons who, through mental infirmity, arising from age or from the decay of their faculties, are incapable of managing themselves or their affairs.

Savage, Vol. I., p. 357, c. 2. Crichton-Browne, Vol. I., 6006. Mercier, Vol. I., 6687.

For the definitions that follow we are chiefly indebted to the Royal College of Physicians of London. It would have been possible for us to adopt the usage of defining the next three groups of mentally defective persons as "higher grade" or "lower grade" idiots or imbeciles, whichever word might have been then selected as distinctive: but we have thought it best to use words already known and generally used and, in a manner, waiting for definition. The definitions are:—

Recommendation IV.

(3) "Idiots," *i.e.*, persons so deeply defective in mind from birth or from an early age that they are unable to guard themselves from common physical dangers, such as, in the case of young children, would prevent their parents from leaving them alone.

(4) "Imbeciles," *i.e.*, persons who are capable of guarding themselves against common physical dangers, but who are incapable of earning their own living by reason of mental defect existing from birth or from an early age.

(5) "Feeble-minded," *i.e.*, persons who may be capable of earning a living under favourable circumstances, but are incapable from mental defect existing from birth or from an early age (*a*): of competing on equal terms with their normal fellows; or (*b*) of managing themselves and their affairs with ordinary prudence.

(6) "Moral imbeciles," *i.e.*, persons who from an early age display some mental defect coupled with strong vicious or criminal propensities on which punishment has little or no deterrent effect.

(7) "Epileptics," *i.e.*, persons who, being epileptic, are also mentally defective,

(8) "Inebriates," *i.e.*, persons who, being inebriates, are also mentally defective.

(9) "Deaf and dumb" or "blind" *i.e.*, persons who being deaf and dumb or blind are also mentally defective.

560. We will consider these definitions in some detail. First it might be said that the words "incapable of earning a living under favourable circumstances" suggest a test which, though it may be applicable to children of twelve, is hardly applicable to children of a lesser age. The question was put to Dr. Tredgold. His answer was: "I think it is quite possible to say, even at the age of seven, with a certain degree of probability, whether a child would be able to earn his living or whether he would not (you could not be absolutely certain until you tried him) just as it is possible to differentiate between idiocy and the normal condition at a much earlier age than seven years."

The use of the words "incapable of earning a living," as applied to children.

Tredgold, Vol. I., 7450, 7452.

And we have adhered to the definition, as suggested by the Royal College of Physicians for, as our evidence shows, being able to earn a living is often, on the social side at least, the critical question in regard to feeble-minded children. All these definitions, applied to quite young children, must be in some degree presumptive. The very good definitions submitted to us by Sir James Crichton-Browne, of the "imbecile" and the "feeble-minded" do not turn on the "capacity of earning a living, but they have in some measure to define the child by anticipation, by standards applicable to a later time of life than early childhood, such as prudence, independence, and self-control" or "taking care of himself in the common affairs of life." These definitions are:—"An imbecile is a person who by reason of arrested development or disease of the brain dating from birth or early years has the use of his observing and reasoning faculties so restricted as to incapacitate him for education in the ordinary sense or for taking care of himself in the common affairs of life, and who in his appearance and manner generally evinces his mental shortcomings."

Crichton-Browne, Vol. I., 6006–6008.

6007.

"A feeble-minded person is one who by reason of arrested development or disease of the brain dating from birth or from some age short of maturity has his observing and reasoning faculties partially weakened, so that he is slow or unsteady in his mental operations, and falls short of ordinary standards of prudence, independence and self-control."

6006.

561. To take another point. In the definition of "feeble-minded" which we have adopted, we assume, as the Royal College of Physicians do likewise, that "the prodigal and the facile" are included. Much evidence in regard to this has been submitted to us. Sir James Crichton-Browne and Dr. Savage emphasised the need of including these cases among the mentally defective; and Mr. C. M. Barker, President of the Incorporated Law Society, and Mr. J. W. Budd, who also appeared on behalf of that society, stated:—

"The prodigal and the facile."

Crichton-Browne, Vol. I., 5985. Savage, Vol. I., 6532. Mercier, Vol. I., 6680. Budd, Vol. II., p. 363, c. 1, 17365–17371. Barker, Vol. II., 17073. Rawle, Vol. II., 17426.

> "That it would be desirable to give the Court of Chancery on the application of any relation, power to appoint a receiver of the property of any spendthrift or other feeble-minded person not coming under the provision of the Lunatic or Idiots Act, and to give directions to the receiver as to how the money, whether capital or income, is to be applied for the benefit of the feeble-minded person, and to prevent such person from having power to deal with his property or contract obligations of any kind without the assent of the receiver or the approval of the Court, leaving it, of course, open to the person against whom such an order might be obtained to apply to discharge it or modify it on good cause shown."

We have assented to these suggestions, and under the above definition of "feeble-minded," cases like those which these witnesses mentioned could be dealt with under a new Sec. 116 (*d*) of the Lunacy Acts, enlarged and revised.

Budd, Vol. II., 17267. Barker, Vol. II., 17161.

562. The next class is the "moral imbecile." Again, Sir James Crichton-Browne has furnished us with an admirable definition. It is as follows:—

The moral imbecile.

> "The moral imbecile is a person who by reason of arrested development or disease of the brain dating from birth or early years displays at an early age vicious or criminal propensities which are of an incorrigible or unusual nature, and are generally associated with some slight limitation of intellect."

Crichton-Browne, Vol. I., 6007.

If this definition be adopted, or the definition which we have recommended, it will be possible to bring persons of this class under control, and, if need be, detention, if they are found to be mentally defective within the terms suggested. Several witnesses cited cases of the kind, one or two of which we think it well to mention.

Recommendation IV.

Dr. Mercier, when asked to state the reasons why feeble-minded people who are "socially dangerous," who "have an unimprovable degree of feeble-mindedness," are not certified, mentioned one instance. He said:—

> "I think the reason for non-certification undoubtedly is the prevalent opinion that insanity is necessarily a disorder of intelligence, that it means delusion, or it means intellectual disorder or intellectual defect, and that it is recognised by a comparatively

Mercier, Vol. I., 6806.

The moral imbecile—*contd.*

small number of medical men and by a still smaller number of magistrates, that insanity may be manifest in conduct alone, and that a person may be free from delusion and may be intellectually extremely acute and clever, and yet insane, on account of conduct alone.

"I may give an instance or two. I was consulted a short time ago about a gentleman who went about and bought things. He bought a large number of clocks and gave them away to people with whom he had scarcely any acquaintance at all. His total income was only about £200 a year, yet he bought £10 or £15 worth of clocks, and gave them away to people with whom he was scarcely even on nodding acquaintance. He jumped off the pier, with all his clothes on, into the sea—as he said—to cool himself. He did various other acts quite as insane as that, but he was exceedingly acute; he was a man who could argue, as they say, 'the hind legs off a dog;' it was impossible to catch him tripping; he had plausible reasons for everything he did. I certified him on account of his conduct, rapidly running through his money, spending it recklessly on all kinds of foolish things, of which the clocks are one instance out of many. I certified him as being insane, but no magistrate would make an order on that certificate, and I had to go down to Oxford myself and personally persuade the magistrate that it was a case that ought to be certified, and the justice of his detention was proved within a few months by his becoming distinctly insane and cutting his throat."

This reply indicates the change which the definition, if adopted, would entail. The existence of mental defect would not be considered settled by the answer to the question, whether the offender "knew the nature and quality of the act he had done; and if not, whether he had done wrong," but by a decision on the issue whether the facts interpreted by the evidence of vicious or criminal propensities and incorrigibility proved that the will and judgment were so abnormal as to amount to mental defect.

Savage, Vol. I., 6559.

Dr. Savage, who, like Dr. Mercier, gave evidence on behalf of the Royal College of Physicians, also mentioned some typical cases. He said:—

"There are certain persons who seem to have no sense of the rights of property; they steal—the so-called kleptomaniacs. One saw a good many of these cases, but beyond the fact of stealing they showed no intellectual defect. Very often they were brilliant people. The contention of the College of Physicians up to a recent time has been that such people should not be treated except as criminals. There are certain individuals, sometimes intellectually quite brilliant, but no experience teaches them they should not steal; they steal in the most open and stupid manner. Take an example; a boy is told that there is a thief about, they are going to put down some postal orders to catch him; the boy, the first time he comes into the room takes up the postal orders and goes off and cashes them. In other respects that boy was rather a brilliant boy intellectually, with the exception of his not appreciating the rights of property."

"In the same way one sees individuals who are immoral. Take an example; it hardly falls within your ground, because I stretched the line and signed the certificate, though I should hardly like to be cross-examined on it—a girl at ten years of age who was a thief and a liar to an extraordinary degree. When she came to about seventeen, lust developed to such an extent that there was no controlling her. Her parents, who belonged to the good middle class, were refined, nice people. She slipped away from her home and led the life of a prostitute for a night or two. She is brought back, and on the first opportunity she again slips away from home. When I see her she says, 'Oh, yes;' she admits she has done this, that, and the other. 'Are you not sorry?' 'No.' 'Suppose we let you go into the country, what will you do?' 'Come back to town and do the same thing again.' There is an individual who began by being morally insane in relation to property, with a complete disregard of truth, and when she becomes adolescent, becomes morally insane so far as lust is concerned."

Savage, 6560.
Bund, Vol. II., 19499.
Clepham, Vol. II., 18469.
Raw, Vol. II., p. 399, c. 2.
Bartholomew, Vol. II., p. 307, c. 2.

And the evidence shows that there are many such cases.

The morally insane.

563. Of another class also—the morally insane—definitions were suggested to us. The definition of the Royal College of Physicians was as follows:—

Savage, Vol. I., p. 357, c. 1.

"'*Morally insane person*' means a person who, after many years of reputable life, all at once unaccountably exhibits vicious propensities, or takes to criminal courses."

Sir James Crichton-Browne's definition is—

Crichton-Browne, Vol. I., 6007.

"A morally insane person is one who, by reason of disease or disorder of the brain, has undergone a change of character manifested in a course of vicious or criminal conduct without obvious impairment of intellect."

These definitions connect themselves not with the retardation of the brain which manifests itself at birth or in the early years of life, but with disorder of the mind at a later date, or "acquired." The morally insane are thus included in the definition of "Persons of Unsound Mind" in Recommendation IV. And we do not consider it scientifically correct to constitute them into a separate category.

The use of the definitions.
Mercier, Vol. I. 6687, 6691.

564. On the definitions generally we have now to add a few words. The Royal College of Physicians, in framing the definitions of idiot, imbecile and feeble-minded persons, desired "to emphasise the fact that those were three degrees of a single defect; and, as the terms had never been demarcated from one another, to put forward useful lines of distinction between them, showing where the one may be considered to begin and the other to end." They drew up

the definitions "for purely practical purposes." We have, therefore, adopted these definitions as they stand, for practical purposes only. It is to be clearly understood that the scientific question of the causation of feeble-mindedness, whether, for instance, it be mainly "inherited" or "acquired," has no bearing on the use of these definitions. The complete set of definitions given in Recommendation IV. are to be regarded, in our opinion, as covering all cases of mental defect to which those who are interested in the care, training, and control of such persons have called attention.

The use of the definitions—*contd.*

565. There is one other class to which we have to refer—the persons who are discharged from lunatic asylums, though they are "unrecovered." At present a person who has been admitted to an asylum under the usual procedure of the Lunacy Act, 1890, and who, under the intra-mural conditions of asylum life, appears to have recovered, is absolutely released or sent out on a month's trial; and "many of them," we are informed, "are brought back within the month." Dr. Mott, thinks there is "a considerable amount of untreated lunacy in the country resulting from premature discharge of this kind." This prematurity of discharge, it is stated, is in part due to want of accommodation, and in part to the absence of "a better history of the patients as to the cause of insanity." It has also been alleged that it is often attributable to a feeling on the part of medical superintendents that they cannot in such cases sign such a continuing certificate as will satisfy the scrutiny of the Lunacy Commissioners. The patient has, in the guarded life of the asylum, become rational and tranquil; the medical officer feels at a loss, therefore, in attempting to set out "facts observed by himself" to support a certificate of insanity. We are satisfied that no real ground exists for this apprehension, and that the Lunacy Commissioners or the Board of Control as they would be in the future, would not in any case insist on the discharge of a patient whose speedy relapse might reasonably be anticipated. Both of these defects should, we think, be met by our recommendations. A good system of recording, such as we propose, coupled with a series of clear definitions, under which patients requiring treatment may be certified and dealt with, not all alike as "lunatics," but individually as persons requiring special treatment, should prevent these evils. Persons whose mental attacks may for a time have passed over, but who remain subject to quick relapse when they face the stress or the temptations of the outer world, should in this way be retained and controlled until, if it be possible, they recover completely and satisfactorily. These and other advantages, we hope, may follow from the use of the nomenclature which we recommend, and the methods of certification and provision which depend on it. It can be argued that the Lunacy Act of 1890 covers, or should cover, the whole ground of mental defect which may be included in the terms "lunatic," "idiot" and "unsound mind," if to the last of these words a very wide meaning indeed be attached. But in fact, except casually and arbitrarily, all mentally defective persons but "lunatics" and "idiots" have come to be excluded from the operation of the Act. We hope, therefore, that with the aid of a remodelled Statute and by the adoption of the nomenclature which we recommend, many persons who are not "lunatics" or "idiots," and who require very different treatment from either, may receive the protection which they greatly need, but which is altogether denied them at present.

The definitions considered in relation to "unrecovered" cases.

Mott, Vol. I., 8040, 8042, 8084, 8085, 8097.

Mercier, Vol. I., 6698.

CHAPTER XXIX.

General Statistics and the Reports of the Medical Investigators.

566. In Part II. of the "Reports of the Medical Investigators with Memorandum thereon (Volume VI.)" a summary of the results of the investigation made by the Medical Investigators is given; and in Part III. follow tables compiled from the figures which they collected; and, lastly, in Part IV., come their reports. In dealing with different branches of our subject, we have already quoted figures and statements from these reports. Accordingly, here we propose to deal only with three questions: the general statistical results of their inquiry; the evidence in regard to the number of the mentally defective as furnished by the last census; and, finally, the natality and mortality of mentally defective persons.

Reports of the medical investigators with memorandum thereon. Vol. VI.

I. General Statistical Results of Inquiry by our Medical Investigators.

Reports of the medical investigators with memorandum thereon—*contd.*

567. The classification of mental defect which was adopted for use in the investigation was in the main the same as that which in the recommendations we made in the last chapter, Chapter XXVIII., we suggested as suitable for purposes of certification and administration. The inquiry was made in the years 1905 and 1906.

Vol. VI., Part II.

The areas investigated were selected as fairly typical. As urban areas were chosen Stoke-upon-Trent, Birmingham, Manchester with Chorlton and Prestwich, and Hull with Sculcoates. As a mining district, otherwise rural, the area of the unions of Chester-le-Street, Easington and Sedgefield in the county of Durham were selected. As rural areas, were taken six unions in Somerset—Bridgwater, Taunton, Chard, Wincanton, Langport, Yeovil; ten unions in Wiltshire—Bradford-on-Avon, Pewsey, Chippenham, Salisbury, Swindon, Devizes, Tisbury, Trowbridge, Marlborough and Wilton; in Nottinghamshire four unions, partly rural, partly mining and industrial—Mansfield, Southwell, Newark and Bingham; in Lincolnshire six unions—Glanford Brigg, Caistor, Louth, Spilsby, Horncastle and Bourne. Lastly, in Wales: in Carmarthenshire four rural unions were chosen—Carmarthen, Llanelly Union, Llandilo Fawr, and Llandovery Union; and in Carnarvonshire four unions—Carnarvon, Bangor, Pwllheli and Conway. In all cases union areas were selected, and in all the rural areas of investigation there was a fairly equivalent population of 130,000 to about 150,000 persons. The population of all the areas taken together is 2,362,222. London, it will be seen, is not included. There was, as our report shows, much information in regard to London, and the difficulties of making a complete census there without incurring very large expenditure were practically insurmountable. Yet, on the whole, the population of the two millions and a third, composed of urban, mining, and rural elements, may be accepted as fairly representative.

Tabular statement of results in the population of the combined areas selected.

568. In this population, if we omit all certified lunatics, whether paupers or not, we find that there were 10,925 mentally defective persons, or ·46 per cent. of the population. None of these figures are estimated: they are the figures as enumerated by the medical investigators. The results may be tabulated thus:—

Totals, less certified lunatics, of Mentally Defective Persons in the selected areas, England and Wales, in relation to local and other authorities and institutions for Education, Poor Relief, Crime and Lunacy, etc. Population, 2,362,222.

See Vol. VI., pp. 7, 8, 9, Part I, and Tables III., IV., and V., pp. 58–62, Part III.

Authorities.	Total population dealt with by the several authorities.	Total number of persons other than certified lunatics reported as mentally defective.	Percentage of Col. 3 on Col 2.	Total number of mentally defective persons reported as "needing provision."[1]	Percentage of Col. 5 on Col. 3.
1.	2.	3.	4.	5.	6.
I. Education—					
Scholars on the Registers	436,833	3,437	·79	2,590	75·36
II. Poor Law—					
(1) Indoor - - -	15,748[2]	2,864[3]	18·19	481	16·79
(2) Outdoor - - -	43,155[2]	997[3]	2·31	388	38·92
III. Prison Authorities—					
Local Prisons - -	2,448[4]	246	10·05	216	87·81
IV. Persons mostly under no public authority - -	1,864,038[5]	3,381[3]	·18	1,181	34·93
Population of total areas -	2,362,222	10,925[3]	·46	4,856	44·45

[1] The object of this column is to supply an estimate of the number of persons at the present time urgently in need of provision, either: (1) in their own interest; or (2) for the public safety. It is recognised that there may be many others for whom the present accommodation is not ideal; these are not here included, but only such cases as were in the opinion of the investigator, unproperly, unsuitably, or unkindly cared for; or who, by reason of particular habits and characteristics, are a source of danger to the community in which they live.

[2] Less insane (excluding lunatics in county and borough asylums, registered hospitals and licensed houses). Pauperism, England and Wales, Half-Yearly Statement, July 1st, 1905, pp. 17, 21, 23, 25, 27, 33, 35, 37 and 39.

[3] There were 1,414 persons found to be lunatic or insane and *not* certified. They are included chiefly in Groups II. and IV.

[4] This figure represents the number of prisoners seen in the local prisons. No mentally defective persons in convict prisons are included.

[5] This is the general population other than that included in institutions, etc., as above.

569. But from the table one or two points stand out. By the adoption of our proposals a very considerable obligation would be taken off the education authorities. The percentage of mentally defective school children (Col. 4) is ·79. In towns and urban centres, however, the percentage is higher, *e.g.*, 1.12 in Birmingham and 1.24 in Manchester, Chorlton and Prestwich. Also in some rural areas it is higher. Thus in the Lincolnshire area it is 1·10. The obligation, financial and general, which these figures represent would be taken off the education authorities. A great charge on the Poor Law would also be removed—amounting on indoor relief alone to 18·19 per cent., and on outdoor relief to 2·31 per cent. of the paupers. So again, 10 per cent. of the prisoners in the local prisons would come under the proposed new authority. But in addition to these, from "persons mostly under no public authority" there would be a number of mentally defective persons who are not in any of the ranks above mentioned, but for very many of whom provision would have to be made in some of the many ways that are applicable in individual cases.

Tabular statement of results in the population of the combined areas selected—*contd.*

Vol. VI., pp. 19, 26 and 31

Vol. VI., pp. 61 and 63.

570. These results we may by proportion adjust to the population of the whole country in order to obtain a rough general estimate. The following table indicates the conclusions.

Estimated number of mentally defective persons in England and Wales.

ESTIMATED NUMBER of Mentally Defective Persons, excluding Certified Lunatics, in the general population of England and Wales in relation to local and other authorities and institutions for Education, Poor Relief, Crime, Lunacy, etc. Population (1901) 32,527,843.

Authorities.	Total Population dealt with by the several authorities.	Total number of persons other than certified lunatics reported as mentally defective.	Percentage of Col. 3 on Col. 2.	Total number of mentally defective persons reported as "needing provision.[1]"	Percentage of Col. 5 on Col. 3.
1	2	3	4	5	6
I. Education—					
Scholars on the Registers - -	6,044,394	47,515	·79	35,804	75·35
II. Poor Law—					
(1) Indoor Paupers (including casuals) - - - -	229,804[2]	41,793	18·19	6,990	16·72
(2) Outdoor Paupers - -	532,778[2]	12,308	2·31	4,790	38·92
III. Lunacy—					
(1) Certified Lunatics, etc. -	121,979[3]				
(2) Uncertified - - -		[19,517][4]		[1,945]	[9·97]
IV. Prison Authorities—					
(1) Local Prisons - - -	18,217[5]	1,831	10·05	1,608	87·82
(2) Convict Prisons - - -	3,004				
Persons segregated as "weak-minded."					
Parkhurst Convict Prison		111[6]			
V. State Criminal Lunatic Asylum Broadmoor - - - -		[800][7]			
VI. Inebriates in Certified Inebriate Reformatories - -	970[8]	582[8]	60·00[8]		
VII. Persons mostly under no public authority - - -	25,576,697[9]	45,488	·18	17,317	38·07
	32,527,843	149,628	·46	66,509	44·45

[1] In explanation of "needing provision" see Note 1 to the table on previous page.

[2] Less insane (excluding lunatics in county and borough asylums, registered hospitals and licensed houses). These are included in III., col. 2. *See* Pauperism, England and Wales Half-Yearly Statement, July 1st, 1905, pp. 3 and 4, cols. 4–11, and 27, cols. 16–22.

[3] Sixtieth Report of Lunacy Commission, p. 2.

[4] As in the previous table the uncertified lunatics have not been counted in here, as they represent persons already enumerated in II. or VII. It has been thought well, however, to enter them separately, and, as they are not counted in, they are placed in square brackets.

[5] Information supplied by the Prison Commission as to population in prisons on July 3rd, 1906. This was an approximate date to that on which the Medical Investigators' visits were paid to local prisons in their areas. On this information the estimated number of mentally defective persons in local prisons throughout England and Wales is based.

[6] These are mentally defective persons "weak-minded," not certified lunatics. From figures obtained from the Prison Commission, March 24th, 1908, it appeared that, at that time, the total population of the convict prisons was, 3,025, and the total number of "weak-minded" persons in Parkhurst Convict Prison was 120, and in Aylesbury Convict Prison (women) 8. In the State Criminal Lunatic Asylum at Parkhurst there were 47 inmates on 24th March, 1908. At the time referred to in Note 5 there was no State Criminal Lunatic Asylum at Parkhurst. The 47 inmates would be included in the figure for 1908 corresponding to that in III., Col. 2 (121,979)

[7] "Nearly 800." Troup, Vol. I., 1331. These are already included with certified lunatics in III. col. 2. It has been thought well to enter them separately, however. As they are not counted in, they are placed in square brackets.

[8] See Report of Inspectors under Inebriates Act, for 1905, p. 5, "Cases under detention at end of the year." The inmates classified as mentally defective (other than certified insane) equal 60% of the total number (*see* same report p. 9).

[9] This is the general population other than that included in institutions, etc., as above.

Estimated number of mentally defective persons in England and Wales—*contd.*

It is hardly necessary to restate in detail the conclusions of this table, but we may call attention to the fact that the number of mentally defective persons, inclusive of the certified lunatics, 121,979 (*see* p. 193, Table III. (1), col. 2) would equal 271,607, or ·83 of the population of England and Wales.

II. The Census Returns of the Feeble-minded.

The substitution of the word "feeble-minded" for "idiot" in the census papers of 1901.

Tatham, Vol. I., p. 268, c. 1, 4740, 4743, 4846.

571. Dr. Tatham, Superintendent of Statistics, Somerset House, submitted to us the results of the enumeration of the "insane" in the last Census (1901), and expressed the opinion that the returns were unreliable. We have, however, thought it well to submit them to analysis, and we believe that they throw some light on our problem.

In the paper of inquiries to be filled up by the householder for the census officer was entered in 1871 the question, "If deaf and dumb, or blind, or imbecile, or idiot or lunatic?" In the census for 1901 the word "feeble-minded" was substituted for the word "idiot." Before 1901 the three words "imbecile" or "idiot" or "lunatic" had been treated as equivalent to the word "insane" and the figures collected under these words had been added together and published in the census as representing the number of the "insane" so ascertained. When the word "feeble-minded" was substituted for "idiot" it was found that the return of the insane was greatly increased. The total number of the insane enumerated at the censuses in 1871, 1881, and 1891 were successively 69,019, 84,503, and 97,383; but the number in the year 1901 amounted to 132,654. The increase in the proportion of the enumerated insane to 1,000,000 of the population was 7 per cent. between 1871–1881, and fell to 3·2 per cent. between 1881 and 1891. Between 1891 and 1901, however, under the changed nomenclature the increase in the proportion to population was equal to 21·4 per cent. The introduction of the word "feeble-minded" had, it was surmised, caused the increase.

Tatham, Vol. I., p. 269, c. 1.

The Insanity Rate, in proportion to population, in Intercensal periods.

572. The figures in the following table show clearly that, while during the twenty years 1871–91 the proportion of the enumerated insane at all ages continued to increase, the increase was relatively smaller in 1881–91 than it had been in 1871–81. Between 1881 and 1891, for instance, there was a decrease at each of the age periods up to 15, 15 to 25, 25 to 45; though at the age period 45 to 65 there was an increase of 8·69 per cent., and at 65 years and upwards, when the increase was 7·65 per cent. But between 1891 and 1901 at every age there was a large increase. Thus:—

Increase or Decrease per cent., in proportion to population, of the Insanity Rate in the Intercensal Periods.

	1871–81.	1881–1891.	1891–1901.
All ages	+ 7·04	+ 3·23	+ 21·44
Under 15 years	− 0·34	− 12·39	+ 23·58
15–25	− 5·96	− 7·36	+ 19·28
25–45	+ 6·47	− 0·69	+ 10·66
45–65	+ 17·00	+ 8·69	+ 16·04
65 years and upwards	+ 15·09	+ 7·65	+ 38·43

573. The actual figures are not stated in Dr. Tatham's evidence, but he has kindly forwarded them to us, and they are printed in the table in the footnote below.* The increases in the figures for childhood (+23·58) and that for the

*Numbers of Mentally Deranged enumerated at the last four Censuses.

Ages.	1871.			1881.			1891.			1901.		
	Male.	Female.	Persons.	Male.	Female	Persons.	Male.	Female.	Persons.	Male.	Female.	Persons.
All ages - -	32,874	36,145	69,019	39,789	44,714	84,503	45,392	51,991	97,383	62,063	70,591	132,654
Under 15 -	2,728	2,052	4,780	3,232	2,265	5,497	2,975	2,201	5,176	3,767	2,864	6,631
15—25 - -	5,009	4,608	9,617	5,668	4,867	10,535	6,225	4,981	11,206	8,232	6,975	15,207
25—45 - -	12,963	13,630	26,593	15,723	16,528	32,251	17,696	18,953	36,649	23,938	24,752	48,690
45—65 - -	9,148	11,411	20,559	11,446	15,265	26,711	13,986	18,545	32,531	19,156	24,876	44,032
65 & upwards	3,026	4,444	7,470	3,720	5,789	9,509	4,510	7,311	11,821	6,970	11,124	18,094

earlier adult life, fifteen to twenty-five, namely, +19·28, are very large. Probably owing to the Elementary Education (Defective and Epileptic Children) Act, 1899, and the movement leading up to it, in the age period "under fifteen years," many returns of "feeble-minded" children have been made for the first time. The next age period, fifteen to twenty-five, is that during which many "feeble-minded" young persons and adults are in homes of various kinds from which in former censuses no such returns would have been made, for, in common estimation, the "feeble-minded" are neither "imbecile," nor "idiot," nor "insane"; and so probably, neither under that nor any other category, would most of them have been returned in any previous census. In fact, once the word "feeble-minded" had been inserted in the census paper it would have been read by most people not as a substitute for "idiot," the word which it displaced, nor as in any sense an equivalent to that word, but as a word standing for a new and different class. Hence, in regard to the large number entered as "feeble-minded," it may be said that to a large extent persons so enumerated are probably "feeble-minded" in the sense in which we have defined the words, and that the figures represent their general recognition for the first time as a distinct class of mentally defective persons.

The Insanity Rate, in proportion to population, in Intercensal periods.

574. The increase in the census "insanity" rate of the later age-periods must, we think, be interpreted differently. The increase has been persistent at every census since 1871. Thus :—

Tatham, Vol. I., p. 269.

Ages.	"Insanity" Rate per thousand living at Age Groups.				Increase or decrease per cent. of "Insanity" Rate.		
	1871	1881	1891.	1901.	1871–81.	1881–91.	1891–1901.
45–65	6·158	7·205	7·831	9·087	+17·00	+8·69	+16.04
65 upwards	6·950	8·000	8·612	11·922	+15·09	+7·65	+38·43

575. With these figures, we may compare the return of insane persons in England and Wales who were chargeable to Poor Law unions on January 1st, 1882, and subsequent years to 1906. The figures of this return stand thus :—

Insane paupers, from 1882 onwards.

Local Government Board, Annual Report, 1905–1906, p. 561.

Number Chargeable to Poor Law Unions.

Year 1882–1906.	In County or Borough Lunatic Asylums.	In Registered Hospitals or Licensed Houses.	In Workhouses and Metropolitan District Asylums.	Residing with Relatives or in Lodgings or Boarded out.	Total.	Number chargeable to Counties and Boroughs.	Total.
1.	2.	3.	4.	5.	6.	7.	8.
1882	40,501	1,729	16,976	6,113	65,319	1,770	67,089
1890	50,241	1,568	17,825	5,811	75,445	1,581	77,026
1903	78,352	1,145	17,104	5,519	102,120	1,585	103,705
1906	84,896	1,094	17,742	5,618	109,350	1,729	111,079

576. Here we find that in the twenty-four years, 1882 to 1906, the insane persons chargeable to the Poor Law "in County or Borough Lunatic Asylums" (col. 2) have more than doubled, while all the other classes of insane persons so chargeable have decreased, or increased but slightly. And, whatever the causes of this, the figures of the intervening years show that they have been affecting the figures steadily every year since 1882. There is hardly a question that one predominant cause in the great increase of lunatics in the county and borough lunatic asylums, is the grant of 4s. a week payable towards the maintenance of lunatics when they are maintained in asylums. This grant (*see* Chapter XL.) which is paid from the Exchequer into the account of the County and Borough Councils, facilitates the sending of lunatics to the county and borough asylums, for only on the patients being sent to the asylums is it payable to the board of guardians. However, there would appear to be another cause also. In the case of the aged, as we have seen, the workhouses are, for many reasons, cleared

Causes of increase of insane paupers.

Davy, Vol. IV., 33859.
Stracey: Vol. VI., p. 302.

Causes of increase of insane paupers —*contd.*

of persons who can be certified as insane, who, being senile dements, would in previous years have been kept in the workhouse or workhouse infirmary (col. 4). The increase in these asylum cases (col. 2) represents thus, probably in a large degree, not new individuals found to be lunatic, but a transfer of persons from Poor Law administration to lunacy administration. Under the Poor Law, they were "paupers"; transferred to the asylums, they have become "pauper lunatics." There is the more reason for this state of things because the pressure on workhouse accommodation in many places is very great. Thus from a special return of persons in receipt of relief it appears that "paupers sixty-five years of age and upwards" in receipt of indoor relief, excluding "lunatics in asylums, licensed houses and registered hospitals, and vagrants," but not "other lunatics," and "excluding also persons in receipt of relief constructively by reason of relief given to wives or children," numbered on August 2st, 1890, 54,752, and on September 1st, 1903—a sufficiently comparable date—75,214, an increase of 20,462, or 37 per cent. This indicates a pressure on the indoor accommodation of the Poor Law to the extent of that percentage—37 per cent., in spite of the removal of an increasing number of the certified insane from the workhouses. Of the effect of this removal, the above return is evidence. We may compare these figures of August, 1890, and September, 1903, with those in the above table for the same period, 1890–1903. Between 1890 and 1903 the certified insane (col. 4) in the workhouses keep at a low level—actually decreasing by 721; but the pauper lunatics in county and borough asylums (col. 2) increase by 28,111, or 56 per cent. There is thus (1) an entry of the aged into the workhouses to the number of 20,462 additional persons, being an increase of 37 per cent.; and (2) a passing of lunatics to asylums, largely from workhouses, to the extent of 28,111, being an increase of 56 per cent.

Returns Boards of Guardians (Persons in receipt of relief) 28 March, 1904, p. v. 113, H. of C.

577. Accordingly we may say that to a great extent the increase in pauper lunatics in asylums is the outcome of the increase of the aged paupers in workhouses. The accommodation required for the latter has had to be provided at the expense of the former; and under this pressure the Poor Law, for all practical purposes, is being deprived of its lunacy work. It maintains comparatively few certified lunatics in its institutions. For most of them it is simply the agent for paying for their maintenance. In fact, these figures show that a change, such as that which we suggest, is already taking place. We propose that there should be a central body who should assume the protection and supervision of all mentally defective persons. Already to the only central body that is now in existence and is able to deal with the mentally defective, and to institutions which are under its supervision—namely, to the Lunacy Commission, and the asylums which it inspects—each year a larger and larger number of mentally defective persons are passed on by the Poor Law authorities.

578. We have thus a double process in operation. There is a large increase in the number of children and young persons who are returned as "feeble-minded"—for "feeble-minded" children and young persons are now being recognised as "feeble-minded"—and there is a large increase in the number of aged persons who are certified as lunatics, but who are rather, as we should define them, "mentally infirm" and who as "lunatics" or persons of "unsound mind" are removed from the workhouses and come under the supervision of the present Lunacy Commission.

Uncertified mentally defective persons.

579. On a third point, there is also evidence. The census has always revealed that there are many "imbecile" or "idiot" or "lunatic" persons who are not certified and placed under the charge of the Lunacy Commission, but whom the householders who fill up Census papers enter under one or other of those terms. Thus, by the Census of 1901 there were 132,654 "insane" returned, that is, insane including imbecile and feeble-minded. Of these the sub-division is as follows:—

Tatham, Vol I., 270

Where enumerated.	Number of "Insane." Census of 1891.	Census of 1901.	Increase or decrease per cent.
TOTAL - -	97,383	132,654	+36·2
Public Lunatic Asylums -	64,881	86,797	+33·8
Private Lunatic Asylums -	4,595	3,689	−19·7
Workhouses - - -	10,592	14,972	+41·4
Elsewhere - - - -	17,315	27,196	+57·1

Uncertified mentally defective persons—*contd.*

580. The large increase in the first entry consists of persons certified as lunatic or idiot under the Lunacy Act of 1890 and the Idiots Act of 1888. It contains very few "feeble-minded" or none: at least, it is probable that, the methods and conditions of admission to the asylums remaining the same, the same classes of persons have been admitted to them. But the figures suggest that in the workhouses a larger number of non-certified or certifiable inmates have been recognised as such—apart from the certified who are either in the asylums, as we have seen, or who, being certified as suitable under the Lunacy Act of 1890, Sec. 26, for detention in the workhouse, there remain. And this number of new uncertified persons would appear to amount to about 3,583. For the number of the certified lunatics in workhouses on January 1st, 1901, was 11,389; and the number of persons returned very shortly afterwards at the census of 1901 as "insane" (*i.e.*, "imbecile" or "feeble-minded" or "lunatic") resident in workhouses was 14,972; and the difference between the two (14,972–11,389) must represent new persons, mentally defective in some way, and uncertified. Tatham, Vol. I., p. 270.

Further, under the entry "elsewhere" that is, elsewhere than in public or private asylums or workhouses, were 17,315 "insane" numerated by the census in 1891 and 27,196 by the census in 1901. Hence, apart from 3,583, the new uncertified mentally defective persons, there is a further increase of 9.861 (27,176–17,315) persons returned as belonging to one or other of these classes by the householders who knew them.

Lastly, we may say that the total number of the mentally defective persons recognised as such by the masters of workhouses and by householders at the census, but not certified (or to a very small extent certified) as private patients in private homes possibly amounts to (3,583 + 27,196) 30,779. Tatham, Vol. I. Table I., p. 270.

Accumulation of mentally defective persons in institutions.

581. There is one other factor for consideration. As we have seen, there is at all asylums, and even in homes, an accumulation of cases. In the voluntary homes the inmates received with a view to training stay on, because apart from the Poor Law institutions there is no place to which they can be sent. It is the same at the asylums for the insane. If they do not recover they must remain, and under the healthy and quiet conditions of life which they there enjoy it is said that they live longer than they would outside. There is thus, apart from all other elements in the question, one cause for apparent increase in the numbers. Protection leads to longer life, and this, from the point of view of the provision of accommodation, represents an added difficulty. Not only is there the recognition of a larger number of mentally defective persons as such, and the transmission of more patients from workhouses to county and borough asylums, and more pressure on workhouse accommodation, but there is also the fact that the larger the number of the mentally defective who have to be dealt with, the greater the stagnation, if one may so call it, unless the asylums in their turn extend, or some arrangements are made for providing, otherwise than in asylums and hospitals for those, or many of those, who do not require active treatment and control.

Confusion caused by designation "feeble-minded" in Census, 1901.

582. On the question of the utility of entering the word "feeble-minded" in the Schedule of the census, we are in agreement with Dr. Tatham, the Superintendent of Statistics, Somerset House. We do not think that the word can be understood with any precision by those who have to fill up the paper, and we think that like the word "imbecile," which is also entered on the present schedule, used vaguely it can only lead to confusion. Whether it is of any service to include even the word "lunatic" is doubtful.

Conclusions as to Census returns.

583. We conclude that the general effect of the census figures submitted to us by Dr. Tatham, the returns of the Lunacy Commission, and the return of insane persons chargeable to the Poor Law, is to show—

(1) That under the title "feeble-mindedness" at the last census a large number of mentally defective persons were probably for the first time recognised and returned.

(2) That the number so returned is conspicuous in the earlier age periods of life, "up to fifteen" and "from fifteen to twenty-five," and in each of these age periods between the census of 1891 and 1901, the increase amounts to 1,455 and 4,001.

Conclusions as to Census Returns —*contd.*

(3) That probably under the title "feeble-minded" at the later age periods "forty-five to sixty-five," and "sixty-five and upwards" were also returned in increasing number senile dements or mentally infirm people.*

(4) That these people represent to a large extent persons dependent on the Poor Law who have been transferred to the supervision of the asylum authorities, rather than persons who have become "feeble-minded" and have for the first time been a charge on the country.

(5) That owing to the 4s. grant and the desire, especially in recent years, to remove the "mentally infirm" from the workhouses, there has been gradually at work a division of labour between the Poor Law —dealing with destitution, and the Lunacy Commission dealing with the mentally defective.

(6) That, if we compare the Census of 1901 with that of 1891, we find that in the workhouses a large number of persons, not certified as lunatics under the Lunacy Act of 1890, are recognised as "imbecile" or "feeble-minded," or, probably in very small proportion, "lunatic," and that the number thus recognised at the time of the last Census probably amounted to some 3,500 to 3,600 persons.

Tatham, Vol. I., Table I., page 270.

(7) That generally in the population the census shows that in the last decade, outside asylums and workhouses, some 9,000 to 10,000 more persons have become, or more probably have been recognised as being, "feeble-minded" or "imbecile," or, probably in very small proportion, "lunatic."

Unsuitability of Census as agency for ascertainment of facts *re* mental defect.

584. For our own part we desire to have the word "lunatic" withdrawn from administrative and scientific usage, and to substitute for it the words "of unsound mind." But, however that be, the census, it appears to us, is not an agency suitable for the ascertainment and classification of facts the nature of which in very many instances can only be learned by the personal observation of men and women whose judgment has been trained and well practised in a special branch of medical work. Both for administrative and scientific purposes it would be better, we think, to ascertain the facts by special investigation such as that which has been made by our medical investigators, or by means of the cumulative records which we hope may be compiled as confidential documents, as soon as the importance of the subject is recognised. In this view we have made recommendations for the registration of cases of mental defect, for their notification under certain limits, and for an inquiry as to the number of these cases on behalf of the committees for the care of the mentally defective in their areas.

Recommendations XI., LV.–LXIII.

III. The Natality and Mortality of Mentally Defective Persons.

Eichholz. Vol. I., 3885, 3890. Mercier, Vol. I., p. 364. Tredgold, Vol. I., p. 399, c. 1, 7313. 7491. Gill, Vol. VI., p. 286.

585. It appears to be generally asserted that the number of children born to mentally defective parents is abnormally high. Many witnesses have quoted instances of very large families the offspring of mentally defective mothers. But, with one or two exceptions, sifted and precise statements on the subject are wanting. With this question of birth rate, that of the age of feeble-minded men and women who are in workhouses and are able to go in and out at will is closely connected.

586. It is, we feel, a matter of serious regret that more scientific evidence on the birth and death rates of the mentally defective is not forthcoming. A greater scientific interest in the study of insanity and mental defect generally would, we think, have produced a far larger mass of evidence which would have been of the utmost value. We hope that in the future much closer attention will be paid by superintendents of institutions and others who have very considerable material at their disposal, to investigate questions of this kind, and we recommend that it shall be the duty of the Board of Control to encourage, direct and supervise such investigations, and, in their Annual Reports, to comment on the results obtained.

Recommendation XXIII.

* The increase amounted to 11,501 at the age "45 to 65," and 6,273 at the age 65 and upwards.

587. Dr. Tredgold submitted to us a table "showing the condition of 150 aments with their brothers and sisters." This we reprint. Tredgold, Vol. I., p. 399, c. 1. 7493.

TABLE SHOWING THE CONDITION OF 150 AMENTS WITH THEIR BROTHERS AND SISTERS.

In the 150 Families there were 1,269 children born.

Unsatisfactory.			Satisfactory.	
A.	Born dead	170		
B.	Since died			
	Under 1 year	138		
	„ 3 „	107		
	„ 10 „	37	315	Said by parents to be mentally and bodily healthy 456
	„ 20 „	8		
	Over 20 „	25		
C.	Mentally affected	245		
D.	Diseased, paupers, or criminals	83		
	Total	813	Total	456

Total, 1,269

588. Dr. Tredgold pointed out that:—"The average number of children born in a family is four, whereas in these degenerate families we find an average of 7·3 to each, and if the still-born children are included, the disproportion is even more striking, as the average number of children born in each family is brought up to 8·4," and he added:—"Out of this total only a little more than *one-third*—'456 out of a total of 1,269 children'—can be considered profitable members of the community, and this, be it remembered, at the parents' valuation." Birth rate and survival of mentally defective persons.

A third point is the number of mentally defective children who survived. Dr. Tredgold states:—"Out of the total number of 526 mentally affected persons in the 150 families, there are 245 in the present generation"—a large survival. Tredgold, Vol. I., p. 399, c. 1.

589. A further reference suggests the same conclusion. Dr. Eichholz had pointed out that in sixteen "picked families about 60 per cent. of the total children died while young. Out of 173 children born within these physically degenerate families 101 died young—over 58 per cent." And he argued that on these terms the degenerate families will die out. But, as Dr. Mercier showed, the 173 children in sixteen families made an average of nearly eleven children to a family—"a number far in excess of the normal." Hence in spite of the large mortality there remained to each family an average of four and a half children, "an average still in excess of the normal average." Birth and survival among physically degenerate families. Eichholz, Vol. I., 3890. Mercier, Vol. I., p. 364, c. 1.

Dr. Potts noted at Stoke-upon-Trent that of the feeble-minded women in the workhouse, sixteen had together produced 116 children; in one family of fourteen only four had been able to work. Vol. VI., p. 95.

These figures and statements cannot, of course, be taken as a sufficient basis for generalisation, but, so far as they go, they support the opinion that during the years of procreation and child-bearing, there should be control or supervision in the case of mentally defective men and women.

590. Dr. Francis Warner touched on a kindred question. He said:—

> "I should like to point out the connection between infant mortality and feeble-mindedness. Many congenitally defective children die in the first twelve months. That probably is why infant mortality is so heavy upon the males; it is the male children that are so largely found with defective brains, and a large proportion of them die in infancy. Those who survive become those whom we are considering in social life." Warner, Vol. II. 11115.

Survival of mentally defective males and number in mid-life as compared with females.

But it is to be noted that in spite of this large mortality among male children, the males at the earlier ages outnumber the females. Thus, in the combined areas of investigation the mentally defective males in public elementary schools numbered 2,013, the females only 1,424. Later in life, taking the inmates of the workhouse and the recipients of outdoor relief together, the proportions change: the males number 1,782, the females 2,079. From this, therefore, it would seem that the conditions of the mentally defective life are similar to those of the normal life on this point. More males are born than females, but fewer survive to a late period of life.

Vol. VI., p. 59 15 and 16; and p. 61, col. p. 63, col. 14.

Birth rate amongst mentally defective "paupers."

Tredgold, Vol. VI., p. 235.

591. On the birth rate of the mentally defective, and on the ages of those who are in workhouses and able to go in and out, the reports of the medical investigators throw light. Referring to cases which he noted during his investigation in Somersetshire Dr. Tredgold submitted to us a table respecting the propagation of children by women who are actually feeble-minded. The groups in the table refer, B. to the inmates of the workhouses; C. to those in receipt of outdoor relief; F. to persons relieved by medical charities; G. to persons in miscellaneous institutions, such as charitable institutions, common lodging-houses, training homes, etc.; H. to persons known to "other sources." The table is as follows:—

Group.	Total Number of Feeble-minded Women in Group.	Number of these women who have borne Children.	
		Legitimate.	Illegitimate.
B	44	—	17
C	39	6	3
F	16	—	2
G	6	—	3
H	60	13	17
	165	19	42
		61	

This table carries with it the following comment:—

"The nineteen mothers have had in all eighty children. Of these sixteen died in infancy, nineteen are imbecile or feeble-minded and are included in my returns, twenty are either physically delicate to a pronounced degree or are mentally dull and backward, and eight are too young to make a satisfactory examination. There are only seventeen out of the total eighty who to all appearances come up to the average standard of mental and bodily health.

"With regard to the *illegitimate children*. The forty-two mothers have given birth to seventy-eight children. Of these twenty-four died in infancy, five are imbecile or feeble-minded and included in my returns, two are decidedly dull and backward, two appear to be normal, and of the remaining forty-five no information can be obtained. I think, however, that although details are lacking of such a large number one may justifiably conclude that children of feeble-minded women born *out* of wedlock are not likely to possess any advantages over those born of married women. Further comment upon this question is needless."

Ages of mentally defective in workhouses.

Melland, Vol. VI., p. 151.
Cf. also,
Potts, Vol. VI., pp. 94, 122.
Tredgold, Vol. VI., p. 221.
Pearce, Vol. VI., p. 257.
Gill, Vol. VI., pp. 278, 279.
Stracey, Vol. VI., p. 303.
Graham, Vol. VI., p. 460.

592. In regard to the ages of mentally defective persons in workhouses, it will suffice to quote two instances.

At the workhouses for Manchester, Chorlton and Prestwich there were 105 feeble-minded males. Of these—

Eighteen were below twenty years of age.—Of these, five suffered also from epilepsy, three were paralysed, and four others were physically crippled. One was a boy of eighteen "who is still at school."

"*Twenty-six were between twenty and thirty years.*—This is a common age for the feeble-minded to drift into the workhouse."

Nineteen were between the ages of thirty and forty.—Several of these had already been in the workhouse a number of years.

Eleven were between forty and fifty.

Twenty were between the age of fifty and sixty.—Several of these had been in the workhouse for long periods. One, a man of fifty-two, described himself as having been in and out of the workhouse for forty years, and another of the same age had been in the house many years, he could not say how long.

Eleven were over sixty.

Melland, Vol. VI., p. 151.

There were 167 feeble-minded women. Of these:—

Sixteen were below the age of twenty.—Several had been obliged to come into the workhouse owing to the severity of the mental weakness, or owing to its complication with other defects, such as epilepsy or paralysis. In four cases—two were seen in the maternity ward, another in the Lock Ward, and another had recently had an illegitimate child. One girl of nineteen was still at school.

Ages of mentally defective persons in workhouses—*contd.*

Fifty-eight were between the ages of twenty and thirty. Of these sixteen were seen in the maternity wards, all, with one exception, being unmarried, whilst in addition nine others had had illegitimate children—some two and some three. As amongst the men, but to an even greater degree, this is the commonest decade for feeble-minded women to find their way to the workhouse. Melland, Vol. VI., p. 152.

Thirty-eight were between the ages of thirty and forty. Of these one was seen in the maternity ward, but unlike the other cases there was a married woman. One case between these ages I came upon in the lock ward. Three others had had illegitimate children, though they were not in the lying-in ward when I saw them.

Twenty-seven were between the ages of forty and fifty.

Twenty-one were between the ages of fifty and sixty. One of fifty-four had been born in the workhouse and had lived in it all her life. From several others I got a very common history of their only having been in the workhouse a short time, having been cared for at home until, on the death of their parents, they had been left to look after themselves. For this they were absolutely unfitted, and so they had been forced to come into the workhouse.

Seven were sixty and upwards, the oldest being seventy-four.

Maternity Cases.—"Over the three months that I had them under observation saw ninety-four women in the lying-in wards at the three workhouse infirmaries. Of these, I found nineteen to be feeble-minded; in all but two cases the children were illegitimate, and in one of these a few questions brought to light the fact that she had had an illegitimate child four years before she was married. Of the remaining seventeen, two were below the age of twenty, and eight more were below the age of twenty-five, and of the other seven, whose ages lay between twenty-five and twenty-nine, four had had several children, the first one in each case before they had reached the age of twenty-five." Melland, Vol. VI., p. 152.

593. Dr. Stracey's report supplies these notes on the Lincolnshire unions. The total feeble-minded in the workhouses is 39 (fourteen males and twenty-five females). "Three of the feeble-minded women have become insane, and confined in an asylum, two were very troublesome and violent at times, and four had given birth to illegitimate children. Two males and seven females were subject to epileptic fits." Stracey, Vol. VI., p. 303.

"Classifying the cases according to age:—

Below 20 years	2
From 20–30 years	5
„ 20–40 „	5
„ 40–50 „	13
„ 50–60 „	7
„ 60–70 „	3
Over 70 years	4
Total	39

It will be seen from the above table that the largest number of cases are between the ages of forty to fifty. It is worth noticing that Dr. Tredgold, in Somersetshire, also found the largest number between the same ages." Cf. Tredgold, Vol. VI., p. 222.

594. Judging from this evidence, in the towns it would seem that a large number of feeble-minded men and women drift into the workhouse before they are thirty: for Dr. Potts' evidence as to Stoke-on-Trent supports Dr. Melland's as to Manchester. "Considerably more than half the feeble-minded women enter the workhouse," he says, "before they are forty-five, and 33 per cent. drift in before they are thirty. In the country the larger number enter between the ages of forty and fifty." Potts, Vol. VI., p. 95. Melland, Vol. VI., pp. 151–152.

CHAPTER XXX.

Conclusions and Recommendations.

595. Our general conclusions are that in dealing with the classes "idiot," "imbecile" and "feeble-minded" and with the moral imbecile, we are dealing with conditions chiefly inherited, and subject, therefore, to amelioration only to the extent to which the mental and physical force available in the individual approaches to the normal. But this conclusion does not preclude a considerable advance in knowledge and self-command among the higher grades of the defective—so far at least that they may be trained so as to contribute materially to their self-support.

Conclusions and Recommendations—*contd.* Recommendation IV.

596. For the better identification and treatment of different types and degrees of mental defect we have suggested definitions, the adoption of which should lead, we think, to the removal of prejudice in the use of words bearing on the condition of these classes and should promote uniform and consistent certification.

Recommendations I. and XXVIII.

597. We have found that, however it be dealt with, the problem of the care and control of the mentally defective assumes a new aspect and larger proportions as it is more accurately and completely studied. It affects very largely education, Poor Law, and prison administration, and the treatment of it by one authority would greatly reduce the charges and simplify the obligations of other authorities dealing with these branches of public work. The extent to which this would affect them has been stated by us numerically, as far as our *data* permit. All told it would seem that the purview of a central body for the care and control of the mentally defective would extend to 271,607 persons, or about ·83 of the population.

Para. 570.

Recommendations LV.–LVIII.

598. For the ascertainment of cases of mental defect and for their record and notification, we have made definite recommendations. By the means which we have there suggested we think that sufficient and trustworthy statistical data will in future be available. We do not think that, except as a kind of recount of persons certified as being of unsound mind in various establishments and places of abode, the census can serve the purpose of ascertaining with any accuracy the number or classes of mentally defective persons.

599. Lastly, we have called attention to two statistical questions which add to the gravity of the subject with which we have to deal. Evidence has been submitted to us to the effect that probably, in the case of the feeble-minded, there is a larger birth rate than the normal, combined with a death rate, which, though large, allows of a considerable survival of mentally defective persons.

PART VII.

MENTALLY DEFECTIVE PERSONS AND THE LUNACY COMMISSION.

CHAPTER XXXI.

I.—Constitution and Procedure of the Lunacy Commission of England and Wales and the General Board of Lunacy in Scotland.

600. The reference to the Commission as extended by the Royal Warrant of the 2nd November, 1906, imposes upon us the duty of enquiring into the constitution, jurisdiction and working of the Lunacy Commissioners and of other lunacy authorities in England and Wales, and into the expediency of amending the same or adopting some other system of supervising the care of lunatics and mental defectives and to report as to any desirable amendment of the law.

601. The earliest statute—the Statute of Prerogatives (17 Edw. II cs. 9 and 10)—defines two classes of mental defectives, the "fatuus naturalis" or born fool, and the "non compos mentis, sicut quidam sunt per lucida intervalla" or person unsound in mind with certain intervals of understanding, a distinction which, broadly speaking, holds good still. "In cases of idiocy the property of the idiot or 'fool natural' vested in the Crown, subject to a provision for the maintenance of the patient and of his establishment, during the life of the person so affected, because no possibility of recovery was to be presumed. The property, on the other hand, of the lunatic not so born, vested in the Sovereign during the continuance only of the lunacy, and without profit to the Crown, upon the administration of the trust." The statute was declared by Coke to be declaratory of the Common Law. Since the abolition in 1660 of the Court of Wards and Liveries the Crown has, by sign manual, delegated its powers and authority to some high officer or officers of Justice or State. The practice has been to entrust the Lord Chancellor with the exercise of the Royal prerogative in respect of the case of the persons and property of lunatics. Neither the forms, nor the expense of the proceedings which they necessitated, were suitable for "unpropertied" persons, and these, if they were idiot or of unsound mind, were left to the care of their friends and relatives, or to a very small extent provided for by the religious charities. As, in the sixteenth century and later, poorhouses came to be built, they were to be found there, and in the common gaols, maintained as destitute or as dangerous. With the change of sentiment in the eighteenth century, they were first dealt with specifically on the ground of their being a danger to the community, and the police and the Poor Law authorities of the parish were required to apprehend and confine them on the authority of the Justices of the Peace.

The development of lunacy control in England and Wales.

The law and practice of lunacy. J. W. Abraham, 1886, pp. 7 and 8.

602. Mr. Trevor, then Secretary to the Commissioners in Lunacy, states :—

> "The first Act which deals expressly with pauper lunatics is 17 Geo. II., c. 5, which is really a Vagrants' Act. Section 20 ('Lunatics—how to be disposed of'), after reciting that 'there are sometimes persons who by lunacy or otherwise are furiously mad, or are so far disordered in their senses that they may be dangerous to be permitted to go abroad . . .' provides that 'it shall be lawful for any two or more justices of the peace, where such lunatic or mad person shall be found, by warrant under their hands and seals directed to the constables, churchwardens, overseers of the poor of the parish, town or place, or some of them to cause such person to be apprehended and kept safely locked up in some secure place . . . and, if such justices find it necessary, to be there chained.'
>
> "The section further provided that the goods and estates of lunatics should be seized to pay the charge of their maintenance."

Trevor, Vol. IV., p. 1, c. 1. 1743 A.D.

603. During the eighteenth century, a certain number of private asylums appear to have come into existence, in which patients were received for whose maintenance some payment could be made. But neither these private asylums, nor the penitentiaries and other places in which pauper lunatics were detained, were under official inspection or regulation.

604. In 1774, a step in this direction was taken. In that year a statute, 14 Geo. III., c. 49, entitled "An Act for regulating madhouses," was passed, the preamble of which states :— 1774 A.D.

> "That many great and dangerous abuses frequently arise from the present state of houses kept for the custody of lunatics for want of regulations with respect to the persons keeping such houses, the admission of patients into them, and the visitation . . .

Trevor, Vol. IV., p. 2, c. 1.

The development of lunacy control in England and Wales—*contd.*

by proper persons of the said houses and patients, and that the law as it now stands is insufficient for preventing or discovering such abuses."

"The statute provided that from and after November 20th, 1774, any person who concealed more than one lunatic without a licence should forfeit a sum of £500 (Section I). "Section 2 provided that in order that proper persons should be appointed for visiting such houses as should be licensed and kept for the reception of lunatics within the cities of London and Westminster, and within seven miles of the same, and within the county of Middlesex, the Royal College of Physicians in London may elect five Fellows to act as Commissioners for granting licences, to visit and inspect licensed houses and to examine the persons confined as lunatics therein (Section 14), such visits to be without notice to the keeper of the house (Section 5). "Outside the Metropolitan area similar powers were conferred on the justices of the peace at quarter sessions.

"This Act, which was to remain in force for five years, was continued for seven years by 19 Geo. III., c. 15, and made perpetual by 26 Geo. III., c. 91."

1808 A.D. Trevor, Vol. IV., p. 1, c. 2.

605. The next Act marks a still further advance. It had become recognised that lunatics should not be confined in gaols, houses of correction, poorhouses and houses of industry, but should be provided for in special institutions and in asylums. The statute 48 Geo. III., c. 96 (1808)—Mr. Wynne's Act—which was the outcome of the Report of a Select Committee appointed in 1807 to inquire into the state of lunatics, repealed 17 Geo. II., c. 5, s. 20, and, after reciting that the practice of confining such lunatics and other insane persons as are chargeable to their respective parishes in gaols, houses of correction, poorhouses and houses of industry, was highly dangerous and inconvenient, enabled justices in quarter sessions to provide for the erection of lunatic asylums, and to unite with other counties for the purpose, and conferred on them powers to contract, to appoint visiting committees, and to mortgage the rates for the expenses incurred. This statute was permissive, not compulsory.

1828 A.D. Trevor, Vol. IV., p. 2, c. 1.

606. In 1828, two changes of importance were made. The business of lunacy, on the side of administrative control, was brought under the oversight of the Home Secretary. This change was made by the Statute, 9 Geo. IV., c. 41, which was entitled "An Act to regulate the care and treatment of insane persons in England." It recited that the laws then existing for regulating houses for the reception of insane persons were ineffectual, and that it was expedient that some other provision should be made for licensing and regulating such houses, and for improving the treatment of insane persons, and it proceeded to repeal the previous Acts, and substituted further and better provisions in their place. Next, Section 2 provided for the appointment by the Secretary of State for the Home Department of fifteen Commissioners within the cities of London and Westminster, and seven miles thereof, and the county of Middlesex, for licensing and visiting all houses within that district for the reception of two or more insane persons. Of these Commissioners, who were appointed for a year, five at least were to be physicians and were entitled to charge for their services at the rate of £1 an hour; the rest were unpaid. In all other parts of England, similar powers were conferred on the justices of the peace assembled in quarter sessions within their own jurisdiction. Of the visitors appointed by the justices, three or more were to be justices themselves, and one or more, a physician, a surgeon, or an apothecary. The Commissioners appointed under this Act styled themselves "Metropolitan Commissioners in Lunacy." The Act was amended in certain particulars by 10 Geo. IV., c. 18.

1832 A.D. Trevor, Vol. IV., p. 2, c. 1.

607. Finally, the appointment of the Metropolitan Commissioners was transferred from the Home Office to the Lord Chancellor, and barristers as well as physicians were appointed members.

"In 1832 was passed the Statute 2 and 3 William IV., c. 107, to regulate for the period of three years the care and treatment of the insane."

"Under this Act the Commissioners were called 'The Metropolitan Commissioners in Lunacy.' Their appointment was placed in the hands of the Lord Chancellor; not less than four nor more than five were to be physicians and two were to be barristers. All the Commissioners were allowed their travelling expenses, but only the physicians were to be paid for their services."

Hansard 3rd Series. Vol. VI., p. 448; Vol. VII., p. 633, 877.

The transfer of the appointment of the Commissioners from the Home Secretary to the Lord Chancellor appears to have been carried out by the Lord Chancellor of the day for reasons which do not sufficiently appear in the Parliamentary reports. It was resisted in the House of Commons when the Bill was first introduced, but passed *sub silentio* shortly afterwards.

608. In 1842, the powers of visitation of the Metropolitan Commissioners were, by the 5 and 6 Vict. c. 87, extended to asylums and licensed houses in the whole country, but the management of asylums and the licensing of houses remained with the justices. The development of lunacy control in England and Wales.—*contd.*

1842 A.D. Trevor, Vol. IV., p. 2, c. 1.

> "The temporary Statute 2 and 3, William IV., c. 107 (1832), was from time to time amended and continued up to 1842, when, by the Statute 5 and 6 Vict., c. 87, the powers of visitation possessed by the Metropolitan Commissioners in Lunacy were extended to asylums and licensed houses all over England and Wales.
> "By Section 2 provision was made for the addition as Commissioners of two more physicians or surgeons and two more barristers, and by Sections 40–41 in addition to their travelling expenses medical and legal Commissioners alike were to be allowed and paid £1 an hour while visiting in the Metropolitan district and five guineas a day while engaged in visiting in the country. By Section 30 the duty was imposed on the Commissioners of visiting county asylums, and, by Section 31, of reporting in writing whether the provisions of the law had been carried out as to the construction of every such asylum and as to its visitation and management, the regularity of the admissions and liberations of patients therein and therefrom. They were also to report on such other matters as (*a*) any system of non-coercion practised; (*b*) classification of patients; (*c*) indoor and outdoor amusements and occupations and their effect; (*d*) the condition of pauper patients when received into the asylum, and dietary; and (*e*) generally. They were also required to visit and report on the military and naval hospitals."

609. In the year 1844, the Metropolitan Commissioners presented a Report to the Lord Chancellor on the various matters entrusted to their care. At the commencement of the Report, the Commissioners stated that, as their duties had been materially increased by the provisions of 5 and 6 Vict. c. 87 (already referred to), which had enabled them to inspect the condition of the various public and private asylums throughout England and Wales beyond, as well as within, the Metropolitan area, they thought it right to report to the Lord Chancellor the result of their experience in a more minute and specific way than they had heretofore been accustomed to do; and they issued a very valuable document, the source of many suggestions which were incorporated in subsequent statutes. Report of Metropolitan Commissioners in Lunacy, 1844. Trevor, Vol. IV., p. 2, c. 2.

This Report led up to the legislation of the year 1845, which was due to the initiative and energy of the late Earl of Shaftesbury, then Lord Ashley. In that year were passed, two Acts of Parliament, the one 8 and 9 Vict., c. 100, to regulate the care and treatment of lunatics, by, amongst other measures, the establishment of the present Lunacy Commission; and the other, 8 and 9 Vict., c. 126, to make provision for the establishment of lunatic asylums in counties and boroughs, and for the maintenance and care of pauper lunatics in them.

II.—Present Constitution and Work of the Lunacy Commission in England and Wales.

610. The Lunacy Commission, as then and at present constituted, consists of six paid Commissioners, three of whom must be medical practitioners, not necessarily physicians, and three practising barristers of not less than five years' standing. In addition, there may be five unpaid Commissioners not requiring professional qualification, legal or medical. Of the latter class, there are at present only two. There is a permanent chairman of the Commission, who is to be selected by the Commissioners from the unpaid class. In his absence, a chairman for the particular meeting is chosen by the Commissioners present. We are informed that, in fact, the permanent chairman, by reason of other calls upon his time, rarely attends the meetings of the Commissioners, and it has been suggested that, in consequence, continuity of practice is less likely to obtain than if the regular attendance of the permanent chairman could be secured. Constitution of Lunacy Commission. Lunacy Act, 1890, Sec. 153 (2). Dorington, Vol. IV., 25416–25419, 25401–25404, 25457–25458, 25466–25469. Trevor, Vol. IV., 25083, 25077–25078 Cooke, Vol. IV., 25777–25778. Giffard, Vol. IV., 27125, 27144, 27291–27294.

611. The salaries of the paid Commissioners, and the expenses of the Commission to the amount sanctioned by the Treasury, are paid out of moneys provided by Parliament. A paid Commissioner receives £1,500 a year and travelling allowances. He may not accept, or hold, or carry on any other office or situation or any profession or employment from which any profit is derived. The appointment is made by the Lord Chancellor, and is held during good behaviour. There is no compulsory retirement at the age of sixty-five. The Commissioners are only civil servants for the purpose of pension. A person is not qualified for appointment as Commissioner, secretary, or clerk of the Commissioners if he is, or within one year previous to his appointment has been, interested in a licensed house. Lunacy Act, 1890 Sec. 150 (2). Lunacy Act, 1890, Sec. 150 (3). Trevor, Vol. IV., 25271.

The secretary must be a barrister of not less than seven years' standing. He is appointed by the Commissioners with the approval of the Lord Chancellor. Trevor, Vol. IV., p. 7, c. 2.

Constitution of Lunacy Commission—*contd.* Trevor, Vol. IV., p. 8, c. 1. 25284. Cooke, Vol. IV., 25792. Trevor, Vol. IV., 25382.

His salary is fixed by the Treasury, with the concurrence of the Lord Chancellor. The present amount is £800 a year, rising by annual increments of £50 to £1,000. He is removable from office by the Lord Chancellor on the application of the Commissioners. The clerical staff is appointed, in the same way as in any other Government office, by negotiation with the Treasury. At present, the staff consists of fourteen clerks of various grades, two shorthand writers and one abstractor.

The total cost of the Commission, as appearing from the Appropriation Account for 1904-5, was £14,752 9s. 4d.*

Visitation. Trevor, Vol. IV., p. 6.

612. In 1845, when the Lunacy Commission was established and its paid members were, as now, six in number, they had to visit about 25,000 lunatics. On January 1st, 1906, the number of lunatics to be visited had risen to 116,361.* Modern methods of locomotion have made possible what would have been impracticable in 1845.

60th Report of the Commissioners in Lunacy 1906 p. 2.

These lunatics are detained in :—(*a*) County and borough asylums ; (*b*) Registered hospitals receiving lunatics ; (*c*) Idiot asylums ; (*d*) Metropolitan and provincial licensed houses ; (*e*) State institutions, viz. : Broadmoor State Criminal Asylum, Parkhurst State Criminal Asylum,† the Royal Military Hospital, Netley, and the Royal Naval Hospital, Great Yarmouth ; (*f*) Workhouses in which there are any lunatics or imbeciles. There are, also, many single patients in houses scattered over the country.

613. From information received from the Lunacy Commissioners, it appeared that in December, 1907, there were seventy-one county and district asylums ; twenty-three county borough asylums (including the City of London) ; fourteen hospitals ; eight hospitals and institutions registered under the Idiots Act, 1886 ; two naval and military hospitals ; two criminal asylums ; twenty-two metropolitan licensed houses (one being also registered under the Idiots Act, 1886) ; forty-four provincial licensed houses.

All the county and borough asylums, the State Institutions and idiot asylums, are visited once a year. Many of the asylums are of great size, containing from 1,800 to 2,700 patients, and involve from two to three days' visitation, every patient being seen and afforded full opportunity of speech and complaint, of which many avail themselves.

Trevor, Vol. IV. p, 6, c. 1.

The hospitals and provincial licensed houses not licensed by the Commissioners are visited by them twice a year, the metropolitan licensed houses always six, and generally eight times a year, and, at each statutory visit to all these institutions, the Commissioners see every patient and carefully satisfy themselves that detention is justifiable and necessary, and that the treatment is such as to promote comfort and recovery.

The single patients are invariably visited once, and frequently twice, in every year. The Commissioners, also, annually visit the five asylums of the Metropolitan Asylums Board, and one-third at least of all the workhouses in which there are any lunatics or imbeciles. The workhouses thus visited annually average about 250 and the inmates seen about 14,000.

The visits to all classes of institutions, except workhouses, are prescribed by statute to be paid by two Commissioners, one of them with medical and the other with legal qualification.

Trevor, Vol. IV., p. 6, c. 2.

614. For the purpose of visitation, England and Wales are divided up into six circuits. Each circuit is allocated to a pair of Commissioners. Every Commissioner goes on two circuits in each half year, so that he visits every institution in England and Wales in the course of three years. Single patients outside the metropolitan area are visited by one or other of the Commissioners of the circuit in which such patients reside. The metropolitan houses, and single patients in the metropolitan district, are visited by the Commissioners in turn. Every visit involves a report by the visitor or an entry in the books of the place visited. These reports and entries are brought before the board for consideration.

Work in Office Trevor, Vol. IV., p. 6, c. 2.

615. Whenever a patient is admitted to an institution for lunatics, or as a single patient, copies of the reception order, medical certificates, medical statements, etc., are sent to the office of the Lunacy Commission for examination, with the object of seeing whether they justify the detention of the patient and whether, if they are defective in form, they are capable of amendment under Section 34 of the Lunacy Act, 1890, all of them being examined by the Commissioners personally. The Commissioners, also, see and examine personally the reports on the condition of private patients sent at the end of a month after

* From information supplied by the Lunacy Commission it appears that on January 1st, 1908, there were 120,551 patients to be visited. The cost of the Commission 1906–1907 was (net) £15,618 8s. 11d. (Appropriation Accounts.)

† This has been established since January 1st, 1906.

admission) Section 39, Lunacy Act, 1890), and any further reports in regard to any patients for which they think it necessary to call, whether as the result of a visit or otherwise. Work in Office—*contd.* Trevor, Vol. IV., p. 6, c. 2.

A new class of reports and certificates was introduced by Section 38 of the Lunacy Act, 1890, which are sent in at the end of the first and second years after the admission of every patient, and afterwards at longer intervals, while he remains under detention. All these are examined by the Commissioners personally.

Notice of the death of every certified patient and of every serious casualty is given to the Commissioners. The medical Commissioner on duty takes charge of these matters, calling for any information he may require, reports of medical officers, case-book entries, post-mortem notes, statements of witnesses, coroner's depositions, etc., and himself drafting any letters which require technical medical knowledge.

616. The Commissioners are required to examine and report to the Secretary of State upon all plans, contracts, and estimates for the construction of asylums, and with regard to hospitals and licensed houses to determine themselves as to the propriety and fitness of the erection, additions to, and alteration of these buildings. The examination and consideration of plans by the Commissioners themselves is rendered necessary by the special nature of the work, which has to be dealt with by experts who are familiar with the requirements of patients both in health and as mental and physical invalids, and with the special construction and appliances which experience has shown to be necessary for their safety and treatment. Plans, Contracts, and Estimates. Trevor, Vol. IV., p. 6, c. 2.

The duty of considering plans and contracts for the purchase of land, or of erection of buildings for the purpose of asylum accommodation, was imposed on the Commissioners by Section 45 of the Lunatic Asylums Act, 1853. This section, also, provides that estimates of the cost and expense of carrying such plans into execution are to be submitted direct to the Secretary of State. Under Section 5 of the Lunacy Acts Amendment Act, 1862, such estimates were also to be submitted to the Commissioners. These two sections are embodied in Section 272 of the Lunacy Act, 1890. In the case of hospitals and licensed houses, the Commissioners merely approve the plans; they are not concerned with the question of cost.

At present, plans, contracts, and estimates, in addition to being examined by the Commissioners, have to be submitted to the Home Office for the approval of the Secretary of State, and they have, in practice, also to be submitted to the Local Government Board, whose consent is necessary, under Section 274 of the Lunacy Act, 1890, before a local authority can borrow money upon the security of the county or borough funds for the execution of the proposed works. The opinion of the Lunacy Commissioners is that one thorough examination would be more effective than the three now in force.

617. To assist them in this branch of their business, the Commissioners employ an architect of experience in asylum construction who is consulted on all plans and estimates of importance. The architect so employed is engaged in private practice and is not an officer of the Commission. He is paid by fees which apparently average about five guineas for each set of plans submitted to him. He does not examine the specifications, nor are all plans necessarily referred to him. Hine, Vol. IV., 32608–32615. 32832–32836. Trevor, Vol. IV., 25305–25312. Dorington, Vol. IV., pp. 19–21. Cooke, Vol. IV., 26314–26319. Urmson, Vol. IV., 26767–26779. Giffard, Vol. IV., 27196–27198. Cunynghame, Vol. IV., p. 322. Crowther, Vol. IV., 30600–30612. Vickers-Edwards, Vol. IV., p. 217. Brooks, Vol. IV., 31117–31119. White, Vol. IV., p. 231, c. 1.

It has been strongly represented to us by the witnesses on behalf of the Commission and others, that this system is not sufficient to enable them to prevent unnecessary expenditure nor to obtain as full a criticism and amendment of plans and specifications as is desirable. They say that what is required is an experienced salaried architect to the office, to devote the whole of his time to the work. Further than this, they should, in their opinion, be empowered to take the opinion of sanitary, electrical, and other experts, if necessary, upon particular occasions. However the consulting authority be constituted, we recommend that an independent and salaried architect, not engaged in private practice, should be employed. Recommendations XXVII. and XLIII.

618. In addition to the above-mentioned work which is done in the office, the Commissioners are concerned to consider and discuss matters of importance in connection with the policy of the board, and to deal with matters for which an order of the board is required, such as dispensations in regard to medical visits,

Trevor, Vol. IV., p. 5, c. 2.

orders to visit, changes of holders or petitioners' permissions to receive more than one single patient, property reports to the Lord Chancellor, prosecutions, the reception of deputations and interviewers, and any other matter upon which the secretary may from time to time think it expedient to obtain a direction.

619. In Paragraphs 610–618, we have described very shortly the present work of the Commissioners, that it may be presented as a whole in connection with the historical notes which precede it. To several of the questions, which are incidentally raised in this statement we will refer again in discussing proposals for changes which have been submitted to us.

III.—Local Authorities and Asylums.

Asylums and Asylum Committees.
Shadwell, Vol. I., p. 81, c. 1.

620. To the local administration for the care of lunatics, outside the Lunacy Commission, we have not yet referred in any detail.

The unit for local administration is, with some exceptions, the council of the county or county borough. This authority is bound to provide asylum accommodation for its paupers and lunatics, and may provide it for lunatics of the private class. It is required to exercise its powers through a visiting or asylums committee. The management of the asylums rests with this committee; it makes general rules and regulations for that purpose, appoints and dismisses the officers and fixes their salaries and pensions; and its members are individually described as visitors. The visiting committee is concerned only with the county or borough asylum. It has no relation either to the accommodation provided in hospitals for lunacy, or to that provided in workhouses, or to patients in licensed houses.

Lunacy Act, 1890., Sec. 254.

Sec. 243.

Sec. 254.

Sec. 266 (1).

The visiting committee may provide accommodation by the erection or acquisition of an asylum separately, or in conjunction with other counties or boroughs; or the council may contract for the reception of lunatics with the visiting committee of another county or borough, or the managers of a licensed house, or, in certain circumstances, a hospital. They may direct which of the modes of providing asylum accommodation shall be adopted. Plans, estimates and contracts approved by them have to be submitted to the local authority for approval; but they have power to spend, of their own authority, on necessary and proper additions, alterations, and improvements, up to £400 in the year, still subject however to the approval of the Secretary of State, but without special reference to the local authority. Reception contracts require the approval of a Secretary of State, as, also, do plans and estimates.

Expenses, and default, of local authority.
Shadwell, Vol. I., p. 81, c. 2.

621. The expenses to be paid or contributed by a local authority for the purposes of the Act are to be paid out of the county or borough fund to the treasurer of the asylum. Borrowing powers are subject to the consent of the Local Government Board. The approval of the Secretary of State is obtained under the terms of the following clause of the Lunacy Act, by which the Commissioners intervene as his advisers:— Lunacy Act, 1890, Sec. 274.

Lunacy Act, 1890, Sec. 272.

> "For the purpose of procuring the approval of a Secretary of State to any agreement, contract, or plan requiring approval under this Act, the agreement, contract, or plan, with an estimate of the probable cost of carrying it into effect, shall be submitted to the Commissioners, and to the Secretary of State, and the Commissioners shall make such inquiries as they think fit, and shall report thereon to the Secretary of State, who may approve the agreement, contract, or plan, with or without modification, or may refuse his approval."

Sec. 247.

If the local authority is in default in providing the necessary accommodation, the Secretary of State may require the authority to provide it in such manner as he may direct.

Hospitals.
Shadwell, Vol. I., p. 82, c. 1.
Lunacy Act, Sec. 341.

622. Hospital is defined as "any hospital or part of a hospital or institution (not being an asylum) wherein lunatics are received and supported wholly or partly by voluntary contributions, or by any charitable bequest or gift, or by applying the excess of payments of some patients for or towards the support, provision or benefit of other patients."

This definition fully explains the nature of these institutions. Bethlehem and St. Luke's Hospitals in London are old foundations of the kind. Hospitals receive only private patients; those that can afford it are charged rates that leave a profit, while those who are poor are received at low rates or gratuitously.

Secs. 230-237.

Regulations as to hospitals are contained in Sections 230–237, providing for their registration by the Commissioners; the framing of regulations, which

require the approval of the Secretary of State; the fixing of the number of patients to be received; the furnishing to the Commissioners of plans of buildings to be used for patients; and other matters. The Commissioners, if they think the regulations are not properly carried out, may report to the Secretary of State to that effect, and he may order the hospital reported on to be closed.

Licensed Houses.

623. Licensed houses are institutions carried on for private profit. No new licences for such houses are now issued. They are renewable from year to year, and a licence once allowed to expire cannot be revived. In the "immediate jurisdiction" of the Commission, the Commission are the licensing authority; outside that jurisdiction, the justices of every county and quarter sessions borough. Thus in this branch of work, the old division between the Metropolitan district and the rest of England, between the work of the Commissioners and that of the justices, still remains; and the authority of the Lord Chancellor continues. The Lord Chancellor has power to revoke a licence or direct that it shall not be renewed.

Shadwell, Vol. I., p. 82, c. 1.

Lunacy Act, 1890. Sec. 221.

> "Before a house is substituted for one previously visited by justices it must be visited and reported upon by one or more of the Commissioners; and no additions or alterations may be made to a licensed house without the previous consent in writing of the Commissioners, and, if the house is licensed by justices, of two visitors also.
>
> "The Commissioners, with the sanction of a Secretary of State, may make regulations for the government of any licensed house."

Shadwell, Vol. VI., p. 82, c. 1.

Workhouses.

624. Certified lunatics who are "chronic lunatics not being dangerous" may be provided for in workhouses; and visiting committees may, "with the consent of the Local Government Board and the Commissioners, and subject to such regulations as they respectively prescribe," arrange with guardians to receive them. The accommodation provided comes under the ordinary management of the guardians, subject to inspection by the Local Government Board inspectors. The Lunacy Commissioners "visit annually the large asylums of the Metropolitan Asylums Board," which are technically workhouses, "and a third at least of all workhouses in which are any lunatics or imbeciles," and, in addition, make a large number of so-called "annual" visits.

Lunacy Act, 1890, Sec. 26, 1.

Needham, Vol. IV., p. 73, c. 2.

Lunacy Procedure in England and Scotland compared.

625. Omitting here any mention of the duties of the Lunacy Commission in England in regard to their supervision of individual cases, we think it will be useful to submit a statement in regard to Scotland similar to that which we have just made in regard to England, and to point out some of the differences between the two systems. For, many witnesses have referred to the constitution of the Lunacy Board in Scotland, and have suggested the adoption of some features of its constitution and some characteristics of its procedure in England and Wales.

IV.—Present Constitution and Work of the General Board of Lunacy in Scotland.

The General Board.

626. In Scotland, there is a General Board of Commissioners in Lunacy, consisting of a chairman, who is unpaid, two legal Commissioners, who are unpaid, and two medical Commissioners, who are paid. The unpaid members attend all ordinary meetings of the Board, and take part in all its general administrative work. The paid members, who are the medical members, "have the special duties of visiting twice a year and reporting to the Board on establishments for the insane and on the care and condition of patients. Such half-yearly visitation is carried out by one medical Commissioner, the other being meanwhile in daily attendance at the office of the Board. There are two Deputy-Commissioners, not members of the Board, whose duties consist mainly in visiting and reporting on all persons of unsound mind under private care, who come for any reason under the jurisdiction of the Board."

Spence, Vol. III., p. 8, c. 2.

District Boards and their Asylums.

627. The country is divided into districts in each of which is a district board. Each district consists of counties, groups of counties, or parts of counties. Where there is a considerable population represented by a parish council, the parish council is constituted the district board of lunacy, and, in that capacity, fulfils functions entirely separate from its functions in regard to poor relief. In other areas, district lunacy boards are formed by the local authorities, county councils and magistrates of burghs within the area.

The duties of district boards of lunacy are confined to the purchase of sites and the erection or acquisition, maintenance and management of district

Spence, Vol. III., p. 8, c. 2.

District Boards and their Asylums—*contd.*

Spence, Vol. III., p. 8, c. 2.

asylums; or when the erection of a district asylum is not necessary, to contracting with existing asylums for the reception and maintenance of the pauper lunatics of the district. They have no concern with Royal asylums or parochial asylums, or with lunatic wards in poor houses or pauper lunatics in private dwellings. They have power to borrow money for the erection, enlargement, and maintenance of asylums, upon security of assessments levied under the Act for the purpose, which assessments are apportioned by the General Board upon heritable property in counties and burghs within the district. They have to furnish the General Board with abstract accounts of receipts and expenditure and with loan accounts.

The district asylums are those erected, or acquired and managed, by the District Boards of Lunacy. The sanction of the General Board is required as to sites, plans and specifications and estimates for the erection and alteration of asylums, but no other sanction is necessary. The Board has power to draw up rules for the management of these asylums which require the approval of the Secretary for Scotland. But these asylums require no licence from the Board.

Royal Asylums. Spence, Vol. III., p. 9, c. 1.

628. In the case of Royal asylums—which correspond to the "Hospitals" in England—the General Board have the right, as in the case of other asylums, "to visit, inspect and report and to inquire into all particulars in relation to the keeping and management of the asylum and the care of lunatics in it." They have no power to make rules for their management, except as to books, minutes and returns. Nor have they any power in regard to plans and specifications, though in fact they may be consulted about them.

Private Asylums. Tuke, Vol. IV., 28717.

629. Private asylums, of which there are only one or two, are like licensed houses in England; they are licensed by the Board, who can make rules in regard to their management.

Parochial Asylums.

630. Parochial asylums are institutions intermediate between district asylums and licensed poorhouse lunatic wards. They resemble district asylums in that all classes of insane including curable and dangerous cases may be admitted, but, unlike district asylums, they are under the management of parish councils.

Wards in Poor-houses. Spence, Vol. III., p. 10, c. 2.

631. Besides these, there are lunatic wards in poor-houses. These, too, are licensed by the Board for the reception of pauper lunatics who are not dangerous and do not require curative treatment. In regard to them, certain conditions have to be fulfilled. The accommodation must be entirely separate and with separate grounds, and stipulations are made as to attendance, dietary, and other matters. If these stipulations are not enforced, the licence may be withdrawn. The wards are under the management of the Poor House Committee, and the governor of the poor-house is in the position of superintendent. The Board do not require a resident medical officer unless the number for which the wards are licensed exceeds 100.

Boarding-out. Clouston, Vol. III., p. 201, c. 2.

632. The boarding-out in families of the chronic insane who require no special treatment is a conspicuous part of the Scottish system, and to it we will refer later. It cannot be said that boarding-out, strictly so called, has any place in the English system, unless the outdoor relief given by Poor Law Guardians to the families of persons who are mentally defective may be considered a kind of unacknowledged boarding-out.

V.—Differences between English and Scottish Methods.

633. If, then, we omit questions respecting the supervision and inspection of individual cases, we may sum up the differences between the English and the Scottish system as follows:—

(*a*) *Payment of Commissioners.*

In Scotland, the legal members of the Commission are unpaid, and take a great part in its general work, but not in the visitation of asylums. In England, the legal members of the Commission are paid, and they take part in the work of visitation, which in Scotland is wholly done by the paid medical members.

(*b*) *Visitation.*

In Scotland, two visits a year are paid to all institutions. In England, there is precise statutory provision for more frequent visits to some institutions and houses, and less frequent visits to others.

In England, in the case of asylums and some other institutions, two Commissioners together have to visit and report. In Scotland, one only is required to do so.

Differences between English and Scotch methods—*contd.* Chap. XXXIII.

The details on these two points we will submit in a subsequent chapter, when we consider the question of visitation.

(*c*) *Local Authorities.*

In England, the local authorities are county and borough councils. In Scotland, district boards of lunacy are the local authorities; they consist, in some urban areas, of parish councillors, but elsewhere, of representatives from county councils and from burgh magistrates. In some instances, when the asylums are parochial asylums, parish councils act as local authorities.

(*d*) *Rules and Regulations.*

In the case of district asylums—the asylums of district boards—in Scotland, the board has the power of framing rules and regulations. In England, the Commission has no such power. They approve the rules only. If new rules are wanted, the Visiting Committee of the county or borough council must take the initiative. The Commission cannot do so.

(*e*) *Sites, Plans, &c.*

In the case of the purchase of sites, plans, etc., the approval of the board in Scotland is final. In England, the approval rests with the Secretary of State, but where money has to be borrowed the consent of the Local Government Board is also required. The Commission intervene only with their advice.

Lunacy Act, 1890, Sec. 272.

(*f*) *Accounts.*

In England, the accounts of asylums are sent under statute to the Local Government Board and to the Commission. In Scotland, they are sent to the Board of Lunacy only.

Sec. 278.

(*g*) *Loans.*

In England, if the local authority desires to borrow, an application must be made by it to the Local Government Board. In Scotland, the district board has power to borrow, but the Lunacy Commission apportion the assessments for repayment within the district.

Sec. 274.

(*h*) *Insane in "Poorhouses" or "Workhouses."*

In Scotland, wards used in poor houses for certified insane are licensed by the Commission subject to conditions, and, like all other institutions for the care of lunatics, are inspected by them twice a year. In England, though a certain number of workhouses—some sixty-two—are visited annually by the Commission, the responsibility of the care of lunatics in workhouses rests chiefly with the Poor Law authorities. The wards in which they live are not licensed, nor are any conditions required. Excepting in the case of asylums of the Metropolitan Asylums Board, they are usually visited by the Commissioners only once in three years.

(*i*) *Boarding-out.*

In Scotland, there is an organised system of boarding-out; in England, there is none.

CHAPTER XXXII.

Suggestions for the Re-organisation of the Lunacy Commission.

634. The Lunacy Commission is primarily an advisory body armed with powers of inspection and report. It forms no part of any State Department. Its members are appointed by the Lord Chancellor and it reports annually to him. In its administrative duties, it is connected with a Secretary of State—with the Home Office. In both branches of work its action is chiefly indirect. It interviews and advises. The duty of carrying out its recommendations rests with the local authorities, the Visiting Committees of the county and borough councils, or the managers of hospitals, or the licencees of licensed houses. In the event of misconduct in regard to a licensed house, the licence, on the recommendation

The advisory nature of the Lunacy Commissioners' work.

The advisory nature of the Lunacy Commissioners' work —*contd.*

of the Commissioners or of the Licensing Justices, may be revoked by the Lord Chancellor. If a local authority fail to provide the accommodation required by the Act and the Commissioners (§ 247). report to the Secretary of State, "the Secretary of State may require the local authority to provide such accommodation in such manner as he may decide, and the local authority shall forthwith carry the regulation into effect." And on the comparatively rare occasions on which appeal is made to the power of compulsion, action is taken by *mandamus*. So in other matters. The Commissioners inquire (§ 272) in regard to plans, estimates, and contracts for the purchase of land and erection of buildings proposed by a local authority, and report to the Secretary of State, "who may approve the agreement, contract or plan with or without modification, or may refuse his approval." So in the case of contracts for the reception of pauper lunatics of one district into the asylum of another, and in the case of rules for asylums, hospitals and licensed houses. The rules of asylums are prepared by the Visiting Committee and approved by the Secretary of State; the rules of hospitals are drafted by the Managing Committee of the hospital and approved by the Secretary of State. In both cases the Commissioners advise the Home Secretary, and their only control lies in that. In the case of licensed houses, with the sanction of the Secretary of State, the Commissioners may make the regulations. The Commissioners are thus in the main an intervening advisory body without executive functions. They advise and report on the one hand to the local authorities or agencies, on the other hand to the Secretary of State or to the Lord Chancellor. The acceptance or the enforcement of their advice rests with other authorities.

Lunacy Act, 1890, Sec. 221.
Lunacy Act, 1890, Sec. 247.
Cunynghame, Vol. IV., p. 321, c. 1.
Urmson, Vol. IV., 26684.
Lunacy Act, 1890, Sec. 254 (1), (2), (3), and Lunacy Act, 1891, Sec. 16.
Lunacy Act, 1890, Sec. 275 (1), (2). Sec. 231 (5), (6), and Sec. 12, Lunacy Act, 1891.
Marriott Cooke, Vol. IV., 26054.
Lunacy Act, 1890, Sec. 226.

Suggestions for increasing the direct authority of the Commission.

635. The question is raised whether this advisory position should be altered and whether powers should not be conferred on the Commission to draw up rules and regulations in all cases and enforce their observation. One of the Commissioners, Mr. Urmson, said: "We want further powers, to make rules and to insist on their being complied with." So Dr. Needham, a Commissioner in Lunacy:—

> I think the Lunacy Commissioners ought to have power to call for a revision of the rules and regulations in both hospitals and asylums. . . The state of the asylum alters, or a variety of circumstances occur to make the state of things different; subject to a certain amount of discretion to local authorities, you want a revision to meet the new state of things and you have no power to call for it; once passed these rules can be kept on until the end of time.

Urmson, Vol. IV., 26545, 26546.
Needham, Vol. IV., 26948.
Needham, Vol. IV., 26951.
Mercier, Vol. IV., 29942.
Whitwell, Vol. IV., p. 202, c. 1.

So as to the future: if the jurisdiction of the Commission is extended to mentally defective persons as defined in Recommendation IV., the Commissioners, it is thought, should have power to regulate the establishments for them. So Dr. Mercier, who gave evidence on behalf of the Royal College of Physicians, suggests that they should have power to make rules in regard to the treatment of lunatics in workhouses. And Dr. Whitwell, the Medical Superintendent of the Suffolk County Asylum, proposes that they should be empowered to make compulsory orders in structural matters: for example to say, "Such and such buildings are not to be used and such and such buildings must be put up."

Clouston, Vol. IV., 30996, 30997.

Dr. Clouston, the Superintendent of the Royal Asylum, Edinburgh, supports these views. He says: "The powers of the Commissioners should be absolute in regard to size of asylums and in regard to plans of asylums." They should also have "greater powers in certain matters of internal administration, such as breaches of discipline on the part of the officers of institutions" and "some power over the higher officers, if they found a bad state of affairs existed,"—"as would lead to dismissal"—"such power that it would not be a mere personal recommendation, but that they would be performing a statutory duty in making such recommendation." At present a return is made by the asylum when an attendant or nurse is dismissed. The Commissioners have power to prosecute, and if the dismissal is due to misconduct affecting the patients they make inquiry, and, if necessary, prosecute. They have no power over the staff itself.

Urmson, Vol. IV., 26471, 26472.
Hodgson, Vol. IV., p. 261, c. 1 and 2.

Dr. Hodgson, the Chairman of the County Asylum at Chester, who expressed, like some other witnesses, his dissatisfaction in regard to the delay in passing plans, made also some general suggestions with a view to increasing the influence of the Commission. He thought that the Commissioners should occasionally meet the Asylums Committee in conference, an arrangement which would, he thought, be advantageous to both parties. "The Commissioners, though they had practical authority as to what was required for buildings, had little or no authority

in the ordinary administration of public asylums." The Annual Reports "came to the Committee having little authority behind them and not often as much influence as is desirable for all concerned." As to the treatment of lunacy as a disease, the visits of the Commissioners to Asylums Committees could be utilised "if only for the information they could give of the best things being done to advantage in other asylums." "The State had a right to exercise more influence in lunacy administration, not authoritative interference by the Commissioners, but the exercise of legitimate influence which well-informed, experienced, and tactful officials can always use to advantage." The change here insisted upon is the wider extension of personal and official influence, rather than the enlargement of the direct authority of the Commission. But Dr. Savage, who gave evidence on behalf of the Parliamentary Committee of the Medico-Psychological Association, would give them an altogether stronger position of control :—

Suggestions for increasing the direct authority of the Commission—*contd.*

Hodgson, Vol. IV., p. 261, c. 2.

Savage, Vol. IV., 29015.

> "'It seems to me,' he said, 'that here is the head of a great body; they are recognised as a head, and ought, as a head, to have a directing, observing and supervising power.'"

In these counsels, however, usually all that is definitely and immediately urged is, that two or more additional Commissioners should be appointed, in order to enable the Commission to meet the great increase of work that has sprung up in connection with certified lunacy. But as the influence of the Commission rests chiefly on advice and comment, the acceptability of which depends very much on the status of the advisors, it is argued, especially by medical witnesses, that no assistant Commissioners or inspectors should be appointed for the service of the Commission. Only Commissioners of full rank, who have large experience and special knowledge will have, it is said, weight sufficient to control and guide administrative opinion.

Other critics, accepting this view on the whole, have suggested that the English Lunacy Commission and administration might be re-organised on Scottish lines.

636. On the other hand, by some a policy of reconstruction is proposed which would practically abolish the Commission. This policy is based on several different theories and allegations. Some desire a Board of Health in which the Commission would be merged, some think its visitation of asylums unnecessary, and some blame it for misguidance and excessive expenditure in connection with the building of asylums.

Suggestions for minimising the authority of the Commission or abolishing it.

637. To take the first point. The British Medical Association desire that there should be "one central department charged with the supervision of matters which from the medical standpoint, whatever differences there may be in degree, are in nature homogeneous." They wish the Local Government Board "to be the Department of State dealing with all questions of health, . . . 'practically' the Department of the Minister of Health," and they would include in it the oversight of all cases of mental disease.

Smith Whitaker, Vol. IV., p. 237, c. 1.

Vol. IV., 31371.

Vol. IV., 31379.

Dr. Claye Shaw, formerly Medical Superintendent of the Banstead Asylum, wishes "to increase the powers of the Lunacy Commissioners so as to enable them to enforce systems of management of asylums which they approve; to arrange the proper and adequate accommodation for patients, to acquire sites, and to order the size and form of buildings," and "to make the Local Government Board the supreme reference in lunacy matters affecting lunatic hospitals, private and county asylums and lunacy matters generally." The argument put forward in support of this view was that the Local Government Board already "had a very great deal to do with insane people," and that it was "an anomalous thing that the Lunacy Commissioners should have to examine the workhouses that are under the control of the Local Government Board," and further that the architects, sanitary inspectors, engineers and others now attached to the Local Government Board should be available for building and other purposes in connection with asylums.

Claye Shaw, Vol. IV., p. 197, c. 1 and 2.

Vol. IV., 30377.

30378.

30377.

638. Mr. Crowther, Chairman of the Asylums Committee of the West Riding, objected chiefly to the action and policy of the Commission in relation to buildings. To that we will refer later; but his general suggestion was that "the visitation of asylums by the visiting committee of the local authorities was so complete and vigilant, that inspection by a central Government body was practically not required." "One Government inspector to visit annually would be quite sufficient"—"one inspector visiting one asylum continually." "In the present system there is a want of continuity of policy, in our opinion, which goes against efficiency and is very irritating sometimes." The Commissioners should not be responsible in any way for the medical and physical condition

Crowther, Vol. IV., p. 206, c. 1.

30393.

30549.

30588.

Suggestions for minimising the authority of the Commission or abolishing it. —*contd.*

of the patient. There should be separate county management, and the services of a permanent Government architect. Practically he would "eliminate the Lunacy Commission." Crowther, Vol. IV., 30532. 30535. 30531.

639. Mr. Brooks, Chairman of the Surrey County Asylums Committee, made criticisms and suggestions which may be summarised as follows:—

> "The Commissioners in this country, with its large number of lunatics and asylums, cannot know what is being done in any detail. They are not sufficiently strong to do the work. One or two Commissioners intimately acquainted with what is being done in one district or community would be better—something more on the lines of county medical inspection. There might be county inspectors over lunatic asylums—one county or more under one inspector according to the population. They would be in constant touch with the asylums and the medical staff. They would visit at uncertain times once in every three months and report to the Central Authority. They would have power to serve notices on committees and proprietors or managers to remedy deficiencies and provide necessary requirements. One visit a year like that of the Lunacy Commissioners is utterly useless. It is merely a visit to collect statistics on the off chance of your seeing something as you walk downstairs or pass through a ward. There is no time for these gentlemen to give to it, once in twelve months."

Brooks, Vol. IV., 31147, 31148.

On this scheme, the Commissioners' functions would be "limited to those matters which are more particularly concerned with the medical, domestic, and hygienic conditions under which lunatic patients are detained in public asylums." All proposed erections, alterations or extensions of buildings would be submitted to the Home Office direct, and the contracts made by local authorities for the temporary accommodation of patients would be settled also subject to the direct approval of the Home Office. The Lunacy Board should be a special department of the Home Office, consisting of a medical chief and his medical deputy and two or three other qualified members with an efficient office staff as required, and probably a legal member.

Vol. IV., p. 225, c. 2.

640. Mr. Davis, Chairman of the Birmingham Asylums Committee, took a similar view of inspection, but he desired that the Commission should be remodelled so as to include "a number of medical men (most of whom should have had lengthened experience in the care and treatment of the insane), lawyers, Members of Parliament and representatives of county councils, cities and boroughs."

Davis, Vol. IV., p. 276, c. 1.

641. Mr. Cooper, who was a member of the London County Council from 1889 to 1906, and who had taken an active part in the Council's asylum administration, spoke strongly against the work and policy of the Commission. On the question of its constitution, he said that they were "virtually a perfectly independent board —their only obligation being to report every six months the number of visits that they had made and the number of patients that they had seen"—and to lay their annual report to the Lord Chancellor before Parliament. Plans and estimates had to be sanctioned by the Home Secretary; "but the Home Secretary had disclaimed any responsibility for, or control over, the action of the board." The authorities were now elected, and the care of lunatics detained in asylums had been transferred to committees of county councils. Hence, it was a question "whether the special reason for the existence of the Board of Lunacy Commission had not passed away, and that the board be abolished, and any power and duty of theirs which is worth retaining, be given either to the Home Office or the Local Government Board." This might include "very large powers," probably enough to enable them to discard a proposal or scheme of the local authority, while leaving it a large discretion as to the kind and character of the asylums it should be allowed to build.

Cooper, Vol. IV., 34329 to 34599.

Vol IV, p. 375, c. 1.

Vol. IV., p. 375, c. 1.

Vol. IV., p. 375, c. 2.

34480.
34482–34483.

Summary of suggestions for minimising or abolishing the powers of the Lunacy Commission.

642. These suggestions are very various: to make the Commission part of the Local Government Board, transformed into a Board of Health; to increase the power and authority of the Commission in the management of asylums, etc.; to eliminate it, and to provide annual inspection, and an architect who should be at the disposal of the local authorities; to enlarge the Commission so that it may be a somewhat representative consultative council; to abolish the Commission and to give more power to the asylum committees under the direct control of the Home Office or Local Government Board. And, except in the first two instances, these suggestions are the outcome of allegations of mismanagement, especially in reference to visitation, and the dispatch of business in connection with plans for

new buildings. These and some other points we will take in turn. And another plan, also, may be mentioned here; namely, that the Lunacy Commission should continue to carry on its work in regard to the certified as at present, but that a new body should be formed to deal with the "feeble-minded."

643. Our conclusions on this variety of suggestions we will submit later on. We begin our discussion of the subject by drawing attention to the fact that it is admitted that the work of the Commission at the present time is beyond their powers. At present, both the inspectorial and the advisory work is :— Vol. IV., 25877.

Pressure of work on the Lunacy Commission. Marriott Cooke, Vol. IV., 25879, 25880.

> "Done at a most undue pressure. Some of us are often obliged to be absent from Board meetings when there are important matters of policy to be discussed, and occasionally matters arise in institutions, such as suspected ill-treatment of patients, which we are not always able, owing to the shortness of our numbers, to investigate on the spot as we should like."

Asked why the approval and settlement of plans for an epileptic colony to be established by the London County Council took two years, Dr. Marriott Cooke, a Commissioner in Lunacy, answered :—

> "I may say that all these plans take a long time, they involve enormous expenditure of money, and it is most important in the interests of the ratepayers that these plans should not be hurried through. We think that where there is an expenditure of perhaps nearly £500,000 incurred in the erection of these asylums, every point should be looked into as carefully as it possibly can be, and there is no doubt that it does take a long time. I should also like to point out that some of the delay which may occasionally arise no doubt due to the Commissioners being over-taxed with work. Very often plans are delayed from our being obliged to go away on circuit, with the result that they must stand over until our return. That is one way in which the over-work of the Commissioners is manifested. Plans might be got through more quickly if more time could be given to them, and if they were not hung up for other work which the Commissioners must perform without delay." 26164.

Dr. Needham, a Commissioner in Lunacy, after describing the duties of the Commission and submitting a list of hours of work during twenty-two days of visiting asylums, says :— Needham, Vol. IV., p. 74, c. 2

> "The absorption of time in the several ways and to the extent specified above leaves practically none for consultation between members of the Board, and deliberation as to matters of principle, policy, and law, which are so necessary to secure sound, consistent, and united action. Parliament has laid upon the Commissioners duties and obligations, the efficient discharge of which is essential to the welfare of the insane, and the preservation of the liberty of the subject, and they are convinced that any neglect of many of them, or their perfunctory or incomplete discharge, would be followed, sooner or later, by reversion to the conditions which prevailed before, and for some time after, the creation of the Lunacy Commission, an account of which is to be found in the Parliamentary papers of that time.
>
> "The Commissioners are satisfied that they can no longer continue to discharge those duties in as complete a manner as they have hitherto endeavoured to discharge them unless they are strengthened by an addition to their number, and they have no doubt whatever that it would be quite impossible for them to undertake such extra work as it was proposed to lay upon them in relation to the Incipient Insanity Clauses of the last Lunacy Bill. As it is, their duties have to be discharged so hurriedly as to be good for neither the work nor the workers."

644. There is thus on the one side, on the part of the present Commissioners, an ample admission of their inability to cope with the work of the Commission as it now stands; and on the other side, there are the complaints which underlie the proposals for change which are mentioned above.

CHAPTER XXXIII.

Visitation and Discharge.

645. The number of Commissioners available for statutory visitation is very small—three Legal Commissioners and three Medical Commissioners. Five Honorary Commissioners may be appointed. Actually there are two only, one of whom is required to be chairman. By the honorary members at the present time but little responsible work is done; hence the brunt of it falls on the six Commissioners, and the Secretary and his staff of clerks. In 1845 there were, as at present, six paid members of the Commission, and there were also for many years afterwards, several honorary members, the late Earl of Shaftesbury, Sir Charles Bagot and others who placed much of their time at its service. Dorington, Vol. IV., p. 19, c. 1. Trevor, Vol. IV., 25077. 25082. Tuke, Vol. IV., p. 124, c. 1. Trevor, Vol. IV., p. 6, c. 1 and 2. Urmson, Vol. IV., 26735. Giffard, Vol. IV., 27148.

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Growth of work of the Lunacy Commission. Needham, Vol. IV., p. 73, c. 2. 61st Report of Commissioners in Lunacy, p. 1.

646. But the work as indicated alike by the number of certified lunatics and by the larger size of the institutions to be visited has increased very much indeed. In 1845 the number of lunatics was 25,000; in 1883 it was 77,000; in 1907, 123,988. The number of county and borough asylums in 1883 was sixty-two; there are now, in December, 1907, ninety-four (*see* Par. 653 *post*) and the asylums are larger. In February, 1883, there were only thirteen asylums with an insane population exceeding 1,000; in 1904 there were nineteen in which the patients exceeded 1,000. Trevor, Vol. IV., p. 6, c. 1.

The aggregation of lunatics in large institutions, and modern facilities for travel, are facts which bar the conclusion that the work of the Commission, as a whole, has increased in the ratio of the increase in the number of lunatics; but to the remarkable increase in that number due weight must be given.

Visitation of Asylums.

647. The visitation of institutions in England and Wales by the Commissioners is arranged in six circuits; and the Lunacy Act of 1890 lays down precise instructions as to the number of visits to be paid annually to different kinds of institutions. Each asylum has to be visited by two or more Commissioners once at least in each year and inquiry made on the following points :— Trevor, Vol. IV., p. 6, c. 2.

Lunacy Act, 1890, Sec. 187, etc.

> "187.—(1.) Two or more Commissioners, of whom one shall be a medical practitioner and one a barrister, shall once at least in each year visit every asylum and shall inquire :—
>
> (*a.*) Whether the provisions of the law have been carried out;
> (i.) As to the construction of the building;
> (ii.) As to visitation;
> (iii.) As to management;
> (iv.) As to the regularity of the admission and discharge of patients;
>
> (*b.*) Whether Divine service is performed;
> (*c.*) Whether any system of coercion is practised, and its result;
> (*d.*) As to the classification of patients and the number of attendants on each class;
> (*e.*) As to the occupations and amusements of the patients, and their effects;
> (*f.*) As to the bodily and mental condition of the pauper patients when first admitted;
> (*g.*) As to the dietary of pauper patients;
> (*h.*) As to such other matters as to the visiting Commissioners seem fit.
>
> (2.) Any one or more of the Commissioners may at any time visit any asylum with the like powers as are by this section given to two or more Commissioners."

Of course the visitation of the Commissioners is not, nowadays, the sole means available for the maintenance of a high standard of efficiency in asylums. In addition to their inspection, asylums are subject to the much more frequent and detailed scrutiny of the representatives of the local authorities. There are visits of at least two members of the asylums committee of the council or borough council made together "once at least in every two months" "to inspect every part of the asylum and see every patient therein, so as to give every one, as far as possible, full opportunity of complaint, and examine the order and certificate or certificates for the admission of every lunatic. . . . ."

Lunacy Act, 1890, Sec. 188.

Lunacy Act, 1890, Sec. 189.

Further, where the asylum receives inmates sent by other asylum committees, a visit is paid once in six months by two members of the Visiting Committee who have placed the patients in the asylum.

Visitation of Hospitals and Licensed Houses.

648. Besides the asylums, the Commissioners have to visit hospitals and licensed houses (Sec. 191). The licensed houses "within the immediate jurisdiction of the Commissioners" are those (Sec. 206 and third schedule of the Act) in the cities of London and Westminster, the counties of London and Middlesex, and parts of Surrey and Essex in the outskirts of London, and "also every other place, if any, within the distance of seven miles from any part of the cities of London or Westminster, or of the borough of Southwark." These have to be visited six times a year, four times (Sec. 191 (2)) by not less than two Commissioners, "of whom one shall be a medical practitioner and one a barrister, and twice by one or more of the Commissioners."

The licensed houses outside this jurisdiction (Sec. 191 (3)) the Commissioners have to visit twice a year—a medical and a legal member together; and every hospital (Sec. 191 (4)) in the same way, not less than two Commissioners have to visit once a year, one being a medical practitioner and one a barrister. All these visits are made "without previous notice" (Sec. 191 (5)). There is,

Visitation of Hospitals and Licensed Houses —*contd.*

however, a proviso (Sec. 191 (7)) by which on a representation by the Commissioners the Lord Chancellor for a specified period need not require a house licensed by justices to be visited more than once a year, or a house licensed by the Commissioners and not receiving pauper patients more than twice a year by two Commissioners.

In the case of the houses licensed "within the jurisdiction of visitors appointed by justices" (Sec. 193 (2)), also, the visits of the Commissioners are supplemented. These houses are visited by two of the visitors appointed by justices, one of them being a medical practitioner, four times a year; and, besides other visits, by one or more of these visitors twice a year.

Visitation of Unlicensed Houses and Single Patients.

649. In addition to this (Sec. 198) there are visits to unlicensed houses, that is, to houses in which a single patient is detained as a lunatic. These houses have to be visited at least once a year by one or more Commissioners. Further (Sec. 199), there are visits made by any one Commissioner, on the direction of the Commissioners or any two of them, to a single patient, with a view to a report to the Commissioners or the Lord Chancellor on the treatment and state of health, both bodily and mental, of the patient and as to the moneys paid on his account. And, besides other visitation (Sec. 199 (2)), there are (Sec. 201 (1)) visits made to pauper lunatics, in individual cases, by medical practitioners appointed by boards of guardians.

"Special visits."

650. Also, in cases requiring immediate investigation, "special visits" are made (Sec. 204) by the Commissioners; and (Sec. 205) "in the case of a lunatic so found by inquisition," the Lord Chancellor may direct "the Commissioners, or any of them, or any other person, "to visit and examine the lunatic; or the Lord Chancellor, or the Secretary of State, may direct such an inquiry in regard to a lunatic not so found, or an alleged lunatic.

Metropolitan Asylums Board Asylums, and Workhouses.

651. Finally, the asylums for imbeciles under the Metropolitan Asylums Board, and workhouses with special lunatic wards, are visited once a year by a single member of the Commission; and other workhouses in which (Sec. 203) there is or is alleged to be any lunatic "any one or more of the Commissioners, as the Commissioners by any resolution may direct," may visit, and "shall inquire whether the provisions of the law have been carried out, and also as to the dietary, accommodation and treatment of lunatics"; and (Sec. 204 (1)) in cases of any lunatic or alleged lunatic requiring immediate investigation in any institution for lunatics, or workhouse, they may order any competent person or persons to visit and report.

In the case of lunatics detained in workhouses, there is also a supplemental system of visiting. Apart from the medical officer of the workhouse and the Poor Law guardians, the inspectors of the Local Government Board visit the workhouses periodically.

Effect of Lunacy Act, 1890, as to Visitations.

652. Thus the law, it will be seen, imposes a very elaborate system of duplicate visitation where there is a local authority concerned, as in asylums and workhouses, but in the case of licensed houses which are in the immediate jurisdiction of the Commission—in the metropolitan district defined in the third Schedule of the Act—and which are subject to the control of no local authority, the Commissioners have to visit practically every two months.

653. The institutions to be visited lie apart. In December, 1907, from information supplied by the Lunacy Commission, it appears that the numbers were as follows: ninety-four are county or borough asylums; fourteen are registered hospitals; eight are hospitals or institutions registered under the Idiots Act, 1886; four are State institutions; twenty-two are Metropolitan, and forty-four are provincial licensed houses: and in houses scattered over the country, many of them remote and inaccessible, are 398 single patients. And, as we have seen, many institutions have to be visited by two members of the Commission together.

System of Visitation.

654. Dr. Needham thus describes the visit to an asylum. He says:—

> "It is always a surprise visit. We go into the asylum and we see the superintendent and we hand in a schedule of particulars which we ask to have filled up with reference to the admission of patients and changes that have taken place amongst the patients since

Needham, Vol. IV., 26895.

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System of Visitation—*contd.*

Needham, Vol. IV., 26897, 26898.

the last visit, the number of deaths, causes of death and matters of that kind, mechanical restraint, seclusion, and a number of particulars. That has to be done by the clerk and by the medical officers while we are inspecting; we also inquire as to the number of attendants who have left and a number of matters of that kind. Needham, Vol. IV., 26896.

"Then we go round the wards. We go into each ward, and as we go in we see the charge nurse. We are accompanied by the medical superintendent and the assistant medical officers and by the matron or by the head attendant. We take down in each ward the number of patients, the number of attendants, the number of patients who are epileptic, and the number of patients who are suicidal, and the number of patients who are in bed. Then we proceed to count all the patients in the ward so as to make the numbers tally with the number given to us. Then we go round each ward, walking slowly from patient to patient and giving every patient the opportunity of speaking to us, many of the patients availing themselves of that opportunity. If a complaint is made to us we investigate the complaint. For instance, the other day, at an asylum we were going round, a patient complained of being ill-used. We made careful inquiry into the complaint and in the result we advised the superintendent that the nurse should be discharged.

26899. 26901. 26902. 26903. 26904. In investigations like that we take evidence on the spot from the nurses and from any other patients who are competent to give evidence. Of course if a serious complaint were made we should investigate it separately and upon oath. Of these investigations there are comparatively not many, but a good many altogether. It is a matter with which the visiting committees are constantly concerned. . . . If a complaint were made to us at our visitation we should inquire ourselves. We should not disclaim responsibility and say, 'This must come before the committee'; we should make investigations on the spot.

"Then after we have seen the whole of the patients and the whole of the establishment, the kitchen and the store-rooms, and tasted the stores as far as possible, and seen the entertainment-room—in fact, all parts of the premises—we go into the committee-room and write our report."

655. Asked whether the Commission gave any attention at all to the individual treatment of the patients, their medical and scientific treatment, Dr. Needham said:—

Needham, Vol. IV., 26905–26906.

"Yes, as far as we can. I think we have always held that interference with the medical treatment would be an encroachment upon the duties of the medical superintendent, would limit his responsibility and be rather undesirable. In the medical profession it is not customary for one man to criticise very closely the dealings of another, even if he is in a consultant capacity, unless he has reason to think that the treatment is unsatisfactory. It has happened to me that I have gone to an asylum where I thought the medical treatment, from complaints which were made, was not quite satisfactory. I remember remonstrating very much indeed with the superintendent and insisting upon a variation being made . . . This was the treatment of one or more patients. I found that he used a certain kind of treatment with reference to several patients which I thought was more of the nature of punishment than medical treatment."

Needham, Vol. IV., 26910.

"We are asked for advice on all manner of subjects, and we are always very ready to give the benefit of our wide experience. Superintendents know, and we occasionally point out to them, that we have the advantage which they have not, of going from one place to another and comparing one mode of treatment with another, and we give them the benefit of any experience we have."

Clare, Vol. IV., 33746–33747, 33750.

656. All the reports which are given by the Commissioners are read at a Board meeting at which the members are present, and the extracts of the report which appear subsequently in the Commission's Annual Report convey the opinion of the Board as a whole.

657. The system of visitation, though criticised in some details, received cordial approval from the greater number of the witnesses who spoke on the question.

Crichton Browne, Vol. IV. p. 163, c. 2.

Sir James Crichton Browne, one of the Lord Chancellor's Visitors in Lunacy, said that "by vigilant supervision and steady pressure the Commissioners had succeeded in abolishing the flagrant abuses which existed in asylums, and the gross cruelties to which the insane were subjected at the time when the Commission was created under Lord Shaftesbury in 1845. They had been mainly instrumental in transforming the English asylums from mere houses of detention and safe custody into hospitals and sanatoria for the treatment of mental disease. . . . They had undoubtedly contributed to raise the standard of domestic comfort, of nursing, and of discipline, in asylums of all classes throughout the country. They had given valuable assistance to local authorities in connection with the building and enlargement of asylums, and had endeavoured to exercise a check upon extravagant expenditure. They had insisted on modern sanitation, on modifications of dietary and clothing, on precautions against fire, and on many other measures calculated to enhance the health and safety of asylum inmates. They had promoted the scientific investigation of insanity and the clinical teaching of medical psychology."

Dr. Mercier expressed similar views. Speaking of their statutory functions, their inspectorial and advisory functions, he said :— System of Visitation—*contd.*

> "I do not think it possible that those functions could be better done than they are done by the Commissioners at the present time, but there are other functions which the Commissioners, it seems to me, cannot help exercising more or less, and which might be more efficiently exercised, if the Commissioners were in the first place more numerous, so that they had more time to give to the matter, and in the second place, if the Commissioners were a preponderatingly medical body. As the chief authority in lunacy in this country, the Commissioners must, whether they like it or not, set the tone of treatment. They must set the tone of the custodians of lunacy towards the lunatics whom they have in care. They have done so, and their influence in this direction has been very beneficial. The lunatics are now treated throughout the country with kindliness, consideration, and courtesy, and the whole administrative body takes its tone from the manner in which they see the Commissioners deal with lunatics; but I think that their influence might be extended very much further, if the Commissioners had the time, and if they were a preponderatingly medical body."

Mercier, Vol. IV., 29893. Cf. Clouston, Vol. IV., 30937.

658. On the other hand there is a demand for more thorough visitation. Dr. Savage said :— Arrangements to enable the Commissioners to give more time to visitation.

> "The inspection of the Lunacy Commissioners in great detail is necessary. . . . . Every new case should be inspected; every patient who has been admitted since the last visit should be brought before the medical Commissioner for him to form his judgment, as if it were a new case."

Savage, Vol. IV., 28992, 28954, 29024.

And when challenged as to the physical possibility of doing this he said :—

> "It is a physical impossibility for the Commissioner to see all the new patients who are admitted into a large asylum, but it seems to me it would be very much more useful if the Commissioners were in one of the rooms at the end of the gallery and the superintendent was there with the case book and went through it and said : 'A. B. has been here now three months' and what his condition on admission was; then the medical Commissioner could examine for himself. It would not take so very long in the majority of cases. He would give the patient an assurance that things were all right, and I think that is a great thing."

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Like many other witnesses, Dr. Savage thought that the Commission required enlargement. It was not now constituted in the best way to carry out its functions :—

> "I may say the visitation by Commissioners, when they talk of being able to see 800 patients in a day, although a large proportion are weak-minded, must mean very imperfect visitation; periodically I go to a lot of these private asylums and hospitals, and if one sees thirty or forty in a day and really takes any interest or notice of their progress, it is as much as one can do. As for seeing 600 or 800 patients no one can do that in justice to them, it seems to me."

Savage, Vol. IV., 28882, 28883.

The Commissioners ought he thought to be relieved as much as possible of the purely mechanical work, which is outside both their medical and legal province: and he suggested, with a view to lightening the "extremely heavy work" of visiting, that a clerk from the Commission should verify the cases of the patients and should ask them if they wish to make any complaint, and that the Commissioners should then see these patients apart or out of the wards altogether. The patients complained that they could not speak to them when there were half-a-dozen people round them at the same time.

29023. 29046. 28949.

659. Sir John Batty Tuke, M.P., M.D., Visiting Physician to Saughton Hall Private Asylum, criticised the constitution and methods of the Commission very severely. There are, as has been stated, three medical and three legal members of the Commission, and the latter take their part in the visiting of asylums and other institutions. But Sir John Batty Tuke thought that the legal Commissioners "were useless for inspection purposes, were an anachronism." And, by him and others, the question of the utility of the services of legal Commissioners was much discussed. In Scotland, where they were honorary members, they "confined themselves to the board room," and took part only in the legal and general work of the Commission. This course should be adopted in England, he thought. Dr. Coupland, a Commissioner in Lunacy, and others opposed this view. "Our primary duty," he said, "is towards the patients, and we have to satisfy ourselves that they are properly detained. . . . Those patients who do complain most of their detention and feel it as a great hardship are just those insane people who will not admit that they are ill. . . . Over and over again a patient has come up to me . . . and said 'I don't want to see you . . . I want to see the lawyer.' The reason why he wants to see the lawyer is to assure

Question of the utility of barrister members of Commission in visiting Asylums.

Tuke Vol. IV., p. 125, c. 1; p. 124, c. 1, 28706. Coupland, Vol. IV., 26890. Savage, Vol. IV., 29066.

Question of the utility of barrister members of Commission in visiting Asylums —*contd.*
Savage, Vol. IV., 29057.
28879.
28886–7.

himself that the deprivation of his liberty has been done legally, and to have it explained to him that this is because he has come under the law." And this opinion was held by Dr. Savage. "I think," Dr. Savage said, "the superintendents feel greater confidence in being also supported by members of another profession than by being supported by members of their own profession only. I always felt that the legal Commissioners were a very great strength." His personal view was that the barrister members of the Commission should chiefly assist in its legal business at the office, but should take such part in visiting as would enable them to be thoroughly conversant with its methods and requirements—a view with which we generally agree, though as explained above by Dr. Coupland, the non-medical members can exercise a useful function in investigating complaints as to the impropriety of the detention or treatment of individual cases and in reassuring and tranquillising the patients.

The desirability of continuing the number of statutory visits required by the Lunacy Act of 1890.
Tuke, Vol. IV., 28595–28599.
Tuke, Vol. IV., 28600–28604.
Cf. also Clouston, Vol. IV., 30976, 30957. 30971. 30968.
Urmson, Vol. IV., 26445, 26525. 26535
Mercier, Vol. IV., 29953. 29964.
Clouston, Vol. IV. 30965.

660. The statutory requirements of the Lunacy Act in regard to visitation were also criticised by Sir John Batty Tuke, and, in some measure, by Dr. Clouston Superintendent of the Royal Asylum, Edinburgh. Sir John Batty Tuke, judging from his experience in Scotland, thought two annual visits to an asylum—complete inspections—necessary for proper supervision, not the one visit now required by statute. The "constant visitation of private asylums," he thought, "was quite unnecessary when you take into account the high character of the men who look after them." Twice a year would suffice in their case, instead of the six visits now paid to them; and so in the case of hospitals; and lunatics in workhouses might be visited once or twice a year. Dr. Clouston said, "A man does a very good day's work if he inspects thoroughly 400 patients a day." "Of private patients of a somewhat educated class he would put down something like 200 in one day as being really all that one man could inspect of that class." He favoured the visitation of asylums twice a year, as "for the sake of the insane it forms a more efficient protection." The lunatics in workhouses, he thought, ought probably to be inspected more than those in institutions. "The spirit of a workhouse is not quite a medical one, therefore the lunatic in the workhouse is more apt to be neglected." Once in three years was insufficient. Generally, for all institutions "twice a year would be a reasonable amount of inspection and visitation."

Conclusion that, though frequent visitation is essential, the present conditions should be changed.
Mercier, Vol. IV., 29975, 29976.
Cooper, Vol. IV., p. 204, c. 2.
Crowther, Vol. IV., p. 37[illegible], c. 2.
Para. 648
Savage, Vol. IV., 29023, 28949, 29046.

661. On this point, we are of opinion that frequent periodic visitation is essential, if the standard of administration which has been slowly reached in the last sixty years is to be maintained and gradually raised still higher. And we are quite unable to agree with the views of Mr. Cooper, M.P., and Mr. Crowther, that the system should be relaxed. But it is plain that, with so large an increase in the number of certified insane, some change in administration is necessary. The inspection of the insane is unlike much other inspection, as it is necessarily liable at any moment to involve a minute and expert investigation of the cases of individuals. It must, therefore, be very laborious and exacting. Partly for that reason alone, it is inevitable that there should be a large delegation of detailed work to others than the Commissioners themselves, perhaps on the lines suggested by Dr. Savage; and certainly, the terms of the Lunacy Act in regard to visitation should be reconsidered. Its rigid requirements may well, we think, be modified, so that time may be reserved not only for careful and discriminating visitation, but also for new work, connected with the mentally defective, which may prove a very heavy task even for an enlarged and reconstituted Commission. The clauses of the Act which require the joint visitation of asylums by two or more Commissioners, should, we think, be annulled. The vexed question of the position of the "barrister member" we have left to be settled, as it can only be satisfactorily, by organisation within the office of the Commission itself. We have recommended only that "a certain proportion of the number be legal members, being barristers-at-law qualified to deal with particular cases and points of law, including such questions as may arise out of the new conditions which the plan proposed by us must necessarily entail."

Recommendation XXII.

Recommendation VI.

Visiting of mentally defective persons in workhouses or in receipt of outdoor relief.

662. In regard to institutions, such as workhouses, where insane persons are to be found mixed up with persons who are mentally defective in other ways, or who are not mentally defective at all, we are of opinion that visitation by the expert members of the Board is as essential as in the case of asylums, and that increased provision should be made for it. We cannot but have regard to the

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fact that in such institutions the inspection of the Commissioners is not, as a rule, supplemented by the daily supervision of a large and expert staff and the frequent visits of representatives of local authorities. But there are other suggestions and criticisms. The fact that the mentally defective persons who are in receipt of outdoor relief are not inspected by the Commissioners has been prominently dealt with in the evidence. The Commissioners have expressed a strong wish that they should be visited, an opinion supported by the reports of our medical investigators and by our personal experiences. They number 5,595, and their visitation would be one of the additional duties of the reorganised Commission.

Visiting of mentally defective persons in workhouses or in receipt of outdoor relief—*contd.*
Needham, 26942.
Potts, Vol. VI., pp. 101 and 102.
Lunacy Commissioners Sixty-first Report, p. 2.

663. Another question is that of discharges in relation to visitation. There are persons who while they are retained in asylums are quiet and controlled, though they have a bad record of recurrent insanity coupled with drink or crime. To discharge these persons is often to pave the way for further indiscipline and insanity. Should not the Commissioners have power to prevent the discharge of such persons, who, while in an asylum, are temporarily sane ? Such a duty would add to the time and labour of visitation. It raises the whole question of discharge and renewal certificates. The statutory rules are these :—

Discharges in relation to visitation.
Coupland, Vol. IV., 26783.

> "A private patient detained in an institution for lunatics or under care as a single patient is discharged if the person on whose petition the reception order was made by writing under his hand so directs. . . . If there is no person qualified so to discharge or able or willing to act, the Commissioners may order the discharge. The authority liable for the maintenance of a pauper lunatic detained in a hospital or licensed house may make an order for the discharge of the lunatic."

Lunacy Act, 1890, Sec. 72 (1) and (3).
Sec. 73.

But the absoluteness of these two powers of discharge is qualified by the condition that the discharge cannot take place if the medical officer or medical attendant, as the case may be, "certifies in writing that the patient is dangerous and unfit to be at large."

Sec. 74.

In the case of detention "without sufficient cause" the Commissioners, a medical and a legal, can discharge after inquiry a patient in a hospital or licensed house, or a single patient.

Lunacy Act, 1890, Sec. 75.

664. In asylums the Visitors discharge, no doubt after consultation with the medical superintendent. "Any three Visitors of an asylum may order the discharge of any person detained therein whether he is recovered or not." And "any two such Visitors, with the advice in writing of the medical officer, may order the discharge of any person detained in the asylum."

Sec. 77 (1).
Sec. 77 (2).

In the case of licensed houses licensed by justices—that is, not in the immediate jurisdiction of the Lunacy Commission—two Visitors, one being a medical practitioner, after two visits paid by them "at an interval of not less than seven days," if it appears to them that any patient is detained without sufficient cause, may, subject to certain stipulations, make "such order as they think fit for his discharge."

Sec. 78 (1) and (3).

A patient is also discharged to a relative or friend by any two members of the Visiting Committee, "if they think fit," upon the undertaking of the relative or friend that he "shall no longer be chargeable to any union, county, or borough, and shall be properly taken care of and prevented from doing injury to himself or others."

Sec. 79.

As to pauper lunatics, the Visiting Committee of an asylum may notify to a relieving officer or the clerk of the local authority liable for his maintenance their intention to discharge, while the guardians of the union to which a workhouse belongs may make an order of discharge of any lunatic detained therein.

Sec. 80.
Sec. 81.

665. The policy of these sections of the Act would seem to be that the patient should be returnable at the request of the person or authority which placed him under detention, unless, as is definitely required in the case of single patients and in the case of pauper lunatics in licensed houses or hospitals, he is on medical certification found to be "dangerous and unfit to be at large." But, in the case of county asylums or workhouses, there is no such express proviso. In the asylum the discharge is made "with the advice in writing of the medical officer," or in a house licensed by justices, subject to the opinion of the medical officer, "respecting the fitness of the patient to be discharged, if he tenders him-

Policy and suggestions as to discharge.
Lunacy Act, 1890, Sec. 74.
Lunacy Act, 1890, Sec. 78 (1) and (5).

Policy and suggestions as to discharge—*contd.*

self for examination " on that point. Further, the policy of the sections referred to is to throw on the local managers—the visitors of asylums and of houses licensed by justices—the duty of discharge, and not upon the Commissioners, whose duty rather it is to deal with cases " detained without sufficient cause," and not with discharge. Indeed, whereas formerly there was apprehension lest persons should be detained who ought not to be detained at all, now there is apprehension lest those who are detained should be discharged, when on public and personal grounds they ought somewhere and in some way to be retained under control and supervision.

Question of discharge in " unrecovered " cases.

666. The suggestion made to us is that the Commissioners should have power to prevent discharge in these cases. The pressure on the asylums is great, and, as we have shown in a previous chapter, the dilemma is serious. The " unrecovered " patient ought, no doubt, to be retained, and yet there is no sufficient accommodation for his retention.

Coupland, Vol. IV., 26783–26789.

Dr. Coupland, a Commissioner in Lunacy, said, referring to extreme cases :—

> " I think it would be well for the Commissioners to have power to retain such notorious people as that. The power would have to be carefully exercised on sufficient evidence. It would be better that they should do it then "—he refers to a plan suggested to him—" that the visiting committee should take the case before a magistrate, which might entail needless publicity. The Commissioners might act on the application of the superintendent. In any case the power if granted would affect a fair number. There have been about 25 per cent. of the patients who have been discharged who are returned to asylums. Not 25 per cent. within the year, but a good many within the year. Of these a large proportion are alcoholic cases."

Needham, Vol. IV., 26947.

Dr. Needham admitted the difficulty, but was doubtful as to the remedy suggested—the power of discharge in these cases being placed in the hands of the Commissioners.

Clouston, Vol. IV., 31028.

667. The methods adopted in Scotland were also suggested to us for application to England. These Dr. Clouston, Superintendent of the Royal Asylum, Edinburgh, described. He said :—

> " It might be interesting to the Commission to hear that in Scotland we have five kinds of discharges, one is—and that covers nine-tenths of all the cases—by the medical superintendent ; he discharges, as it were, ' off his own bat ' ; when he thinks a patient has recovered he discharges him, he sets aside by that act of his the sheriff's order under which the patient is placed there. That is the chief thing. The second is in the case of an unrecovered pauper patient whose relative requires to go to the parish council, and he can get him discharged in that way ; but the medical superintendent has a veto if the patient is dangerous. A third is that all private patients can be removed by their relatives, except that there also the medical superintendent has a veto if he gives notice to the procurator-fiscal. Then there is a mode of discharge which is not very well known, I think. Every patient in an institution in Scotland who is under certificate has the right to ask for an examination by two independent medical men. The Lunacy Commissioners must approve of the particular medical men ; if the report is that the patient has sufficiently recovered, they do not require to say that he is recovered, but ' sufficiently recovered,' then they can order his discharge. The fifth mode is that the sheriff of the county, or the sheriff-substitute, can do the same thing, only the sheriff has no such power of selecting the doctors. Those are different methods of getting patients out of institutions. . . .
>
> " The medical superintendent has no power to discharge an unrecovered pauper patient, and very properly, because that patient must be looked after by somebody else. It is doubtful whether he has a statutory power of discharging an unrecovered private patient unless he can certify that he has ' sufficiently recovered.' "

Clouston, Vol. IV., 31029.

In Scotland, therefore, there is (1) discharge by the superintendent and not by the committee ; (2) as in England, there is the retention of the " unrecovered " pauper patient whom his relatives wish to remove, but who is dangerous ; and also, as in England, there is a similar power of detaining a private patient who is dangerous and unfit, but whom his friends would wish to remove ; (3) in general, the superintendent discharges when he is of opinion that the inmate is recovered, and he does so without formal certificate.

Conclusions as to discharge.

668. We have, then, these courses : (1) the asylums committee to discharge or retain " unrecovered " cases ; (2) the superintendent to have these powers ; or (3) the Board of Control or some such authority to have these powers. Considered as a medical question solely, the superintendent and Medical Commissioner should have power to discharge or retain. But probably, from the point of view of a continuing interest in administration on the part of members

of visiting committees, it is best to adhere to the present practice in a somewhat modified form. The superintendent, we suggest, should report "unrecovered" cases as a definite class of patients to the committee, and if in his opinion, contrary to the judgment of the committee, these patients should not be discharged, he should have the right of reporting them to the Board of Control within a certain period with all necessary records, and the Board should then settle the question finally. Again, if the superintendent felt doubts as to his ability to give a continuing certificate in the case of a patient who had in the calming conditions of asylum life become apparently rational and tranquil, but whose history justified misgivings as to his ability to retain self-control in freedom, he should be empowered to submit full details of the case to the Board of Control, whose decision should be final. The visiting committee with the superintendent would thus be primarily responsible for discharge with a right of appeal to the Board of Control in difficult cases. Except when his advice as an experienced consultant is desired, the Commissioner on his visits would have no obligation to consider this class of cases specially in his visitation. A clear order or memorandum on the subject ought, we think, to be issued to asylums for their guidance in regard to it.

Conclusion as to discharge—*contd.*
Recommendation LVIII.

Recommendation LXII.

The Board of Control would not in ordinary cases exercise any power of discharge from institutions for the mentally defective, but, by the extension of the provisions of Sec. 206 of the Lunacy Act to all mentally defective persons, the powers therein, at present relating to "lunatics" only, would be applicable to the whole class.

Recommendation XII.

Under this section so extended, the Lord Chancellor or the Secretary for State might direct the Commissioner or any one else to visit any mentally defective, or alleged mentally defective, person and to inspect the place where he was detained and to report thereon.

It should, also, be borne in mind that though continued detention in an institution may not be necessary in all these cases, yet some care and control may be required, and the report of such cases by the medical superintendents to the Committee, and, in case of need, to the Board of Control, should ensure the exercise of the care and control which was needed for the particular case.

CHAPTER XXXIV.

The Extension of Asylum Accommodation.

669. We now pass to the position and duties of the Commission in regard to the approval of plans for building asylums. Statements as to their delay and their want of appreciation of the requirements and difficulties of local authorities have been made to us, and it has been urged that they have greatly increased the cost of building by insisting on unnecessary and vexatious additions, or, if large and pretentious plans have been submitted to them by local authorities, by neglecting to suggest cheaper material or more economic construction. On the contrary, they have, it is contended, fallen in with extravagant proposals, which have needlessly increased both the amount of the loans incurred by local authorities and the cost of maintenance. On the other hand it is pointed out, on behalf of the Lunacy Commissioners, that if such expenditure as this, is to be effectually reduced by them, they must receive more assistance, as, for instance, by the appointment of a permanent architect.

Urmson, Vol. IV., 26319.
Coupland, Vol. IV., 26775, *et seq.*

670. We will first submit an outline of the law in regard to the provision of asylums.

The law as to provision of asylums.

The local authority in the Lunacy Act of 1890 is the council of every administrative county and county borough, respectively, constituted under the Local Government Act of 1888, and the councils of some thirty other boroughs named in the fourth schedule of the Act. This authority is required to "provide and maintain an asylum or asylums for the accommodation of pauper lunatics." If the local authority considers the accommodation insufficient, it may, under powers conferred by the Act, provide asylum accommodation or rebuild or enlarge any existing asylum. It may purchase for the purpose, any licensed or other houses or land. If the local authority is not a county or borough council it is allowed powers similar to the above under the 65th Section of the Local Government Act of 1888.

Lunacy Act, 1890, Secs. 238, 239, 240, 242–253.

The law as to provision of asylums—*contd.*

Other clauses of the Act permit of the establishment of asylums in combination with other councils, and of contracts made with the visiting committees of other councils, for the reception of pauper lunatics—subject to the approval of a Secretary of State. Further clauses deal with the procedure of a visiting committee of a county or borough council authorised to provide asylum accommodation.

Lunacy Act, 1890, Sec. 254 (1) & (2).

"A visiting committee authorised to provide asylum accommodation may agree upon plans and estimates, and contract for the purchase of lands and buildings with or without fittings and furniture, and for the erection, restoration and furnishing of buildings, and for the supply of clothing, and for all the matters necessary for carrying into effect the authority conferred upon them. Plans and contracts agreed upon by a visiting committee shall not be carried into effect until approved by a Secretary of State. . . ."

Sec. 255.

"The visiting committee of an asylum, with the consent of each local authority by whom the asylum is provided, and with the approval, in writing, of a Secretary of State, may make such alterations in, or additions to the asylum either by way of detached buildings or blocks of buildings or otherwise, as they think fit for the purpose of providing accommodation for private lunatics." Lastly, subject to certain financial checks, "the visiting committee of an asylum may, of their own authority, order all necessary and ordinary repairs. They may also, of their own authority, order all necessary and proper additions, alterations, and improvements which the asylum may require, to an amount not exceeding four hundred pounds in any one year."

Sec. 266 (1).

Sec. 247.

671. Thus, (1) The local authority has to provide asylums for the accommodation for pauper lunatics, subject to the approval of the Secretary of State, under Sec. 247 of the Lunacy Act, 1890; (2) The extension of this accommodation can only be undertaken of its own will; (3) If it provides asylum accommodation, it does so through the visiting committee; (4) If the visiting committee and the local authority agree to plans and contracts for the purchase of land and buildings and for the erection of buildings, etc., the plans and contracts have no validity till approved by a Secretary of State; (5) Subject again to the approval of a Secretary of State, they may build or alter buildings to receive private patients; and (6) They may undertake necessary and ordinary repairs up to £400 in the year "of their own authority," still subject, however, to the approval of the Secretary of State, but without reference to the local authority.

Sec. 272.

Further we have to add, (7) To obtain the approval of the Secretary of State, the local authority has to submit any agreements or contracts or plans with an estimate of the probable cost to the Commission, who "shall make such inquiries as they think fit and shall report thereon to the Secretary of State, who

Sec. 274 (1).

may approve the agreement, contract or plan with or without modification or may refuse his approval." Also, (8) If the local authority desire to borrow, they can do so only "with the consent of the Local Government Board and subject to the provisions of the Local Government Act of 1888 and the Municipal Corporations Act, 1882." The security for the loan is the county or borough fund and any revenue of the local authority or, either such fund or revenues, or any part of the revenues.

Local Government Act, 1888, Sec. 69 (1) & (2).

Before giving their consent to a loan the Local Government Board "shall take into consideration any representation made by any ratepayer or owner of property rated to the county fund." On the other hand, if "the total debt of the county council, after deducting the amount of any sinking fund, exceeds, or, if the proposed loan is borrowed, will exceed, the amount of one-tenth of the annual rateable value of the rateable property in the county, ascertained according to the standard or basis for the county rate, the amount shall not be borrowed, except in pursuance of a provisional order made by the Local Government Board and confirmed by Parliament." Thus, (9) When the plans, etc., have been passed by the Commission and then approved by the Secretary of State, the approval of the Local Government Board is required—if a loan has to be raised—subject apparently to the two simple issues whether any of the ratepayers object and whether the total debt together with the proposed loan will exceed one-tenth of the rateable value of the county.

672. We now pass to the procedure of the four bodies concerned in the administration of these clauses of the Lunacy Act, the visiting committees, the Lunacy Commission, the Secretary of State, and the Local Government Board.

673. The visiting committees, from causes which we have mentioned, are, generally speaking, much pressed for accommodation. The number of lunatics who require provision in asylums is greatly on the increase. Between 1882 and 1905 the number chargeable has increased by 62 per cent., from 67,039 to 109,109. And, owing to the 4s. grant, and other reasons, the number of certified lunatics of all kinds sent from the workhouses to asylums has been very large. The indoor relief of the Poor Law, which otherwise would have had to suffice for a great part of this lunacy, has increased. In the same period, the number of indoor paupers has risen from 189,697 to 259,346, or 37 per cent. The accommodation for the harmless and chronic insane in most workhouses is of a simple and inexpensive description, if compared with that usually provided in asylums. These "imbeciles and chronic lunatics who, being harmless, could suitably be treated in suitable workhouse wards, or in any similar institution," amount to about 37·45 per cent. in some asylums. Hence more than a third of the asylum patients, it may be argued, at least in some districts, might be provided for at a comparatively small cost, but once admitted to an asylum, there is no place to which they can be sent. Licensed houses, by the policy of legislation, are reduced in number, and they provide for very few pauper lunatics. Boarding-out, to which the authorities in Scotland and on the Continent have turned for relief when the accommodation in asylums proves insufficient, is not available in England and Wales under present circumstances. Hence there is an *impasse*, the trouble and inconvenience of which chiefly affects the visiting committees.

The Visiting Committees and the provision of accommodation.

Davy, Vol. IV., p. 349, c. 1.

Local Government Board Report, 1905–1906, p. 561.

Local Government Board Report, 1905–1906, p. 562.

Return, Denbigh Asylum, Vol. IV., p. 431.

674. The pressure of the large financial obligations incurred by local authorities, chiefly during the past five-and-twenty years, aggravates the difficulty of providing accommodation. The rate of interest charged by the Public Works Loan Commissioners has been low. In August, 1897, it stood for loans repayable in thirty years at 2¾ per cent., the minimum interest allowed by Public Works Loan Act, 1897; on 3rd March, 1904, it stood at 3¾ per cent. Cheap money has encouraged expenditure, and in sanitary administration, to take that as an instance, after 1897, when public authorities borrowed £5,886,562, the demand for loans rose rapidly to £13,000,000 in 1901, and continued as high as £11,000,000, and was over £10,000,000 in 1904. Then, in 1905, the loans dropped to £6,386,074. The local indebtedness of the country between 1875 and 1904 increased by 324 per cent., and the average rate rose between 1879 and 1904 from 3s. 3½d. in the £ to 5s. 9½d. in the £, or 77 per cent. The rateable value increased from £119,079,589 in 1875 to £199,355,590 in 1904, or only 67·41. During the latter part of this period, between 1885 and 1904, the debt under the Lunacy Acts increased from £3,326,396 to £9,446,986, an increase of 184 per cent. in nineteen years. Hence, on financial grounds, there is very naturally a great disinclination to launch out in new expenditure. On the other hand, it is obvious that, in the endeavour to meet the great increase in the demand for accommodation, a very considerable increase in indebtedness was inevitable. Chargeable lunatics mostly accommodated in asylums could not increase at the rate of 62 per cent. in the twenty-three years, 1882 to 1905, without that result; and the statement submitted to us by Mr. Kershaw, Assistant Secretary to the Local Government Board, of the borrowing powers and indebtedness of counties proves it. In some cases, the percentage of the asylum debt to the total debt (excluding the education debt) amounts to over 70 and 80 per cent. and runs up even as high as 95·23 in the case of Norfolk, and 98·00 in the case of Hereford; while in Rutland, Kesteven, East Suffolk and Radnor the whole margin available is absorbed. But the point on which special stress is laid is that this indebtedness is excessive by comparison with the indebtedness incurred in the same period by the Poor Law. This hardly seems to us to be the case. Accepting generally the criticism that there might and should have been much more economy in the building and extension of asylums, we think that, if a great part of the demand had not been met under the lunacy account of the nation, it would have had to be met under the poor relief account, which to that extent would have had to borrow largely for the purpose; and next, allowing that expensive asylum accommodation is in present circumstances necessarily used to the extent of some 33 per cent. for harmless and chronic patients who do not require it, we think that the buildings that have to be erected in Poor Law administration are, except in the case of infirmaries, for obvious reasons less expensive than asylum buildings. The asylums are in a great measure hospitals, built always subject to an additional

The financial pressure on local authorities.

Public Works Loan Act, 1897, Sec. 1.

Local Government Board Annual Report, 1905–1906, p. ccxiii.

Kershaw, Vol. IV., p. 275.

Local Government Board, Annual Report, 1905–1906, p. xlii.

Kershaw, Vol. IV., 32034. 32036. 32035.

Kershaw, Vol. IV., p. 433.

Davy, Vol. IV., p. 350.

The financial pressure on local authorities —*contd.*

expense which has to be incurred for the purchase of the land which is required for purposes of employment and recreation, and also for possible extension in the future. To most Poor Law buildings, these conditions do not apply. Hence, in the circumstances we do not attach so much weight to the comparison between loans for Poor Law purposes and loans for lunacy purposes, especially as calculated at so much loan expenditure per head. For the number of indoor paupers is large—259,909 in 1903–4—and the number of lunatics comparatively few—only 84,549. For 36 per cent. of the lunatics, it must be remembered, new provision had to be made during the period 1889–90 to 1903–4. But for only 22 per cent. of the indoor paupers was extra or new provision required.

General disregard of economy and want of financial control.

675. But after all, these figures and the circumstances which we have mentioned are only additional reasons for economy now. However unwilling the local authorities, in some cases, may have been to embark on asylum construction, when the work was once taken in hand, undoubtedly they spent at a high rate; and on the part of the supervising authorities there has been, at least, a disinclination to prevent excessive expenditure. The evidence on this point is abundant. The municipalities are very powerful and able to spend large sums of money. Sir John Batty Tuke admitted: "They build one against the other." Mr. Brooks, Chairman of the Brookwood Asylums Committee of the Surrey County Council, said—"I believe myself that, given a free hand, efficient asylums could be built at much less cost than modern asylums, but the wards would have to be designed of the most economical size to construct, as well as to administer, and every building and fitting would have to be of the very simplest and most inexpensive character."

Tuke, Vol. IV., 28846.
Brooks, Vol. IV., 31132.
Hodgson, Vol. IV., p. 261, c. 1.
See also Paragraph 698 below.

Then, referring to a particular case, he said, "Teak used for flooring will cost over £4,000. Other flooring could have been used and have saved at least half the money"; and, admitting that this was not due to the action of the Commission, he proceeded—"I admit that, but this is the tendency in modern asylums. Then there is the extravagant cost in the day room, pitch pine dados 4 feet high . . . I hear very often that it is the wish of the Commissioners that this expensive work should be put an end to. They advocate more inexpensive though efficient construction, but I can never see where it is enforced. It is a crying evil."

Brooks, Vol. IV., 31135, 31136.

676. Turning to the controlling authorities, in regard to the Lunacy Commission, Mr. Giffard, a Commissioner in Lunacy, said:—

> "I think the view generally, not only of the Commissioners, but—I speak in the presence of Mr. Byrne—I believe also the view of the Home Office at one time was that we were not concerned with cutting down expenditure: that was supposed to be a matter for the local authority. I think of recent years the view has properly obtained that we ought to control expenditure in some way if possible."

Giffard, Vol. IV., 27193.

He was then asked:—

> "One hon. member said, amongst his complaints of the Lunacy Commissioners, that 'in a Yorkshire district they had been obliged to provide farm buildings and land in connection with the asylum, costing in one case £600; they had erected two greenhouses costing £2,800, and he had noticed a considerable item for canaries and cages and actually three guineas for a bassoon.' Could that kind of thing be checked?"

27194

His reply was:—

> "It could be, but I do not think it is desirable. If you were to walk through a ward and see it decorated with flowers and other objects calculated to make the patients happy, you would see that the quietness of the patients is due in a great measure to that."

This reply marks a different point of view to that of the ratepayer and the critic.

677. But the whole character of financial control seems to have been enfeebled during the period with which we are concerned. Mr. Hine, the consulting architect of the Lunacy Commission, admitted that an officer who gave his whole time to the work, and thus acquired a better position and greater authority than an architect who was only employed from time to time, would not have approved such a plan as that of the Napsbury Asylum, where the recreation hall in the hospital block was a waste of many thousand pounds. He said also, speaking generally of his work, "I do not think the subject of economy

Hine, Vol. IV., 32943-32948.

Hine, Vol. IV., 32749.

Hine, Vol. IV., 32756.

is a very old one; it is only within the last decade that we have heard very much of the excessive cost of public buildings—" and only "latterly had the strictures on extravagance" on the part of local authorities "been more frequent." To him the Commissioners sent the plans, estimates and specifications which they received, but he did not, as a rule, look into the detailed specifications, as he had not time to do so. Specifications were only examined when the cost seemed excessive. In the suggestions of the Commission with reference to sites and buildings issued in 1887, there had been a warning to local authorities that "superfluous decoration" should be avoided, but the idea of economy as a prominent idea was of comparatively recent growth, a few years' growth, both as affecting the Lunacy Commission and generally as affecting central authorities. The absence of financial check at the Home Office in the past was also admitted; and as to the Local Government Board, Mr. Kershaw showed that it was not until 1900 that the architect of the Board largely reduced the expenditure authorised by them for Poor Law buildings and sites. Mr. Davy, Chief General Inspector and Assistant Secretary to the Local Government Board, confirming Mr. Kershaw's statement, said that in 1890 the Board :—

General disregard of economy and want of financial control—*contd.*

Hine, Vol. IV., 32832, 32837, 32838.

Hine, Vol. IV., 32845.

Kershaw, Vol. IV., 32214, 32279, 32312, 32313.

Cunynghame, Vol. IV., p. 321, c. 2.

> "Authorised buildings for Poor Law purposes to cost £530,000, and in 1900 the cost ran up to £2,600,000, ... The cost of building has dropped from £2,600,000, and last year (1906) the cost fell to £789,000. This year I do not know what it will be, but I have traced £135,000 taxed off, so to speak, and probably there will be another £50,000 due to sheer refusals to build. So I should not suppose that this year we shall be over, say, £600,000. We are not, as sanctioners of loans for Poor Law buildings, doing a quarter of the business which we used to do."

Davy, Vol. IV., 33944.

It may be concluded from this evidence that now at least there is a general desire for economy. It is the order of the day. The straitened finanical conditions of the present and the excessive expenditure of the past necessitate it. It is on these terms, therefore, that we have to consider the statutory requirements of the Lunacy Act in their application to the question.

Clare, Vol. IV., p. 341, c. 1.

678. First, then, plans, estimates and specifications are sent to the Lunacy Commission. Their architect is a busy man, engaged on many other professional duties, and often himself the architect for local authorities in building asylums which the Commission have passed. It is admitted that an independent architect would have ample time at his disposal, and from the official point of view a stronger and more influential position. The Lunacy Commission examine every plan critically, but they are working at excessive pressure, for as Mr. Giffard says, "it is getting to a point when we can no longer go on doing the work adequately if any one of us gets temporarily ill"; and they require "a paid architect whose duty it would be to look into specifications and check expenditure." They have no power to hold local inquiries, and at present they would not have time to do so. Nor do they confer personally with the Visiting Committees on the spot. It must be admitted, therefore, that as a guide to the Secretary of State under Section 272 of the Lunacy Act, 1890, in spite of both competence and will on their part, the Commissioners, as now staffed, can hardly fulfil their obligations.

The actual procedure in regard to sites, plans, etc.

Hine, Vol. IV., 32943-32946, 32650.

Giffard, Vol. IV., 27242, 27341, 27342, 27344, 27343.

We come then to the Local Government Board. It would seem that in 1892 in connection with an application for a loan from a local authority the question was raised whether the Board, when the plans had been approved by the Home Office, should raise a question as to the cost of the building. After careful consideration it was decided that they ought not to do so; and this, it would seem, is the necessary interpretation of Section 274 of the Act and of the sections referred to in the Local Government Act of 1888 and the Municipal Corporation Act, 1882, which are quoted above. Yet the Lunacy Commission is essentially an exceptional and supplemental body created for several distinct purposes, and in some directions it is almost necessarily dependent on the co-operation of other branches of the Government service. It has no staff of architects, sanitary officers, and engineers: and there can be no question of multiplying officials unnecessarily merely to provide it with such a staff. Nor have the Home Office any such staff at their disposal. Nevertheless, the Local Government Board, who have at their disposal such a staff, provided for other purposes, do not, and apparently cannot, communicate with either body in regard to items which they think extravagant; and for neither body is their staff made available. It is quite clear, therefore, that for the assertion of proper and sufficient financial control a thorough change is necessary.

Kershaw, Vol. IV., 32316, 32311, 32027, 32031.

Davy, Vol. IV., 34127.

Kershaw, Vol. IV., 32027.

Chapter XXXIV.
The Extension of Asylum Accommodation.

Changes of procedure in regard to sites, plans, etc.

Davy, Vol. IV., 33930. 34037. Recommendations XXVIII., XXX., XLII. Clare, Vol. IV., p. 341, c. 1.

679. We have adopted the principle that there shall be one authority responsible for the protection and supervision of the mentally defective, wherever they may be, if they are notified to the Board of Control and are considered to require their care. On this plan there would be no "pauper" lunatics. Lunacy and pauperism would be separated. The local authorities associated with the Board would be the committees of the county and county borough councils for the care of the mentally defective. All mentally defective persons would come under their care locally; and they would have power to provide and to contract for the maintenance of the mentally defective in workhouses or in any other institutions which they thought suitable, subject to the approval of the Board. They would, we suggest, have power to build or enlarge buildings for mentally defective persons. Both upon the Board and upon the committees much larger responsibilities would be placed. Besides the charge of the present "certified" insane they would have the care of the mentally defective at present non-certifiable. This change, which will separate the administration of mentally defective persons entirely from that of the Poor Law—so that, for instance, mentally defective persons would no longer be maintained by the poor rate but by the county rate—would involve a much closer supervision of sites, buildings, plans, estimates, and specifications than any that exists at present. The economy which it would seem possible to secure by better classification and by special provision for the harmless and chronic insane would also require constant attention; and a closer and, in some ways, a more personal relation would have to be formed between the Board and the local authorities. For these reasons it is, in our opinion, indispensable that in regard to building and finance there should be a good working arrangement between the Board of Control, the Home Office and the Local Government Board in carrying out the duty of providing for the mentally defective. Many new schemes and proposals will have to be considered. There will be a change and an expansion of the work both of the central and of the local authorities. The Lunacy Commission which would deal with all mentally defective persons, and not with "lunatics" merely, would become the "Board of Control," and the local authorities would act through "Committees for the care of the mentally defective."

Clare, Vol. IV., 33663.

680. The financial arrangements of the future must, we think, be consistent with the enforcement of these large and material changes. We are not agreed, however, on the question as to the extent to which, or the mode in which, the discretion of the Board of Control in the matter of the approval of sites and plans should be subjected to the control and consent of the Secretary of State or of the Local Government Board or both; but a majority of us recommend that the reorganisation of financial control should be carried out in the manner suggested below, and nearly all of us consider that some such arrangement, with any modifications which Departmental experience may suggest for the purpose of expediting decisions upon the proposals which are submitted by local authorities, ought to obviate the difficulties which have been described to us as arising from the existing practice and ought in future to secure due economy in the provision of accommodation for the mentally defective. Accordingly we suggest a reorganisation of financial control on the following lines:—

Recommendation XLIII.

(1) That an architect be appointed to assist the Board of Control by examining and reporting on plans, contracts, particulars and specifications submitted by local authorities to the Board and in other ways, and that such architect receive a fixed salary, on the understanding that he is exclusively employed on the work of his department.

Recommendation XLIV. (1).

(2) That the staff at the offices of the Local Government Board for surveying, engineering, building and sanitation be available for the Board of Control in regard to sites, plans, particulars, specifications and estimates for the provision of accommodation for mentally defective persons, and that in cases of applications involving loans the Board of Control be under obligation to apply for such assistance.

Recommendation XLV.

(3) That the Board of Control have power to hold a public local inquiry in regard to any plan, scheme, or proposal which has been submitted to them for the care of mentally defective persons.

Recommendation XLIV. (2).

(4) That a local authority proposing to establish, alter, restore or enlarge buildings, or to purchase or lease any estate or house, for the accommodation of mentally defective persons, shall send to the Board of Control all necessary plans and particulars with estimates; That the Board of Control on receiving these plans, particulars and estimates, give them a preliminary consideration and, with the advice of their

architect, decide from their expert point of view, whether they are *prima facie* suitable for the purpose intended and involve no unreasonable expenditure; That the Board of Control should next transmit them to the Local Government Board for report in regard to all questions as they arise connected with the survey of land, engineering, building and sanitation, for consideration and report in regard to the proposed cost, and for their opinion as to whether a loan to meet this cost would fall within the conditions of the Local Government Act of 1888, and the Municipal Corporations Act, 1882, and whether, subject to public inquiry, they are prepared to sanction the loan; That on the receipt of the report of the Local Government Board, and of the information above mentioned, the whole matter be further considered by the Secretary of State, the Board of Control, and the representative of the Local Government Board, and, if desired, by representatives of the local authority.

Changes of procedure in regard to sites and plans—*contd.*

Recommendation XLIV., (4), (5), (6), (7), (8).

(5) That it be laid down clearly in the Act that plans, etc., shall not be approved which involve unreasonable expenditure.

(6) That hereafter the approval of the plans, etc., be notified to the local authority by the Secretary of State, and the local authority then apply to the Local Government Board for a loan.

(7) That the Secretary of State, on the report of the Board of Control, shall have power to prohibit the use of any parts of buildings for purposes other than those which were approved by him, or which shall be deemed insanitary or unsuitable.

681. We believe that, by some such method as that recommended, the four authorities now concerned in this branch of the work of the Commission, viz., the local authority, the Commission, the Home Office and the Local Government Board, would be brought into association and agreement before a loan was asked. And this administrative concentration appears to us to be a necessary outcome of the Local Government Act of 1888, which with the power to grant or refuse loans has virtually given to the Local Government Board an indirect and incidental control over local finance generally. At the time of the earlier administration of lunacy, the Home Office was the only central Department of State concerned with local affairs. Recent legislation has thrown the supervision of local government generally on the Local Government Board; and in reorganising the work of the Commission it seems to us necessary to accept the consequences of this change and to make recommendations in harmony with it. Under our recommendations we believe that much needless friction would be avoided and much disappointment prevented, as, for instance, when the intermediate Commission—the Lunacy Commission—approves the plans of a local authority and higher authorities eventually disapprove of them or of some of the conditions under which the loan is asked.

Davy, Vol. IV., 34150–34155.

Clare, Vol. IV., 33665.
Brooks, Vol. IV., 31132 and p. 230.

682. We have not in this discussion mentioned particular instances in which the cost of institutions per bed has been excessive. It is extremely difficult to deal fairly with evidence of this kind. In most cases, particular reasons may be assigned for the excess, and, in the comparison of the cost of different institutions, there is much that is misleading. The cost of site, of drainage, lighting, or furniture, may or may not be included. In the older institutions, the charges for the site and for the buildings may have been wholly or in part paid off, may no longer appear in the accounts, and may thus be omitted from the statement. In new buildings, the cost may seem excessive, because the administrative block is built on a large scale for an establishment that is incomplete and would be sufficient for a much larger number of resident patients than can be housed in the existing accommodation. Yet, it is but right to say that the impression left on our minds by the evidence is that in many instances the scale of expenditure has been too large; that there has been a general disregard for small economies and careful spending; that little thought has been given to what, after all, must be a chief factor in any provision made by the State, namely, the social status and normal requirements of the patients; that persons may be well cared for as patients, and yet need not be maintained under conditions altogether superior to those to which they are accustomed; and finally, that there has been no recognition of any definite and accepted standard of expenditure to which authorities should be required to adhere, and

*Heavy cost per bed of existing institutions.

Suggestions and Instructions issued by the Lunacy Commissioners, Needham, Vol. IV., p. 413.

* In the Report of Members of the Commission on their visit to America, issued simultaneously in a separate volume (Vol. VII.), will be found useful notes on methods of financial supervision there adopted, and the cost of institutions.

Heavy cost per bed of existing institutions—*contd.*
Appendix, Vol. V., pp. 311 to end.
Vol. II., p. 69.
Vol. II., p. 452
Baker, Vol. II., 15244–15269.
Vol. II., p. 605.
Vol. II., p. 614.
Gardner, Vol. III., 23270–1, pp 337 346.
See Paragraphs 697–704.

for non-adherence to which they should be obliged to give cogent and satisfactory reasons. The material for such a method of standardising is available. In many instances, the establishment of an institution for the care of the mentally defective should not, we think, entail an expenditure of more than £100 a bed, site and drainage included, especially if regard is paid to the normal requirements of patients in the class of life from which they come. Under certain conditions it should be much less. For asylum accommodation for patients who require active treatment it should not, we think, exceed £200 or £220 a bed. We name these sums, however, not as settled standards of expenditure but as illustrating the position which, in our judgment, supervising and spending authorities should adopt. In the appendix volume and elsewhere will be found some plans of suitable buildings erected at the sums we have suggested.

CHAPTER XXXV.

Intermediate Hospitals, Family Colonies and Guardianship, Farm Colonies, and Observation Wards.

Recommendation XXXIV.

683. How to provide for chronic and harmless patients otherwise than in asylums, and to set free the accommodation in asylums for the more acute cases which require active treatment, is our next question. There are four methods: (1) To build separate "intermediate" or "workhouse" hospitals, or to build separate and cheaper buildings on the site of existing asylums; (2) to settle suitable patients in family colonies, in cottages or small buildings in connection with some central organisation formed for the care of mentally defective persons; (3) to board them out; (4) to place them in large farm colonies; or lastly, to return them to the workhouses.

We have then to consider (5) the probable cost of the Colony system; (6) the establishment of Observation and Reception Wards; (7) the method of what is called the "temporary certificate"; and (8) the promotion of scientific investigation.

The suggested return of mentally defective cases to the workhouses.
Davy, Vol. IV., 33859.

684. We will at once set aside the last of the proposals made for the provision of chronic and harmless patients; namely, to return them to the workhouse. The Local Government Board have accepted the policy, with which we are in entire agreement, that "instead of increasing the number of lunatics in workhouses, it is desirable in the interests of the poor who through poverty are obliged to have recourse to the workhouse, that the workhouses, should, as far as circumstances reasonably admit, cease to be asylums for lunatics. . . . The required accommodation can be much more economically provided by the county councils in additional asylums to be appropriated solely for chronic and harmless cases, the building and the arrangements generally being of a much less expensive character than those founded primarily for acute cases and curative treatment." To the category of cases to be excluded from the workhouses, we would add the cases of mentally defective persons now uncertifiable for whom care and treatment also are required. We would not, therefore, reverse the policy of removal from the workhouse, but accept and promote it.

These remarks, of course, do not apply to proposals as to the use, under contract between the Committee and the Poor Law authorities, of any infirmary or other building forming an entirely separate portion of a workhouse, and deemed suitable and licensed by the Board of Control for the detention of the mentally infirm, or other class of defectives, and reserved exclusively for that purpose. Such arrangements will no doubt be necessary for some time to come in certain localities pending the more suitable provision to be made by the Committees.

(1) *Intermediate Hospitals.*

"Intermediate" Hospitals or Homes.
Davy, Vol IV., 34030. 34005.

685. If this proposal then be set aside, there remains, first, the suggestion to build "intermediate" or "workhouse" hospitals. The suggestion has the support of the Select Committee of the House of Commons on the Cottage Homes Bill, 1899, and it has already been in some measure adopted. Dr. Pasmore, Superintendent of the Croydon Mental Hospital, thought that all lunatics should be removed from workhouses:—

Pasmore, Vol IV., 32470, cf. 32475.

> "They do not seem to get that supervision at the workhouses that they get at the lunatic asylums, and it is often observed in cases which are admitted to the lunatic asylum from workhouses that there are evidences of bruising of patients which you never see in lunatic asylums, or very rarely, and means of treatment are adopted at workhouses which are obsolete in the treatment of the insane."

But, he agreed, that it might be possible to collect them in certain suitable workhouses or workhouse asylums and to house them there. Senile dements at least might be so dealt with. And Mr. Davy, Chief General Inspector and Assistant Secretary to the Local Government Board, asked whether he thought the new infirmary buildings at Exeter were suitable for the chronic class, said :— "Intermediate" Hospitals or Homes–*contd.* Appendix, Vol. V., p. 312. Davy, Vol. IV., 34058.

> "You must remember that most of the imbeciles in workhouses are people who have been agricultural labourers or day labourers with a very low standard of comfort. They go into the workhouse, are kept clean and kept warm and well fed, and if they are not offensive to their neighbours they probably have as good a time as they ever had in their lives."

All, indeed, are agreed on the question of making cheaper provision for the chronic harmless patient; but experience shows that it should not be an entirely separate provision. Dr. Hodgson, Chairman of the County Asylum, Chester, and Mr. Clare, Clerk to the Lancashire Asylums Board, sum up the evidence on this point. Dr. Hodgson says :—

> "I hold a very strong view that chronic lunatics, harmless people, are of very great value in the ordinary asylum amongst the other patients; they are a steadying influence, they do not vary much, and their steadying influence is of very great value. On the other hand, it is extremely undesirable that any places for the incurable, mentally, should be erected where it might be practically morally inscribed over the door: 'Abandon hope all ye who enter here.' That kind of building, I think, is not desirable; I think it would be a great mistake to remove the helpful influence of the chronic from an ordinary asylum; it would be an awful thing for the medical staff to have a hopeless set of people to take supervision of, and I am not in favour of the erection of large and substantial buildings for hopelessly incurable people of that sort." Hodgson, Vol. IV., 31955.

Mr. Clare says :—

> "The point there is really this: whether we shall take the lunatics to the workhouse or bring practically the workhouse on the asylum site. I think the better opinion is at present, subject to further experience, that it would be better to bring what I call the workhouse administration on to the asylum site than to transfer the lunatics on a large scale to the workhouses, because it often happens, I am told by the superintendents, that cases which are considered to be chronic and harmless break out into dangerous lunacy; then they sometimes have to be transferred back from the workhouse to the asylum at considerable trouble and expense, whereas if they were treated in some building on the site of the asylum, they could be very easily transferred a few hundred yards from that building to a building where they could be specially treated having regard to their condition." Clare, Vol. IV., 33648. Cf. also 33702, 33703.

And there is one other reason. In the present pressure for accommodation, an institution built for chronic cases is soon utilised for acute patients and then filled with them. Banstead was established originally for chronic patients; it is now a general asylum. The same thing occurred at Winwick in Lancashire. It was built as a cheaper asylum for these patients. But "they [the asylum authorities] convert them all in time, the pressure of new cases is too great." Urmson, Vol. IV., 26712. In spite, then, of the difficulty, to which Dr. Spence, the Medical Superintendent of the Staffordshire County Asylum, refers, of having "in one establishment two classes of patients, the ordinary workhouse inmates and persons afflicted with mental enfeeblement," it would seem best in association with asylums to erect for chronic patients cheaper buildings or simple inexpensive homes. Spence, Vol. IV., 31754, 31756. Pennant, Vol. IV., 31934.

With this view we agree, on the understanding that by the terms of the certificate of the Board of Control such buildings shall be retained, as long as may seem desirable, solely for the use of this class of patient. Otherwise, in the erection of buildings of this type no remedy will be found for the present pressure.

We understand that it is alleged that there are in some districts workhouses, no longer required for strictly Poor Law purposes, which from their situation, construction, and the area of land which they possess, might, with advantage, be used as such auxiliary asylums, and might be handed over, on suitable terms, to the Committee for such use. We have not ourselves inspected any such institutions; but if they exist, we see no objection to the proposed conversion, subject, of course, to the Board of Control being satisfied of their suitability for the detention of some class of the mentally defective and to their entire disuse for other purposes, and to the consent of the Local Government Board. Davy, Vol. IV., 33859.

(2) *Family Colonies.*

686. But another, and less expensive, provision may be made for these cases, on the method of "family care" or "guardianship." The additional wards may cost £120 a bed, with maintenance at from 7s. to 9s. 2d. a week. And of building, there seems to be no end; for, that the £120 would be accepted as a maximum for a building for such a purpose is doubtful, unless the whole administration of mentally defective persons be conducted with a strong hand and with Family guardianship. Clare, Vol. IV., 33701–33703.

Family guardianship—*contd.*
Clare, Vol. IV., 33710.
Vol. IV., 33710.

a vigour and control that is not at present applied to it. In reference to this estimated cost and to the subject generally, Mr. Clare, the clerk to the Lancashire Asylums Board, said :—"I should not like to commit myself to any figures, because one sees the variation in the cost of asylums recently built; there is only one thing that seems invariable, namely, an increase in cost as time goes on, largely owing, of course to the increased cost of wages and material, and partly to carrying out the latest scientific ideas, or philanthropic ideas, for dealing with pauper lunatics, without any evidence really to show that the increased expenditure has benefited lunacy; in fact, as far as I can see, all the expenditure during the last twenty years on lunacy has not been any benefit to lunatics. I will not say it has done any harm, but there has been no substantial benefit derived."

Even if this be approximately true, an alternative method of dealing with that class without incurring a large initial expenditure, and, at least at no higher rate of maintenance than that at present in force—say, as in Scotland, 7s. a week, is worthy of careful consideration at the present time.

Boarding-out of children.

Mason, Vol. I., p. 107, c. 1, 1994.

Evans, Vol. I., p. 145, c. 2.

687. Boarding-out as practised in England and Wales is available for children only: its aim is to supply family homes for orphan and deserted children; it is organised in connection with local boarding-out committees, and if it be "outside the union" it is under the direct inspection of the lady inspectors of the Local Government Board. As a rule, judging from the evidence we have received from Miss Mason and Miss Evans, the inspectors, we do not think that, as at present conducted, it is to be recommended as a method applicable to the care of mentally defective children and young persons. For these children, other safeguards besides those required for healthy, sound children would naturally be desired, together with closer and more constant medical supervision and provision for the special education and training which their condition demands.

Outdoor relief of mentally defective children and adults as a form of boarding out.
Sixty-first Report Commissioners in Lunacy (1907), p. 2

688. Apart from boarding-out, strictly so-called, there is a kind of boarding-out connected with the administration of outdoor relief. Both mentally defective children and adults are so boarded-out, to the number of 5,595. Judging from our own visits and from the evidence of Dr. Cunyngham Brown, Deputy Medical Officer of His Majesty's Prison, Parkhurst, who had made a special investigation into these cases, and from the reports of our medical investigators, we think, as we have said before, that there is urgent need that these cases should be visited regularly by the Commissioners of the Board of Control and by the officers of the local committees for the care of mentally defective persons, the bodies who would be directly responsible both for their supervision, and, so far as need be, for their maintenance, if our recommendations are adopted.

As an indication of the present state of things we quote sentences from Dr. Cunyngham Brown's evidence.

Cunyngham Brown, Vol. I., p. 524, c. 1,

> "The care of the patients is entrusted in nearly all cases to their natural guardians or relatives . . . Out of 215 cases, of which I have careful notes, the guardianship was obviously bad in sixty-five, doubtful in twenty-seven, and in ninety-eight satisfactory. In a considerable number of cases I found pauper lunatics living under the care of relations, parents, or others who were distinctly of weak mind, and most of the Parochial Medical Officers with whom I spoke knew of cases of this kind. In one case in which the patient, an imbecile lad aged twenty, slept in the same bed with his sister aged eighteen, the mother was certainly weak-minded. In another case, in an adjoining town, one imbecile girl, who had however only been six months on the list, had an idiot child and was living under very bad guardianship."

Then follow two other extremely bad cases; and lastly, this one, and the conclusion.

Cunyngham Brown, Vol. I., p. 524, c. 1.

> "In another town two sisters, aged twenty and thirty, cases of congenital but not profound imbecility, were leading lives of prostitution. It is difficult to write of these things, but cases of this kind, and the conditions from which they must inevitably arise, are so frequently encountered that they constitute an evil which must be recognised and should be instantly remedied. In a very large proportion of cases the accommodation was bad. Out of 183 cases, serious overcrowding was present in fifty-three, or 28·9 per cent.; twenty-eight were lodgers and living in one room, and in 102 cases no overcrowding was present. In very few cases had the patients their own bed-rooms. The rooms in which the patients live were clean and comfortable in 55·5 per cent., fairly clean in 13 per cent., very dirty in 31·5 per cent. and in 68 per cent. of these latter absolutely filthy. The apparent dirt and state of neglect in which some of these

patients live is indescribable. I have found patients sleeping on beds made of straw, in sacks, on rags, on broken down camp-beds, and in many cases adult patients sleeping in the same room with other adult inmates of the opposite sex. In many other cases, however, I found the patients living in clean and comfortable rooms, well clothed and tended.

"I am unable to speak of the patients' diet, for though I called at many houses at the ordinary meal times I only rarely found them at meals. Probably this is due to the fact that in many houses of this class there are no set hours for meals. I was informed, however, by many of the senile class that their staple food was bread and dripping and tea, and in the case of single patients living alone it is difficult to see how they could afford much more out of the sums allowed to them by the boards of guardians.

"The sums paid by the board of guardians to the patients or their guardians range from 1s. 6d. to 7s. I have only, however, found one patient receiving the latter sum, and the average sum paid in the cases I visited is 3s. not including those cases in which the patients receive medical relief solely. These sums are, of course, utterly inadequate for the proper care and maintenance of the patients. It is true, however, that about one half of these cases are mild dements or high grade imbeciles who are not unable to earn small sums, as a rule very small sums, to add to the aid given by the guardians. In the case of the other half, the care of these patients presses with undue severity upon their guardians. This system is probably the cheapest, as it is almost certainly the worst form, of family care of the insane in any civilised country."

Outdoor relief of mentally defective children and adults as a form of boarding out —*contd.*
Cunyngham Brown, Vol. I., p. 524, c. 1.

Some of us visited the mentally defective "outdoor relief" cases in London and Cardiff and, from our personal investigations in these places, we are convinced as to the need of much more stringent supervision and control than, unhappily, exists at present.

689. Instead of outdoor relief, or boarding-out as generally understood, Dr. Cunyngham Brown advocated the adoption of the system of family care under special conditions applicable to England, but on general lines which are now widely approved and accepted in Holland, Belgium, Germany, France and Scotland. We have ourselves examined the method as it is in force in these countries, and by the application of it to England we think that a considerable advance may be made in the care of mentally defective patients and especially in the maintenance of harmless patients of unsound mind and the feeble-minded. We will not here describe the various plans in any detail. Descriptions of them will be found in the volume of Appendices, pp. 264–275, and in the evidence of Dr. Cunyngham Brown. We will only refer to two kinds of family care, that organised in relation to a colony and to the residents in the immediate vicinity, and the method of family guardianship, as it is now in operation in Scotland.

Boarding-out, family care or guardianship for adults on the lines of the Family Colony.
Cunyngham Brown, Vol. I., p. 519, c. 1.
Eichholz, Vol. I., p. 209. c. 1.
Cunyngham Brown, Vol. I., pp. 519–526.

"By the family care is understood the lodging of a suitable patient for adequate compensation in an appropriate family which places itself voluntarily at the service of the asylum and its doctors." "The patients after being placed in a family still belong to the asylum, and are still under the care and supervision of the director as well as that of the specially appointed doctors and overseers, and they may at any time be taken back into the asylum."

Cunyngham Brown, Vol. I., p. 525, c. 1.

690. One instance of this method of treatment is that provided at Gheel, a village of about 11,000 inhabitants, situated some twenty-five miles from Antwerp, which some of us visited in May, 1905. The patients, who number about 2,000, live mostly as boarders at houses in the village, or in small farms or other houses in the surrounding district. There is also a central asylum, accommodating a few patients for whom institutional care is necessary. There is a medical director assisted by five assistant physicians, and a special pathologist for scientific work. There are also several lay inspectors, who visit every house in their respective districts once a week.

Gheel Asylum and Village Colony.

All pauper patients are received first in the central establishment and thence are drafted to the care of their "hosts." If a patient shows dangerous tendencies the law requires that he should be sent to an asylum. Patients requiring continuous restraint, suicidal cases, homicidal cases, those likely to commit acts of indecency, etc., are not eligible for admission under the "Gheel" system.

The patients appeared to be treated, in most instances, as "one of the family" of their hosts.

The charge which was made for their care and maintenance varied from 8d. to 11d. a day, of which 2d. a day was deducted for administrative expenses, the "host" receiving therefore from 6d. to 9d. a day for each case. Private patients were also taken at charges varying from £16 to £150 per annum. As a rule, only one patient was allowed in each house, but where there were two, each was provided with a separate room; and there were stringent regulations as to the size of rooms, bedding and clothing and cleanliness.

Chapter XXXV.

Intermediate Hospitals, Family Colonies and Guardianship, Farm Colonies, and Observation Wards.

The Family Colony of Dun-sur-Auron.

691. Another instance of this method of treatment is that provided in the neighbourhood of Dun-sur-Auron and Ainay-le-Chateau in France. We quote the greater part of Dr. Cunyngham-Brown's account of it. It was established to meet the pressure of chronic harmless cases at the asylums, and it has greatly improved the health and increased the contentment of the patients. It provides for the patients at less than a shilling a day. It consists of a central colony with an asylum linked to more distant sub-colonies. The colony itself is an aggregation of patients who are placed under the charge of guardians, who are the heads of the families in which the patients are boarded and supervised. We believe that asylums—hospitals we would rather call them—especially asylums of the village type like that at Kingseat, near Aberdeen, might be used as centres of "colonisation," and that in country districts in connection with these asylums family guardianship might very advantageously be extended by degrees, when people in the neighbourhood became interested in it and found it profitable. Even if cottages suitable for the purpose were built in the district and let to tenants who would be suitable "guardians," there would, we think, be but little financial risk, once the custom of caring for the mentally defective in this way became established. Once this were done, a new, better, and more readily extended method of providing for perhaps a third of the mentally defective could be brought into operation. But we would quote Dr. Cunyngham-Brown's statement.

Cunyngham-Brown, Vol. I, p. 521, c. 1.

Cunyngham-Brown, Vol. I., p. 521, c. 1.

> "Founded in 1892, the colony of Dun-sur-Auron was instituted explicitly for the disencumbrance of the asylums of the Seine Department, and the cases selected for transfer were, conformably to the ministerial instruction of M. Loubet, 'aged people certified as insane, but in whom the condition of dementia, incurable but tranquil, and the senile enfeeblement of their faculties, hardly justified their detention in an asylum."
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> "This class of patient still preponderates in these colonies, but as experience gradually disclosed the fact that the subjects of many other forms of mental affection did well under family care, Dr. Marie, the founder and first medical director of this colony, now medical superintendent of the asylum of Villejuif, obtained a progressive extension of the categories of cases likely to benefit by this form of assistance, and to-day there are also many cases of delusional insanity, chronic mania and melancholia, and adolescent dementia.
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> "The colony at Dun-sur-Auron gave such good results that the numbers steadily increased; the dependent colony at Levet was opened in 1896; the colony at Ainay-le-Chateau was opened shortly after, and in 1900 converted into an independent colony; and numerous small villages in the neighbourhood were made the foci of sub-colonies, each with its little asylum, lazarette, or bathing establishment. At the time of my visit early this year (1905) there were 660 patients at Dun, 86 at Levet, some 200 odd at the sub-colonies of Bussy, Osmery and Ourouer, 438 at Ainay-le-Chateau, and arrangements were being made for future settlements at many other villages in the neighbourhood.
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> "At Dun and Ainay there are asylums each in charge of a medical director, who is assisted at Dun by a *medecin-adjoint*; and another at the colony at Levet. Most of the sub-colonies are connected by telephone with the asylums at Dun or Ainay and each sub-colony is in charge of a lay overseer or *surveillant des placements*. The patients are visited at regular and frequent intervals, and come regularly to the asylum or the hospital of their sub-colony for bathing and examination. The asylum is, further, the social centre of the colony, where the patients meet in the *salle-de-reunion* for games and conversation.

p. 521, c. 2

> "I made a house-to-house visitation to most of the 600 patients in the village of Dun-sur-Auron, and also the hamlets of Bussy and Osmery, and encountered many in the streets, unmistakably demented, but attracting no attention whatever from the ordinary inhabitants. I found them occasionally at work, but as the majority are of advanced years, they were for the most part employing themselves in desultory fashion, or at meals. The interiors of the houses were certainly above the ordinary dwellings of the place in point of cleanliness and order, and the patients' clothing and bedding I found in excellent condition. Only two patients, as a rule, are permitted in one house, as it has been found there, as elsewhere, that when more than two are allowed, the proper blending of the patients with the life of the family is impeded. The rules stipulate that the food of the patients must be the same as that of the family and that at least three and a half kilograms of bread and one litre of wine must be supplied to each patient per week, and four days a week fresh meat, independently of vegetables and other foods. The patients appeared thoroughly contented, and though, being for the most part Parisians, many desired to return to Paris, not one wished, here or elsewhere, to exchange the life of the colony for that of the asylum.
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> "At Ainay-le-Chateau and the sub-colony of St. Bonney I found the same condition and received the same favourable impression.
>
> "The only points that seemed open to question were, firstly, whether it is advisable to transfer aged people, habituated town dwellers, to a distant colony where they are out of reach of their friends or relatives, amongst a people who, however well disposed, have other ways than theirs; and secondly, whether some binding restrictions should not be inserted in the rules of the colony as regards the supplying of alcohol to the patients.

Macpherson, Vol. III., p. 33, c. 2. 21255.

"The sum paid to the *nourricier* for each patient is 1fr. 10c. per day. The personal clothing is supplied from the institution, and this, added to the expenses of the infirmaries, medical and other service, etc., raises the daily cost to 1fr. 40c. in the case of Ainay and to 1fr. 60c. in the case of Dun, per patient. The average cost per patient per day in the asylums of the Seine Department is 2fr. 75c. If to this saving be added the avoidance of erection of fresh structures the resulting economy is very considerable. Practically the same system is in operation at many of the family colonies. The two I visited were Gardelegen and Jerichow, and as the conditions obtaining amongst the patients are the same at both places, Jerichow only need be described."

The Family Colony of Dun-sur-Auron —*contd.*

For summary of points and detailed regulations, Vol. I. pp. 525, 526.

692. We think that a system of family care or guardianship, adopted under these conditions with all necessary sanitary and medical safeguards, is well worthy of careful consideration by the Board of Control, and by the local authorities connected with it; and we very strongly recommend that a scheme of this kind should be set on foot, and gradually extended, under capable management and good personal guidance. Possibly a religious body or community, or some large voluntary association, might undertake the task in a suitable county in England or Wales, and might combine personal insight and initiative with scientific methods and religious earnestness. In this and in other ways, voluntary institutions, organised in connection with the Board of Control, placed under the general supervision of medical men, certified, and made part of the general administration of the country for the care of the mentally defective, might render great assistance to the State at relatively a very small cost.

Trial of the Continental method of the Family Colony advocated.

(3) *The Scottish System of Boarding-out or Family Guardianship.*

693. The Scottish system of family guardianship or boarding-out is described by Mr. Spence, Secretary to the General Board of Lunacy in Scotland, in a very few words. He writes:—

Family Guardianship or "Boarding-out" in Scotland.

"Section 95 of the Lunacy Act of 1857 contains a provision to the effect that all pauper lunatics must be removed to the asylum serving the Lunacy District to which they belong, *unless the Board shall sanction their disposal otherwise.* It is the provision briefly summarised in the words italicised which brought the Board into official relations with all pauper lunatics wherever placed, and which enabled them to permit such pauper lunatics as could properly be provided for in private dwellings to be so disposed of.

Spence, Vol. III., p. 12, c. 1.

Cf. also C. Macpherson, Vol. III., p. 46, c. 2.

20 & 21 Vic., c. 71. S. 95.

"Pauper patients are kept with the sanction of the Board in private dwellings, either with relatives or unrelated persons, and either singly or in numbers not exceeding four.

25 & 26 Vic., c. 54. S. 5.

"They may either be removed from establishments for the insane to private care, or may be left under such care on becoming chargeable, without having been in an asylum or other establishment. In the former case no medical certificate is required beyond a statement by the principal medical officer of the establishment on a prescribed form, to enable the Board to judge of the patient's fitness for such a mode of care. In the latter case (the patient not being already certified), two medical certificates and other particulars on prescribed forms must be presented with the application. The Board may at any time withdraw their sanction to the residence of a pauper lunatic in a private dwelling and order removal to an asylum or other establishment, or to another house and guardian. The form of the medical certificates is as regards the certification of lunacy somewhat similar to that prescribed by the Act in the case of patients received into asylums, but they must state in addition that the patient 'does not require, either for his own welfare or the public safety, to be placed in an asylum, and is a proper person to be detained under care and treatment in a private dwelling', and further, that 'the circumstances in which the patient will be placed are suitable and sufficient for his proper care and treatment.'

29 & 30 Vic., c. 51. S. 13.

29 & 30 Vic., c. 51. S. 9.

"Pauper lunatics in private dwellings are visited at least once a year by a Commissioner or Deputy Commissioner. The visit is repeated when occasion calls for it, and in the case of many aggregations of patients boarded in villages, at least two visits a year are regularly paid. The inspector of poor must visit half-yearly, and a local medical officer quarterly, and these local visits must be recorded in a visiting book kept in the patient's house. The reports of the Deputy Commissioners are entered on a case record kept for each patient at the office of the Board, on which is recorded all such reports with minutes in reference to them, a summary of the leading facts of the patient's history, and a *précis* of all correspondence regarding his case. The past history of each patient can thus be at once fully traced."

694. The diffusion of this method of family guardianship in Scotland is very remarkable. Though only of comparatively recent origin, it is now very well established and works smoothly and satisfactorily. Under the influence of the Scottish General Board of Lunacy, it is adopted in some districts as a kind of local industry, so that the conditions of guardianship become well known in the locality, and the control over the guardians by inspection is exercised readily and effectually. Mr. Motion, Inspector of Poor to the Parish of Glasgow, told us how "boarding-out" was extended to meet the needs of chronic harmless cases at Glasgow. "Previous to May, 1885," he said, "the borough and parish of Glasgow had practically no boarding-out. After that period, to prevent the erection of additions to the asylums, and as we knew there were a number of chronic harmless cases quite fit to be boarded-out, efforts were at once started to find suitable places. I am a native of St. Andrews, and I knew that in the

Motion, Vol. III., 21851.

Family Guardianship or "Boarding-out" in Scotland.—*contd*
Motion, Vol. III., 21849.

county of Fife there were a number of little hamlets or villages where weaving had been practised for ages past, and I went there personally and sent my assistant to elicit the sympathy and good offices of the local medical gentlemen, and was able to board out, roughly speaking, what has now risen to a very, very large proportion of our insane, at sums varying from 6s. to 7s. per week. The average cost last year is 8s. 8d. per week; the difference between that and keeping them in an asylum, roughly speaking, would be about £2,500 or £3,000 . . . After the first few, we could then pick and choose the best type of guardian."

The medical men in the district advocated and assisted the movement greatly, and care was taken in the selection of cases.

Motion, Vol. III., 21854–21857.

"We went through this particular asylum," Mr. Motion said, "and found the class of inmates that were working about the farm, and on the land, and were otherwise suitable for boarding-out; we selected them and got the medical superintendent to certify that they were fit to be boarded-out and removed them accordingly.

As to the selection of homes we take the houses as they are, and preferably with some aged couples whose family have gone off and left them with plenty of bed accommodation, and preferably in fruit-growing districts, such as the village of Balmullo in Fifeshire, near Leuchars Junction, and Ceres and Craigrothie further west, and especially the district of Lanark which was visited by members of the Home Relief Congress under the presidency of Dr. Charles Macpherson, the previous witness. The house is first inspected by the Inspector of Poor; if it passes him, application is made to the General Lunacy Board, and Dr. Macpherson, the Deputy-Commissioner in Lunacy, and his colleague then visit, and before we can put a patient in there it must receive their approval."

Sutherland, Vol. III., p. 240, c. 1.
C. Macpherson, Vol. III., p. 46, c. 2.

Dr. Sutherland, Deputy Commissioner in Lunacy for Scotland, considered that if 30 per cent. of lunatics in asylums were boarded-out, as he and Dr. Charles Macpherson, his colleague, thought would be advisable, "the saving in Scotland would be £66,000 per annum and in England £480,000"; but he proceeded to show how far from being reached was his standard of 30 per cent. for Scotland. He said:—

Sutherland, Vol. III., p. 244.

"In ten counties, including Ayr, Aberdeen, Edinburgh, Stirling, Dumfries, etc., there are eighty-six parishes large and small, with 1,645 chargeable insane, of whom only 130, or 8 per cent. are boarded out; and in fifteen counties, including Ayr, Aberdeen, Fife, Renfrew, Stirling, Dumbarton, etc., there are 202 parishes with 1,152 insane, not one of whom is provided for outside the institutions."

Trial of Scottish method advocated.
Cunyngham Brown, Vol. I., p. 522, c. 1.
Macpherson, Vol. III., p. 46, c. 2.
Cunyngham Brown, Vol. I., p. 523, c. 1.

695. We have made inquiry in regard to the system here described, both in the evidence we have taken and by our personal visits, and while, no doubt, in particular instances, criticisms might with some justice be made, still, in our opinion, there seems no reason why, under close medical supervision, it should not be adopted gradually and experimentally in a country district in England. In Scotland, some 19 per cent. of the insane persons in receipt of relief are provided for under family guardianship. The sum paid for board and oversight varies from 7s. per week in the large urban and burghal parishes to 3s. 9½d. in the case of Shetland. We think that in suitable districts it should be the subject of fair experiment under altogether new conditions, supported by the local committees for the care of mentally defective persons, supervised and actively supported by the Board of Control, and altogether dissociated from the PoorLaw and pauperism. The medical officer or one of the medical officers of the committee might take the place of the "Inspector" or, as we should say, relieving officer, in the Scottish procedure and pay the half-yearly visits; a member of the committee might pay the quarterly visit; and the Commissioner or Assistant Commissioner of the Board of Control might visit yearly. For information as to the character of the houses in which and of the people with whom the mentally defective persons might be placed, inquiry might be made privately in many ways which are at the disposal of a standing committee of a county or county borough council.*

Preamble (7).

Accordingly we would recommend that the system of "boarding-out," or family guardianship, as practised in Scotland, should be adopted in England for suitable cases.

* We have learnt that an attempt was made to introduce this system into England in connection with the County Asylum at Melton in Suffolk. Dr. Whitwell, who gave evidence before us, subsequently furnished a short account of the experiment which he initiated. It is printed in the Appendix papers, Vol. IV., p. 451. The plan was tried in 17 cases and so far as it went was very successful. It continued for two years. It was held, however, by the Lunacy Commission, correctly no doubt, that a lunatic received under a Reception Order though boarded out (Lunacy Act 1890, Sec. 57) had to be recertified periodically (Sec. 38); and "I had not," Dr. Whitwell writes, "foreseen the difficulty, and, since in my zeal to give the experiment the best chance of succeeding, I had always, in selecting the boarding house, given preference to those well away from congregations of people, the patients were mostly away from railway lines and somewhat difficult of access for recertifying. We had therefore reluctantly to abandon the scheme."

(4) *Large Farm Colonies.*

696. Another method which we would advocate is the introduction of the system of large farm colonies on lines suggested to us by the colonies for the feeble-minded which have been established in the United States of America and in Canada, and which are described by us in Chapter XLI. In America, in many instances, large estates have been purchased, which give scope for training the mentally defective in labouring work generally, in farm work, and in horticulture. In some of these estates the colonists are thoroughly accustomed to manual work, and are capable of doing a large amount of hard labour. Thus, at the Templeton Colony in Massachusetts, they work in the field, break rock and drill it for blasting with explosives, store corn, haul bricks, and perform many other tasks in some cases even without supervision. And all this is done, not only by those whom we would call "feeble-minded," but by men who are extremely imbecile or idiotic, and who "have not human speech." On these farm colonies there is ample room for experiment and development. New plans of education can be put in operation. The originality of the teacher may find new methods of testing and training, and there is space and opportunity for different kinds of employment. Where, as usually in America, the State Authority is careful not to discourage freshness of thought and ingenuity, quite extraordinary results are produced on these estates by men whose lives are devoted to the care of the mentally defective, results which may throw light even on the methods of education that may be suggested for the education of normal scholars in public elementary schools.

Large Farm Colonies in America. Cf. Pars. 833, 834, 831, and cf. also generally the Report of the members of the Commission who visited America, Vol. VII. Cf. Preamble 7.

The establishment of one such farm colony in England would be of the greatest service, both directly and indirectly.

(5) *The Probable Cost of the Colony System.*

697. We now pass to some details respecting the probable cost of institutions of the type of farm colonies, though on a smaller scale than the more notable colonies in America, to which we have just referred. In his report for the year 1906, the Inspector under the Inebriates Acts publishes "some details concerning the original cost of establishment in the case of existing certified inebriate reformatories." Experience in regard to the cost of the buildings, etc., required for this class is of service in estimating the expenditure that may have to be incurred in establishing farm colonies. The following table (*see* Group III.) shows indeed with what economy the necessary buildings may be constructed.

The probable cost of Colonies in England. Experience of the cost of Institutions for Inebriates. Report of Inspector under the Inebriates Acts, pp. 25–26, (Cd. 3685).

Conditions of establishment.	Reformatory. (1)	Approximate amount expended on site, alterations, building, drainage, furniture, &c.* (2)	Number of inmates for which each Reformatory is certified. (3)	Approximate cost per head. (4)
GROUP I.		£		£
Reformatories established by Local Authorities.	Farmfield ...	45,584	113	403
	Langho ...	110,349	185	596
	Cattal... ...	40,403	80	542
Totals ...		196,336	378	526
GROUP II.				
Reformatories established jointly by Local Authorities and other persons.	Brentry ...	48,102	240	200
GROUP III.				
Reformatories established by voluntary bodies, or private persons who are unconnected with Local Authorities.	Duxhurst ...	6,000	32	187
	National Institutions.			
	Horfield ...	3,640	20	182
	Chesterfield ...	7,862	57	138
	Lewes	16,164	150	108
	Ackworth ...	9,070	90	101
	East Harling ...	29,980	†300	100
Total		72,716	649	112

* The sums mentioned in this column include all amounts, whether paid or not, which are required to make each institution freehold, and the absolute property of the governing body.
† Including accommodation for 91 inmates, not yet added to certificate.

The probable cost of Colonies in England. Experience of the cost Institutions for Inebriates—*contd.*

698. The comments of the Inspector on this table are as follows:—

"Of the twelve institutions founded under Section 5, three have been brought into existence by county councils, one by a board formed jointly by representatives of local authorities and philanthropic persons, and eight others have owed their origin to religious bodies, temperance societies, or private persons. With regard to buildings, two (Langho and Cattal) have been specially erected *de novo*, five others (Brentry, Ashford, Farmfield, Newdigate, and East Harling) consist for the most part of specially erected buildings added to an originally existing structure, and the remaining five (Lewes, Horfield, Ackworth, Chesterfield, and Duxhurst) have been established in already existing buildings which required but little adaptation. Two of these reformatories, Ashford and Newdigate, have lately surrendered their certificates, are no longer available for the reception of cases, and will therefore receive no further mention. The above table shows, in as compact a form as possible, the approximate cost of establishment in reference to all institutions now existing.

"A glance at Column 4 will show that the actual expenditure upon land and buildings ranges approximately from £100 per bed as minimum, to £596 as maximum, and that all institutions built by local authorities are provided at much greater cost than those which owe their establishment to philanthropic bodies and private persons. In respect to Group I., however, it is only fair to remark that all administrative requirements (lighting, heating, drainage, kitchen, stores, laundry, etc.) are provided to meet the needs of a considerable increase over the number of inmates for which each institution is now certified. Langho, for instance, could be extended to hold 400 or 500, Cattal at least 200, and Farmfield 200, without any further building than would be necessary to provide the additional sleeping and day room accommodation. With economy in all future expenditure it should be possible to provide this supplementary living space at an amount which would reduce the average cost at each place to a much lower figure. At the present time the balance between administrative provision in each reformatory, and accommodation for inmates, is unequal; therefore, so long as this condition exists, any estimate of expenditure based upon the present cost per bed, is misleading. When these institutions are completed, and the balance is adjusted, the amount per bed should work out at about £300, a figure more nearly representing the actual state, and consequently the one upon which all remarks concerning the original cost of these places will be based. Moreover, it should also be remembered in regard to the reformatories in Group I., when expenditure is compared with what is shown in relation to other institutions, that the buildings erected by local authorities are undoubtedly superior to others in every respect, including construction, decoration, fittings, and the hundred and-one small details which mark the public institution of the present day. Whether this should be so or not I am hardly prepared to say, but it is certain that many arguments could be adduced in favour of simpler construction, less ornamentation, and the elimination of many elaborate details which are now considered necessary in public buildings designed for the housing of persons who require care and control. Rightly or wrongly, these arguments appealed with force to those of us who were interested in the provision of accommodation for inebriates, and some efforts were made to encourage the erection of buildings which could be characterised as monastic in their simplicity. Unfortunately, these efforts failed wherever local authorities were concerned, mainly owing to the inclusion of details which were considered unavoidable, such, for instance, as decorative outside appearance, oak-panelled board rooms, tiled walls, tesselated pavements to corridors, expensive lighting and ventilation plant, and suchlike elaborations. The county architect is too strong a man to fight against so long as he is stimulated to erect buildings which shall be a 'credit to the county,' so long as he is permitted to vie with neighbouring professional men in the production of something which shall be a credit to himself, and so long as his commission depends upon what he spends instead of upon what he saves. For these reasons it soon became evident, if strict economy in the provision of accommodation were to be carried into effect, that philanthropic bodies or private persons would have to be relied upon rather than local authorities, and the result as justified that conclusion. Even accepting £300 per bed as the real figure representing Group I., that amount still compares unfavourably with the average cost of institutions established under Groups II. and III. Furthermore, comparison between the cost per bed of Brentry (partly controlled by local authorities) and the average cost of institutions in Group III. (in the establishment of which no local authority had any voice) shows distinctly in favour of the latter. Therefore, so far as our experience under the Inebriates Act is concerned, the result is both interesting and curious; local authorities acting alone need £300 per bed, a mixed board of local authority representatives and philanthropic persons requires £200, and philanthropic bodies and private persons (acting without local authorities) manage establishment at £112 per bed. As already indicated, the accommodation provided at the last-named figure will not bear comparison with that which results from the expenditure of £300; but what has been provided for the smaller amount has proved, in my opinion, good enough, and therefore sufficient."

699. Of the above reformatories, East Harling and Ackworth are undoubtedly the cheapest. The former was originally a country workhouse situated in a sparsely populated district in Norfolk. At the time of purchase the buildings were repaired, fenced in, cleaned, whitewashed and made fit for habitation. Practically all the walls were then rebuilt throughout, four

The probable cost of Colonies in England. Experience of the cost of Institutions for Inebriates—*contd.*

additional wings erected, a receiving house, a number of workrooms for industrial occupations, new kitchen, stores, refractory block, water tower, infirmary, and some cottages were added, until in the end all necessary accommodation was provided. It is now practically complete, and has cost, from first to last, including furniture and all fittings, the sum of £29,980. The institution has accommodation for 300 inmates and 30 officers; the cost therefore works out at approximately £100 per bed. A contract is now in existence for the duplication of the building upon a site some distance away—everything to be reproduced as it stands at present. The contractors are the persons who have already done the work at East Harling, and they jointly undertake to make a replica and hand it over, lighted, drained, and supplied with water for £24,000—to which sum the cost of the necessary furniture (say £3,000) and the value of the site would have to be added. The previous existence of a building which was partly incorporated in the present one has not therefore proved a financial advantage; it added, in fact, to the total cost. The buildings are in two storeys, and take the form of a large divided square. The walls are fourteen inches brickwork, quite plain outside, here and there finished inside with plaster, but for the most part merely whitewashed. Floors vary between ordinary plank, wood blocks, and cement. Rooms generally open into one another, so that no space is wasted in passages. With the exception of some few separate rooms for special cases, the sleeping accommodation is provided for in small dormitories holding an average of about eight or nine inmates each. The windows are mostly iron-framed, with hopper openings for ventilation. The institution is lighted throughout by acetylene gas, which is found to meet all requirements, and has proved highly satisfactory. Water is obtained from two wells, and is stored in large quantities in a water-tower and elsewhere on the premises. It is pumped so far as possible by windmill, failing this by a capstan actuated by inmates. There are a number of earth closets, but the greater part of the sewage will be water-carried as soon as the sewage system is ready for use, and will be dealt with by septic system and irrigation. The laundry is fitted with a minimum of machinery, practically all work being done by hand. The kitchen is supplied with ordinary ranges, bakers' oven, steam cookers, and boiler.

The whole place has been built on strictly economical lines, without attempt at architectural beauty, but with every intention of showing that good enough provision can be made without the enormous expenditure now apparently considered necessary in buildings erected for public purposes. The Inspector under the Inebriates Acts, in his report for 1905, sums up the position in the following words :—

> " East Harling is a marvel of cheapness, but cheapness which does not particularly obtrude itself. It is sufficiently well built, dry, well lighted, well ventilated, and can easily be kept clean by scrubbing, paint, and whitewash. A great contrast to the finely finished asylums and public buildings of to-day, yet it serves its purpose excellently, is in every sense efficient, and is quite good enough for the persons who need to be detained therein. Few of them, in fact, have ever lived in such comfortable quarters."

700. The Ackworth new reformatory will, when complete, include twelve separate buildings—a central block containing dining, day room, workroom and sleeping accommodation for 206 inmates, kitchen and laundry, an administrative block and quarters for the staff, two villa blocks, containing accommodation for forty-four inmates in separate sleeping apartments, a hospital with two general and two-single bed wards for fourteen patients, a mortuary, an assembly hall to seat 272 persons, a receiving house, an isolated refractory block, a superintendent's house, a porter's lodge, and engineer's shop, an extensive range of workshops, and water tower, a well (200 feet deep) to provide the water supply, an acetylene gas installation, and sewage disposal works.

The reformatory, when finished, will contain all necessary provision for the number of inmates and officers intended—250 inmates and twenty-five officers—and its cost, including the site, roads, gas and water mains, fire appliances, steam cooking plant, furniture, and all incidental expenditure, will not exceed £97 per bed. The several firms contracting are old-established and

The probable cost of Colonies in England. Experience of the cost of Institutions for Inebriates—*contd*

experienced, and have carried out considerable building and engineering operations to the satisfaction of various public and other bodies. The following is a memorandum of the details.

	£	s.	d.
The cost of site including legal expenses was	1,998	17	5
And the several tenders are as follows :—			
Erection of 1,000 yards of angle unclimbable steel fencing, 7 feet high, with set of three entrance gates	440	0	0
Construction of roads, asphalt yards and paths	480	11	10
Sinking artesian well (200 feet deep), providing and fixing lining tube, pumps, oil engine, ascending main and all necessary plant and fittings to supply 7,500 gallons per diem of eight hours	452	15	0
Providing and laying 3-inch heavy cast-iron water mains, fire hydrants, and 1-inch galvanized iron services to buildings, including all necessary stop-cocks, boxes, etc.	266	13	6
Construction of sewage works and main drains, including manholes, inspection chambers and connections	735	12	6
Construction of branch drains to buildings	202	7	2
Installation of acetylene gas, including generation plant, mains and service pipes and fittings	513	14	0
Erection of porter's lodge, and engineer's cottage	400	14	4
„ „ superintendent's house	564	16	9
„ „ administration block and officers' quarters	1,854	9	4
„ „ receiving block, for ten inmates	828	0	4
„ „ kitchen and laundry block, including steam plant	1,470	4	3
„ „ two blocks of work and day rooms, dormitories, and baths, for 206 inmates	4,014	12	0
„ „ two villa blocks of work, day, bed, and bath rooms for „ „ forty-four inmates in single bedrooms	2,889	17	0
„ „ refractory block for ten inmates	841	1	9
„ „ hospital block for fourteen patients	738	4	5
„ „ assembly hall and chapel to seat 272 persons	1,185	16	6
„ „ mortuary	127	1	0
„ „ water tower, tank stores, engineer's and other workshops	1,263	4	7
Furniture and fittings	1,973	8	9
Allowed for contingencies	1,000	0	0
	£24,242	2	5

£97 per inmate.

The actual expenditure will probably be less than £97 per inmate. The contractor for the erection of the administration block and assembly hall and chapel is prepared to reduce his tender for those buildings by 10 per cent. if certain ornamental stonework, cornices, and woodwork are omitted. It has also been pointed out that the division walls of some of the buildings are unnecessarily heavy, that they could be reduced without detriment to the buildings, and with satisfactory financial results.

Site.

701. The cost of the land for a Farm Colony need not be excessive, but, in choosing a site, the following points should be borne in mind. Light land is preferable, and it should be adapted for spade cultivation. The site should be of sufficient altitude to avoid fogs as far as possible, and for purposes of economical transit, it must not be situated too far from a railway or canal.

Colony scheme for mentally defective persons: Cost of provision.

Vide end of Appendix Vol. V.

702. Considering the question more directly in relation to a colony suitable for the mentally defective, we publish in our Appendix, Vol. V., some sketch plans and elevations of buildings which appear to us both satisfactory and economical, and a note of the building tenders which were received in regard to them. The buildings are sufficient to provide complete colony accommodation for 150 male and 150 female inmates, and thirty officers. By re-duplication, they could be extended to accommodate any number of inmates without increasing the cost per bed.

Colony scheme for mentally defective persons : Cost of provision —*contd.*

The estimated cost of site, roads, fencing, sewers, water and electric supply, workshops, furniture, fittings, and contingencies, is according to these plans £12,000 for a colony for 300 cases, or £40 per bed. The cost per inmate would remain about the same if the colony were instituted on a larger scale and provided for an increased number of cases. The tenders that have been received are as follows :—

	Builders' Tenders. Lowest.	Highest
	£	£
A. Porter's Lodge	366	483
B. Superintendent's House	640	900
C. Assembly Hall	1,634	2,100
D. Kitchen and Laundry	1,415	1,664
E. Administration Block	3,150	3,800
F. Hospital Block (22 beds)	1,640	1,781
G. Inmates Blocks (7) (280 beds)	12,600	16,058
H. Receiving Blocks (2) (20 beds)	1,880	2,306
I. Bath Blocks (2)	660	722
	£23,985	£27,814

Per bed : £80 1s. ; £99 7s. 6d.

SUMMARY OF THE ESTIMATED COST.

	Per Bed. £ s. d.
Site, road, sewers, furniture, fittings, etc.	40 0 0
Buildings as per lowest builder's tender	80 1 0
Total estimated cost	£120 1 0

Estimated cost of maintenance in colony.

703. In regard to the probable cost of the maintenance of mentally defective persons in a colony, it is extremely difficult to estimate. Very much depends upon circumstances, of which, as yet, we know but little.

The cost at East Harling Certified Inebriate Reformatory would perhaps more nearly represent the cost of a colony than any other of the institutions to which we have referred. There the cost works out as follows :—

	Per Inmate per Week. s. d.
Staff expenses (salaries, wages, provisions, officers' uniform and laundry)	3 6
Inmates' expenses (provisions, clothing, laundry, and medical stores)	4 2
General expenses (fuel, light, water, household stores, repairs to buildings, furniture, and fittings, rates, taxes, and insurance)	1 6
Total	9 2

Some of us who have had experience in institutional management are of opinion that under all the circumstances the cost in the proposed colonies for the mentally defective should be rather less. There should be a saving of at least 6d. per week, and possibly more in the cost of staff. There should also be a saving in the cost of the food of the inmates, as greater elasticity in the dietaries would be possible. The figure 9s. 2d. per week does not, of course, include anything for central office expenses, rent or interest, or for the repayment of the cost of the provision of accommodation. On the other hand, no allowance is made for the earnings of inmates. In many inebriate reformatories the industries produce an average of 1s. 2d. per week per inmate, and so reduce the cost to 8s. per week. There is no apparent reason why somewhat similar results should not be obtained in the case of the mentally defective.

Conclusions as to probable cost of provision of and maintenance in colony.

704. Though these statements of expenses cannot be accepted as final, we think that they show that for some classes of the mentally defective colonies well suited for the purpose may be provided at a very reasonable cost ; that the cost per bed should not exceed approximately £100—£120 including site, roads, sewers, water, lighting, buildings, furniture and fittings ; and that the cost of maintenance (inclusive of everything except central office expenses, rent or interest, and sinking fund) should not exceed from 8s. to 9s. a week.

705. We are, we fully recognise, recommending a considerable change in the methods hitherto adopted in England for the care of the insane ; but the evidence proves, we think, that to meet the new demands that have now arisen, both in reference to the unsound in mind, and to the mentally defective generally, new and more economical provision must be made under new administrative leadership, and on new lines, more adaptable, more varied, and more discriminating.

(6) *Observation and Reception Wards.*

Preventive measures.

706. It remains for us to consider preventive measures, the effect of which should be to forestall the erection of new asylums by a more careful preliminary scrutiny of cases at their earlier stages, and by their improved medical treatment, so that only patients who ought certainly to be admitted to asylums should be certified and sent to them. With this object three methods have been submitted to us; the observation ward, the reception house or ward, and the "temporary certificate"; and to these, we should add the general method of scientific investigation and research. Modern experience shows that the variations and differences in mental defect require close scrutiny, and that in many cases of unsound mind the disorder, if it be dealt with at an early stage, tends to disappear under the quietness and discipline of treatment, while in other cases to which reference has already been made, the alleviation which is obtained under custodial care soon passes away, if the patient is discharged and left to his own devices. Further, mental derangement may be due to many causes, as many different conditions may culminate in one general form of enfeebled and depleted physical life. Hence, if we hope to prevent it, we must study it in all its bearing with systematic observation and experiment. It is admitted, indeed, on all hands that very much more scientific work of this kind should be undertaken.

Observation Wards.
Spence, Vol. III., 20815.

Mackenzie, Vol. III., 23366–23375.

Mackenzie, Vol. III., pp. 155, 156, 157.

23374.

Vol. III., p. 156.

707. An observation ward is a place, wholly disconnected with asylum associations, where patients who are considered to be suffering from any form of mental derangement or disorder may be admitted freely and at once, with a view to ascertaining the disease from which they are suffering. In Scotland only mentally defective persons who are certified as such may, subject to the approval of the General Board of Lunacy, be retained in the poorhouses, and there they have to be kept in special wards which are licensed for that purpose under definite regulations. But it was ascertained that, in spite of licence and certificate, many persons of unsound mind were living in the ordinary wards of the poorhouse. It was proposed, therefore, to establish observation wards; and the Scottish General Board of Lunacy and the Local Government Board for Scotland agreed to regulations for their management. There was also another element in the desire to establish these wards. "The general public were resenting the going to asylums, because it meant loss of wages and loss of employment and general economic deterioration, as it were, and partly because patients preferred to remain in the poorhouse, as it had not the reputation of being an asylum. It was just the public wrath against asylum treatment." "Perhaps that was too strong a word to use," Dr. Leslie Mackenzie, the Medical Member of the Local Government Board for Scotland, who gave this evidence, said: "I think it should be 'public resentment.'" Then, in support of the view he had expressed, he quoted from his statement the words of a witness who had given evidence before a Departmental Committee in Scotland. "It is my experience that when once a person has been in an asylum, people have a strong objection to employing him or her afterwards. I have seen that occurring in the cases of females who have been out of asylum for some time and who are quite well: they get into service, but the moment their employer finds out about the asylum they are dismissed." This unfortunate result of admission to any asylum the observation ward, which is in the Eastern District Parochial Hospital, Glasgow, prevents. During the year ended 15th May, 1903, 242 patients suffering from symptoms of insanity were there treated, of whom only thirty-six were ultimately certified as insane and removed to the asylum.

708. Dr. Carswell submitted to us some further details on this question which are worthy of careful consideration. They are summarised in the following statistical statement :— Observation wards—*contd.* Carswell, Vol. III., p. 64.

OBSERVATION WARDS OR HOSPITALS FOR THE CARE AND TREATMENT OF INCIPIENT OR UNDEFINED INSANITY.

The Glasgow Parish Council provided two wards for the care and treatment of early cases of insanity, and I have had medical charge of the patients since the opening of the hospital in June, 1904. I submit a return showing the number of patients treated and the results of treatment from the opening on 15th June, 1904, till 18th February, 1906.

OBSERVATION WARDS, EASTERN DISTRICT HOSPITAL, GLASGOW.

Admitted.	Male.	Female.	Total.
Delirium tremens	156	69	225
Delirium (non-alcoholic)	27	11	38
Excitement	52	73	125
Depression	74	87	161
Mental confusion	91	70	161
„ „ (puerperal)	—	16	16
Stupor	15	9	24
Hysteria	2	14	16
Cerebral disease	5	2	7
Epilepsy	17	15	32
General paralysis	14	3	17
Dementia	25	12	37
Delusional states	19	14	33
Various	37	7	44
Total under treatment	534	402	936—936

Discharged.	Male.	Female.	Total.
Cured	242	171	413
Relieved	96	64	160
	338	235	573—573
To asylum	133	116	249
To other asylums	7	9	16
Died	34	30	64
	512	390	902—902
Remaining at 15th	22	12	34—34

Note.—During the period reported upon, ninety admissions were re-admissions.

The system has worked satisfactorily, and has been greatly appreciated by the patients and their relatives. Under proper safeguards for the separation of respectable patients from the degraded or criminal class of defectives, it would be possible to utilise the wards, or additional wards, for the purpose of systematic and extended observation of persons supposed to be feeble-minded who may have fallen into criminal ways.

The patients admitted were suffering from disease of very various kinds, it will be noticed. The scrutiny of the observation ward differentiated them, and as a result, after treatment, 61 per cent. were discharged, cured, or relieved.

709. One or two of the conditions required by the Scottish Local Government Board in the establishment of observation wards may be noted. The observation ward should be separated from the other wards in a poorhouse. The wards are like "ordinary hospital wards modified to suit their special purposes"; and the nursing and treatment is on hospital lines. No inmate who is not medically certified as suitable for treatment is lodged there. The certificate is a certificate for observation and treatment, not for detention, and apart from other questions as to the applicant's health and dependants, "the medical officer is requested to state the grounds that have led him to conclude that the applicant is suitable for treatment in the observation wards of the poorhouse." The wards provide accommodation for not fewer than four Memoranda of conditions of establishment of observation wards, and as to cases suitable. Mackenzie, Vol. III., p. 156, col. 2. Mackenzie, Vol. III., p. 158, c. 1.

Memoranda of conditions of establishment of observation wards and as to cases suitable—*contd.*

patients of each sex. The period of stay may extend to six weeks, with an extension in exceptional cases, on the production of a certificate to that effect, which has been transmitted to the Local Government Board. Registers of the cases have to be kept by the medical officer. If the wards contain sixteen beds and upwards, there must be at least one medical officer resident in the poor-house. In another Memorandum, issued by the Local Government Board for Scotland, there is a note of the kind of cases for which observation wards are suitable, and of those for which they are not suitable.

Mackenzie, Vol. III., p. 156, c. 2

Mackenzie, Vol. III., p. 157, cols. 1 and 2.

(*a*) Where the mental symptoms are a sequel or accompaniment of diseases that in ordinary circumstances terminate within a definite time. The point specially to be kept in view here is the likelihood of the speedy disappearance of the symptoms of mental disturbance.

(*b*) Where, although the mental symptoms would seem to indicate lunacy, the medical officer is clearly of opinion that such symptoms are likely to be of short duration.

(*c*) Where the patient's mental state gives rise to apprehension, but where the symptoms are not sufficiently marked to enable the certifying physician to affirm either sanity or insanity.

(*d*) Where the mental disorder is associated with alcoholic abuse.

(*e*) Senile cases where there are temporary symptoms of mental derangement which make it undesirable that the patients should be treated in a general hospital ward.

(*f*) The presence of the following conditions should be regarded as contra-indicating suitability for such wards :—

(1) Homicidal tendencies.
(2) Dangerous violence.
(3) Acute and persistent suicidal tendencies.
(4) Long-established insanity or known existence of chronic delusions.

Tuke, Vol. IV. 28617.
Savage, Vol. IV., 29094.

710. In favour of the utility of these wards, there appears to be a general consensus of opinion. The change marks a further step towards the substitution of the hospital for the asylum. The procedure is simple ; it suggests a larger and more scientific handling of the whole problem of mental defect, and it allows of the disease being combated in its earliest stage.

Reception wards and reception houses.
The Lewisham Infirmary Ward for observation purposes.

Appendix Vol. V., p. 241.

711. In support of this view, we may quote Dr. Toogood, the medical officer of the Lewisham Infirmary, who, acting as Secretary to the Committee on Lunacy of the Medical Infirmary Superintendents' Society, has forwarded to us a very interesting account of a similar method of dealing with cases of alleged lunacy adopted by him at Lewisham :—

"The relieving officer, either upon his own authority in obvious cases of mental derangement or upon the direction of a justice of the peace after a medical examination in less apparent cases, conveys the alleged lunatic to the workhouse or infirmary for detention, until the justice decides whether the case is fit to be discharged or to be transferred to the county asylum."

Of this period, advantage is taken for observation. "The great majority of the cases treated in these wards, although temporarily insane, and requiring control and observation, are not asylum cases." The disease is considered and dealt with apart from the "stigma of lunacy," for "friends of patients do not object to the detention in infirmaries or workhouses, but they have a very keen horror of an asylum." It is considered, too, in relation to illness, generally, as one form of malady which requires hospital care ; not as a malady dissociated from other maladies both in scientific thought and in medical treatment. The results achieved coincide with those obtained at Glasgow. The following is a return of them :—

In 1902, out of 8,076 cases of alleged lunacy admitted to metropolitan infirmaries and workhouses, 3,920 were sent to lunatic asylums and 3,560 were discharged cured.

In 1903, the figures were 8,004 admissions, 3,792 sent to asylums and 3,443 discharged cured.

In 1904, 7,654 were admitted, 3,716 sent to asylums and 3,155 discharged cured.

In 1905, 7,322 were admitted, 3,583 sent to asylums and 2,877 discharged cured.

The reason of this large percentage of cures lies in the fact that the mental state is often merely a symptom of a disordered bodily condition, and clears up entirely when that condition is cured.

712. It is evident that here, too, much insanity has been mitigated or stayed and prevented at an early stage, which is economy of the best kind. And we think that on these lines, by arrangement between the Board of Control and the local authority, there should be reception wards or reception houses wherever it may be necessary, and that whatever legal provision is required for their

establishment should be made without delay. We regard it, indeed, as very important that a free hand should be allowed to committees in dealing with this matter so that they may be able to utilise many existing agencies for the purpose. We do not consider it at all necessary that in crowded centres of population, large and expensive buildings should be erected like the reception blocks of the great county asylums. Separate wards in workhouses or in general hospitals might be used under contract, or existing houses or other buildings adapted. The special advantages of these reception wards for the clinical study of mental disease are so evident that many general hospitals, especially those to which medical schools are attached, would be glad, we think, if they were subsidised, to provide them within their own premises, or in neighbouring buildings, with medical, nursing and attendant staff complete. Those of us who visited America were much impressed with what we saw of the work done in reception and observation wards there.

Reception wards and reception houses—*contd.*

(7.) *The "Temporary" Certificate.*

713. Another similar procedure has also to be considered from this point of view—the certification and treatment of "unconfirmed" cases. No statistics are forthcoming in regard to it, but the evidence respecting it is entirely favourable. Dr. Clouston, the Superintendent of the Royal Asylum, Edinburgh, explained to us its origin :—

The "temporary certificate" and the treatment of "unconfirmed cases."

Clare, Vol. IV., 33733–33734. Clouston, Vol. IV., 30942, 31036. Smith-Whitaker, Vol. IV., p. 237, col. 2. Pennant, Vol. IV., p. 257, col. 2. Tuke, Vol. IV., 28617, 28623.

> "We have," he said, "in the original Lunacy Act in Scotland a clause which comes in the middle of one of the sections which empowers any registered medical man to give a certificate, as we say in Scotland, 'on soul and conscience'—a kind of solemn certificate that his patient is afflicted with a certain disease. You do not require to put anything mental in your certificate at all. You usually put something in reference to mental disturbance, but you do not use any of the technical terms. . . . You say that he labours under some mental disturbance, or that he has certain nervous symptoms, with mental depression : you put that in, but the certificate says that the malady is 'not confirmed.' This is the very gist of the whole thing. You cannot do it in a case you know to be incurable, it must be really for the purpose of cure. 'And I consider it expedient with a view to his recovery that he should be placed,' and we specify the house in which the patient is to be kept, 'for a temporary residence, a term not exceeding six months.' This procedure is used 'to a very considerable extent.'"

And Dr. Clouston adds :—

Clouston, Vol. IV. 30942. 30943.

> "I am not aware that any bad result has ever occurred from its use. The certificate is the more effectual for its purpose—'recovery and temporary confinement'—because it is not notified to any lunacy authority whatsoever ; in fact it is a private certificate about which no one knows anything."

The patients under it go to private houses only. In England such cases as are described by Dr. Clouston are frequently admitted to private or nursing homes. 30944.

714. A somewhat similar, though amplified, procedure has already been included in the draft of a Lunacy Acts Amendment Bill. The utility of the method, however, lies largely in its simplicity and informality, and in amplifying the regulations, this must be borne in mind. No more than this is necessary, for the certificate, as in the case of the observation ward, is not a certificate for detention, but for temporary residence, cure and treatment. This method is already taking root in England, and by turning it to account the pressure on asylums might, we think, be yet further reduced.

Bill to amend the Lunacy Act presented by the Attorney General [Bill 179] 1905.

Smith-Whitaker Vol. IV., 31358. Buist, Vol. IV., 31487–31497. 31501. 31506–31509.

Recom. LXVII.

We recommend in Recommendation LVII. : That anyone who for profit shall receive to reside as a patient or maintain any person appearing to come within any of the classes of mentally defective persons defined in Recommendation IV. shall within seven days thereafter notify the same to the Board of Control. And, further, under Recommendation XIII. the Board of Control are required to undertake the registration, supervision and inspection of all houses in which *two or more* mentally defective persons are maintained for private profit, and to visit such houses at least twice a year.

Recom. LVII.

Recom. XIII. : Preamble (6).

(8.) *The Promotion of Scientific Investigation.*

715. Lastly, there is the direct promotion of scientific investigation as leading ultimately, it may be hoped, to yet further preventive measures. Sir James Crichton-Browne, who strongly advocated the establishment of a Ministry of Public Health as a centre for the promotion of medical science and the supervision of all departments of sanitary and medical administration, insisted on the necessity of further developments in the study of insanity.

Scientific investigation should be promoted.

Crichton-Browne, Vol. IV., 29684.

> "It seems to me," he said, "to be the important question for the country : beyond all administrative machinery is this enormous growth of lunatics which is

Scientific investigation should be promoted—*contd.*

going on, and the great duty is the investigation of the causes, and the scientific treatment, and the improved scientific treatment of lunacy so that this increase may be checked and reduced. There are, I believe, various methods by which that may be done, and I think that in order to get these a more scientific element ought to be introduced."

Crichton-Browne, Vol. IV., 29687.

The Lunacy Commission "had gone round and insisted on post-mortem examinations, they had encouraged medical officers to carry out inquiries, encouraged the teaching and admission of students to asylums, so that the profession might be instructed in the nature of mental disease in all those ways. They encouraged me—without their assistance I could not have done it—to establish a laboratory, and in that laboratory at Wakefield Professor Ferrier's first experiments were conducted, experiments which have done so much to elucidate the structure and functions of the brain. But for the Commissioners in Lunacy, my committee at that time, county magistrates, not very scientifically inclined, would scarcely have allowed me to carry out that work. In various ways the Commissioners in Lunacy have helped."

But he said the Commission "had never initiated investigation." That was their duty now. And Dr. Mercier and others supported this opinion. Dr. Mercier said :—

Mercier, Vol. IV., 29894, 29898.

"Some years ago, I can remember the time when the medical superintendents of public asylums in this country, although they possessed medical degrees, had ceased to be medical men. They are excellent organisers, admirable administrators, many of them, but when they were appointed heads of asylums they put their medical functions behind them, and sometimes avowedly so. . . . That state of things no longer exists to the extent to which it did exist, and the cessation of it is very largely due to the influence of the Lunacy Commissioners, and especially to the influence of one particular Commissioner, who made it his business to emphasise in his reports the importance of the medical side of insanity. . . . There has been a great revival of late years, but that revival is not nearly so great as most of us would like to see. The qualifications required in a superintendent by his Committee are not largely medical qualifications. . . . Superintendents are chosen as a rule from assistant medical officers." . . . Hence the assistant medical officer cultivates the general and social side of his office, and "does not as a rule cultivate his own peculiar profession, for he finds it does not pay. I think the Commissioners might exercise a very important influence, in the first place by educating county councils to appreciate the value of medical knowledge and insisting upon a high standard of medical attainment in the officers they appoint, and also in encouraging assistant medical officers in cultivating the scientific study and treatment of insanity. We have to remember that many of these public asylums are in remote country districts, far from a populous town, far from a medical school."

716. Thus, it appears to us, that an obligation rests with the Board of Control, supplied, as it should be, with a sufficient staff to initiate investigation; to educate county and county borough councils to appreciate the value of medical knowledge, and to encourage scientific study among assistant medical officers; to set on foot a sufficient system of records, and to promote the establishment of observation wards and pathological laboratories and the study of new methods of treatment. For we agree entirely with Dr. Clouston's suggestion that it should be made legal for committees of visitors to contribute to a joint laboratory for several counties, or in the larger counties to a laboratory for each county. All these are methods which should, in our opinion, be adopted and enforced with vigour in order to stay the growth of mental defect and disorder; and we have made recommendations that will enable the Board of Control and the local authorities to act in these ways.

Mott, Vol. I., 8356, 8358. Clouston, Vol. IV., 31019, 31020. Potts, Vol. II., 19178, p. 471, c. 2.

Recommendation XXIII. Preamble (7). Recommendations LXIV.-LXVII.

CHAPTER XXXVI.

Certification, Wardship, and Detention.

717. The Lunacy Commission may be defined as a body established to ensure by its inspection and advice the responsible and effectual guardianship of insane persons. The responsible guardianship of the person is largely secured by certification and licence—certification, that the person is suitable for detention; licence, that the place where he is detained is suitable for his residence and treatment. The Judge and Masters in Lunacy with the aid of the Chancery Visitors (Parts IV. and VII., Secs. 183 to 186 of the Lunacy Act, 1890), are appointed to ensure the responsible and effectual guardianship of the property of insane persons, by supervising and controlling its management and administration. The distinction between the Lunacy Commission and the Judge and Masters in Lunacy and the Chancery Visitors, and their respective functions, is not absolute, as, for instance, persons "found lunatic," that is lunatics, not by certification, but by inquisition, are under the care and control of the Judge and Masters in Lunacy, either in regard both to persons and property, or in regard to one or the other.

718. In this branch of work we submit recommendations which we believe will lead to simplification and efficiency in official administration, and to economy. The changes we propose are these :— Reorganisation in regard to certification and wardship, and the office of the Judge in Lunacy.

(1) A simpler system of certification than is now in operation, which may be put in force, if, in the interest of the person or of society, detention or segregation or the right to detain is considered necessary.

(2) A simple system of wardship for the oversight and control of the person who is under age, and also a method of recognised friendly care for his oversight and guidance, with after his coming of age a reconsideration of circumstances and conditions, followed by continuing supervision or control if it be necessary.

(3) The extension of the protection of the property of a mentally defective person, on the lines of Sec. 116 of the Lunacy Act, to all the classes coming under that term, as defined in Recommendation IV. Chap. XXXVII.

(4) The transfer of the work and duties of the Judge and Masters in Lunacy to the Judges and Masters in the Chancery Division, with, as one result, the inclusion in one body of the present Commissioners in Lunacy and the Chancery Visitors. Chap. XXXVIII.

In the chapters that follow, we take these points in turn, and finally we will describe our scheme as a whole in reference to the various suggestions made to us by witnesses, more particularly the suggestions which are stated at some length in Chapter XXXII. Chap. XXXIX.

I. Certification.

719. In regard to certification we have to provide for simplicity of procedure in arranging for detention ; for the supervision of certification, so that institutions and methods of treatment that are available, of whatever kind they may be, may be used for the right persons ; for the transfer of persons, as conditions change, from one institution or from one kind of care and treatment to another ; and for the continuance or discontinuance of certification.

720. Generally in the procedure of certification we adopt the lines of the Lunacy Act of 1890, but, in the case of reception orders on petition, we recommend the following changes:— Reception orders on petitions.

The principle of these alterations is to adopt the system in force under the Lunacy Act and extend it to all classes of mentally defective persons as defined in Recommendation IV., without regard to the question whether they are " paupers " or not.

" (1) The word ' lunatic ' is replaced by ' mentally defective person ' throughout, and the word ' pauper ' eliminated. Recommendation LXVIII.

(2) The committee may, through its representative, present a petition as ' next friend ' of the mentally defective person where it thinks such petition ought to be presented, either at the request of the relatives or where the relatives or friends have failed to act (Section 5 (5)).

(3) The judicial authority may select a suitable institution or house or leave the selection to the committee, in cases where the relations or friends of the mentally defective person have failed to select one (Section 6 (1)).

(4) The order of the judicial authority should state whether or not the patient has been personally examined by him (Section 6 (2))."

721. Similarly, we recommend certain changes in the procedure as to urgency and summary reception orders. The principle of these alterations is to adopt the system in force under the Lunacy Act and extend it to all classes of mentally defective persons as defined in Recommendation IV., without regard to the question whether they are " paupers " or not. Urgency orders and summary reception orders.

" (1) The word ' lunatic ' is replaced by ' mentally defective person ' throughout, and the word ' pauper ' eliminated. The latter change renders Sections 14 and 18 unnecessary, and they are accordingly printed in large square brackets." Recommendation LXXI.

Urgency Orders and summary reception orders—*Contd.*

Recommendation LXXI.

"(2) The word 'workhouse' is deleted in the other sections which stand, and the words 'receiving house or reception ward' substituted. It will be noted that under Recommendations LXIV.–LXV. the committee may contract with others, including boards of guardians, to provide the necessary accommodation for receiving houses or reception wards.

"(3) The committee may, through its representative, make an 'urgency order' as 'next friend' of the mentally defective person where it thinks such a course advisable, either at the request of the relatives or when the relatives of the mentally defective person have failed to act (Section 11 (8)).

"(4) The 'Master in Lunacy,' where referred to, is eliminated, and 'Legal Commissioner or a Judge of the High Court' substituted in accordance with Recommendation VII.—(Section 12).

"(5) The procedure on summary reception orders is altered in the following ways :—

(*a*) The duty of informing a judicial authority as to mentally defective persons not under proper care and control, or cruelly treated or neglected, is imposed on medical officers of a Poor Law parish or union and representatives of the committee, in addition to constables, relieving officers, and overseers who at present have to give such information as to 'lunatics' (Section 13 (1)).

(*b*) The judicial authority, on receiving information on oath of any person whomsoever as to such mentally defective person, must authorise the medical officer or a certifying medical practitioner to examine the mentally defective person.

It will be noted that one medical representative of the committee is substituted for the two medical practitioners who at present make the examination of 'lunatics' under similar conditions (Section 13 (2)). Under Section 16 the Justices could at present make an order on one medical certificate in the case of a pauper alleged to be a lunatic or an alleged lunatic wandering at large. We propose to eliminate Section 14, relating to a pauper alleged to be a lunatic, but to extend the provisions of Sections 15 and 16 to all mentally defective persons wandering at large.

The effect of our alterations is to make it necessary—

(i) In cases of mentally defective persons not under proper care and control, or cruelly treated or neglected, brought before a 'judicial authority,' to require a certificate from one medical representative of the committee (Section 13 (2)).

(ii) In cases of mentally defective persons wandering at large brought before a Justice to require a certificate from any one medical practitioner (Section 16).

(*c*) The order of detention is, in the first instance, to be made for not more than fourteen days to a receiving house or reception ward, or other institution or house (Sections 13 and 16), during which period the committee will decide on a suitable institution (Sections 13 (3) and 16).

"(6) The procedure under Section 23, as to reception orders by any two or more Commissioners, is extended to all mentally defective persons, and to epileptics, whether mentally defective or alleged sane, in registered institutions or houses for epileptics. The Commissioners will communicate with the committee as to the admission of such cases into suitable institutions or houses."

The ordinary form of certificate which we recommend will be found in Recommendation LXX.; but, in Recommendation LXVII., we suggest that mentally defective persons should be admitted into receiving houses or wards "under any immediate certificate or order that the Board of Control under its regulations may require."

Detention of persons under twenty-one without the intervention of a judicial authority.

722. As regards mentally defective persons (other than persons of unsound mind or mentally infirm), who are under twenty-one years of age, we recommend that they may be placed by parents or guardians or by the committee in suitable institutions or houses upon the certificate in writing of a qualified medical practitioner without the intervention of a judicial authority.

Recommendation LII.

Supervision of certification, admissions, discharges, etc.

723. We have made further recommendations (LVI.–LXIII.) as to notifications, admissions, continuance orders, transfers and discharges. By means of the procedure herein outlined we believe it will be possible to ensure that the methods of treatment shall be suitable to the individual case in the first instance, and that if at any time it should become no longer suitable a transfer or discharge should take place.

724. It may be added that in the case of mentally defective persons dealt with by magistrates under the Summary Jurisdiction Act, we have suggested that the procedure of the summary reception order be adopted, with the intervention of the medical officer of the committee or a certifying medical practitioner for the certification of the person and a reference to the committee for the selection of the institution suitable for him. In cases heard at Assizes and Quarter Sessions, after conviction, we would suggest that a similar procedure should be adopted.

Summary reception order in criminal cases. Recommendation LXXXVII.

725. To two other questions it may be well to refer. We have adhered to the present practice of certification by which the magistrate at his discretion makes or refuses to make the order for detention that may follow on certification, and also decides whether he will, or will not, see the alleged lunatic. In Scotland, in the case of an alleged lunatic the petition is submitted to the sheriff, whose "function is rather administrative than judicial. He sees that there is no ground to object to the petitions, that the prescribed forms have been complied with and that the two medical certificates are in terms such as afford reasonable evidence that the subject of the petition is insane. If he is not satisfied on these points the order is refused. There is nothing to prevent him having the patient brought before him, if he thinks fit, but he does not do so and would not be likely to do so for the purpose of determining the patient's lunacy, as that would put him in the false position of acting as a medical examiner." In England, the magistrate is in what is here called a "false position." He acts practically as supervising medical examiner, and sees the person with the object of judging of the reality of the alleged lunacy, apart from his judgment of the reasonableness of the evidence which the certificates contain. As an illustration of the result of adopting this course, a case was cited to us. The patient had been detained on a reception order signed by the magistrate in the usual way on the necessary certificates. There was no asylum very near, and consequently the patient was removed to a hospital. The magistrate had signed the certificate without seeing her, and accordingly, when she was at the hospital, she was given the opportunity of seeing another magistrate there. When this magistrate saw her he refused to certify her and "the patient had to be discharged, with very disastrous results to herself."

Functions of judicial authority. Claye Shaw, Vol. IV., p. 197, c. 2. 30443 30444. Lunacy Act, Sec. 6, 17. Spence, Vol. III., p. 14, c. 1.

Claye Shaw, Vol. IV., 30444. Cf. Tuke, Vol. IV., 28804–28806.

726. The magistrate is called in to give the order for reception, that the public may have complete confidence in the justice of the transaction, and that the interest of the patient may be fully considered. If he is to assume a position that is judicial rather than administrative, it appears to us that he should, as a rule, see the patient. We believe that it accords best with English feeling that the judicial authority should make the order judicially.

Recommendations LXVIII and LXXI.

727. Another point in regard to certification has also been raised. The present form of certificate includes (1) a statement of facts observed by the medical practitioner and (2) a statement of facts observed by others. It has been suggested that in the form of certificate it should not be necessary to enter facts observed by the medical practitioner, but only his opinion and such facts observed by himself as he may think fit to record. The reason for the suggestion is that an experienced medical man will, by various signs and indications, be able to judge whether a person is or is not mentally defective, but with the time at his disposal he can, in some cases, hardly observe facts which by their strangeness and peculiarity would impress a magistrate or any person unaccustomed to medical investigation, though, with a greater opportunity for observation, such facts might come to light. There is thus much to be said for this suggestion, but the difficulty is rather to be met, we think, in a different way. It may indeed happen, and often does happen when insanity is combined with cunning, that even a protracted interview will not enable the medical man to observe such facts, if they were recorded, as would support a certificate. The opportunities for observation before certification should therefore be greatly increased, and for this we recommend that the fullest facilities be given. We would, on this understanding, adhereto the present form and require that the "statement" of facts should be filled up by the medical man, though the actual wording of the questions on the statement might be revised.

Statement of facts observed by certifier in certificate.

Crichton-Browne, Vol. I., 6042–6044.

II. Wardship.

The principle of wardship for the mentally defective.

728. Under recent legislation methods for the care and custody of children have been introduced which have extended the principle of wardship in many ways. Infancy, in cases in which the infant is the prospective possessor of property, is ground for wardship; and the analogy between infancy and unsoundness of mind or idiocy, as states of insufficient or defective discernment, is obvious, and has long been recognised. The Court that deals with the one may well deal with the other. And in fact this principle is now taking many new forms.

Compulsory education; the principle of the Reformatory and Industrial Schools Acts.

Industrial Schools Act, 1866, Sec. 14.

729. Under the Reformatory Acts, the ground for interference and compulsory education is conviction in respect of an offence committed by a child between the ages of ten and sixteen punishable with penal servitude or imprisonment. In the Industrial Schools Acts, intervention in the case of children apparently under fourteen years of age depends not only on the committal of an offence, but also, apart from that, on the existence of immoral or injurious conditions of life—exposure to vice and crime—"found begging or receiving alms"; "found wandering"; "found destitute, either being an orphan, or having a surviving parent who is undergoing penal servitude or imprisonment"; "frequenting the company of reputed thieves" or "of prostitutes," and so forth. And in these instances, also, the law imposes compulsory education. With the close of the education the control ceases, at the age of sixteen or eighteen or nineteen as the case may be.

The development of guardianship.

Prevention of Cruelty to Children Act, 1904, 4 Edward VII., Ch. 15.

Sec. 6.

Sec. 7.

730. But the enforcement of education at the charges of the State, and, as far as possible, at the expense of the parent, is often found to be insufficient. The evil is done before the offence is committed. The return of the young person to the family after the period of compulsory education exposes him to the very vice and crime from the influence of which it was desired to withdraw him. Legislation consequently tends to extend the field of guardianship, and to use it as the instrument of a control, not merely educational, but social and personal. Thus, in the Prevention of Cruelty to Children Act, 1904, where a person who has the custody of the child under the age of sixteen has been convicted of committing an offence of cruelty as defined in the Act, the child may be "committed to the custody of a relation of the child, or some other fit person, including any society or body corporate established for the reception of poor children or the prevention of cruelty to children, named by the Court (such relation or other person being willing to undertake such custody) until it attains the age of sixteen years or for any shorter period." And "any person to whose custody a child is committed under this Act shall, whilst the order is in force, have the like control over the child as if he were its parent, and shall be responsible for its maintenance, and the child shall continue in the custody of such person, notwithstanding that it is claimed by its parent." This principle is pushed still further in connection with Poor Law administration. The Poor Law Act of 1899 permits the guardians, in certain cases, to "resolve that until the child reaches the age of eighteen years all the rights and powers of such parent as aforesaid . . . in respect of the child shall . . . vest in the guardians, and thereupon those rights and powers shall so vest accordingly and shall continue so vested whether the child does or does not continue to be maintained by the guardians." The cases to which such a resolution applies are amongst others: the desertion of the child by the parents; "cases in which the guardians are of opinion that by reason of mental deficiency, or of vicious habits, or mode of life, a parent of the child is unfit to have the control of it," and so on. And, under the Custody of Children Act of 1891, in cases of the abandonment or desertion of a child or the neglect of him so as to allow the "child to be brought up by another person at that person's expense or by the guardians of a Poor Law union for such a length of time and under such circumstances as to satisfy the Court that the parent was unmindful of his parental duties, the Court, 'it is enacted,' shall not make an order for the delivery of the child to the parent unless the parent has satisfied the Court that, having regard to the welfare of the child, he is a fit person to have the custody of the child." Thus, under the circumstances of parental neglect or moral incapacity the right of the parent is definitely curtailed by modern legislation, and till the child reaches some age short of twenty-one years, he remains deprived of his authority, if the state of things that justified interference still continues.

Poor Law Act 1899 (62 & 63 Vict., Ch. 37). Sect. I. (6).

Sect. I. (1).

Custody of Children Act, 1891, Sec. 3 (b).

731. In Germany, in the case of children neglected but not themselves guilty of an offence, the same tendency of legislation is apparent; and for their case an extended system of "guardianship education" has been introduced.* "If the mental and bodily well-being of a child is endangered (not simply prejudicially affected)," the Court of Ward (*Vormundschaftsgericht*) is "empowered to take the necessary measures for removing the danger"; and "endangered" includes cases (*a*) where the father abuses his right to take care of the child; (*b*) where he neglects the child; or (*c*) where he is guilty of dishonourable or immoral conduct": and, further, though the child be under the charge of a guardian, the Court of Ward may interfere if "there is reason to fear continued neglect." In these cases—if "there is danger of neglect, whether of a moral, mental or a bodily kind"—the child may be placed under "guardianship education." So, "if the child has been guilty of a punishable offence for which, on account of his tender age, punishment cannot be inflicted." So again, if the educational influence of the parents or others responsible for his education, or the influence of his school, is inadequate to "prevent his complete moral ruin."

"On the Education of Neglected Children in Germany." Journal of the Society of Comparative Legislation. New Series, No. VII., June, 1901, p. 66.

If the Court of Ward decides to order "guardianship education," the ward may be placed in a suitable family or in an educational or correctional establishment. In coming to a decision on the point the peculiarities of each individual case have to be considered, the nature of the degeneracy and the causes of it; and a curator is appointed to supervise the education and maintenance of every pupil placed in a family. The office of curator is honorary, and may be filled by women in the case of children under twelve years of age; and in the case of female pupils, women are preferred as curators. "Pupils may also be placed in institutions for the sick, infirm, insane, lunatic, deaf and dumb, or blind, so long as may be required by their physical and mental condition." The "guardianship education" terminates at the age of twenty-one, and, towards its termination, every care is taken to ensure that the pupil starts in life under good auspices. The cost is met thus: the provincial unions (*Provincialverbände*) or, as we should say, counties, are responsible for the establishment of educational or correctional institutions; the communal unions (*Kommunalverbände*) or, as we should say, the boroughs and urban and rural districts, bear "the principal expenses for maintenance and education, and for providing for discharged pupils," but the Government supply two-thirds of the expense.

732. This principle of guardianship education we would apply to the mentally defective, and with that object would recommend for the wardship of children and young persons up to the age of twenty-one, the adoption of a method similar to that described in the Acts of 1891, 1899, and 1904, quoted above. We have treated all proposals for the prevention of the generation of mental defect by physical means as outside the scope of practical administration. We have the more reason therefore to recommend that provision be made for the control of mentally defective persons by the honourable method of guardianship; and it may be noted that the Poor Law Act of 1899 has already accepted "mental deficiency" on the parents' part as a ground for the diminution of parental rights.

Guardianship and supervision of mentally defective persons under twenty-one.

733. We therefore recommend that the local authority should have power to pass a resolution of wardship—that is, a resolution for the transfer of the rights and powers of the parent or guardian of a child, until the child reaches the age of twenty-one, to the committee for the care of mentally defective persons—"in the case of persons under twenty-one years of age, for whose care and control any council is required to make suitable and sufficient provision and who, in the opinion of the committee, are not under suitable parental or other control, and are not receiving suitable training or are cruelly treated or otherwise neglected and who, in the opinion of the responsible medical officer of the committee, come within any of the classes (3) to (9) inclusive of Recommendation IV." These powers should be exercised, as we state in Recommendation XLIX., subject to appeal to a Court of Summary Jurisdiction and a further appeal to a Court of Quarter Sessions. And we propose, further, that where the mentally defective person, being less than twenty-one years of age, is receiving suitable training and parental control, and is not cruelly treated or otherwise neglected, "the Committee endeavour to make a voluntary agreement with the parent

Recommendation XLIX.

Recommendation LI.

* Gesetz über die Fürsorgeerziehung minder jähriger vom 2 Juli 1900.

Guardianship and supervision of mentally defective persons under twenty-one—*contd.*

Recommendation LI.

or guardian for the appointment of a friendly visitor who, with the committee, shall be consulted as to any proposed removal of the person from his or her present residence, or any change in regard to his or her education and training, or any question of marriage, and generally in regard to any matter that may affect the well-being of the person at the time or in the future."

734. So far, we have dealt with wardship up to the age of twenty-one. But other proposals have been made to us, which would be applicable to persons after that age. The first of these proposals is the adoption of the system of *curatelle*, as practised in Jersey. The second proposal is the adoption of the French system known as the *Conseil de Famille*. Next, we will discuss the Scottish procedure under which a "curator bonis" is appointed to the property of a minor or of an "incapax." And lastly, the suggestion made to us by Sir James Crichton-Browne for the appointment of "legal guardians."

III. Curatelle.

The system of *Curatelle*.

735. Sir William Venables Vernon (Bailiff of Jersey) described very fully the system known as *Curatelle* which is in force in that island, and which furnishes a useful parallel to any system which might be introduced into this country. It will perhaps be convenient to consider in the first place the type of persons to which *curatelle* applies. The Royal Commission of Inquiry into the Civil, Municipal, and Ecclesiastical Laws of the Island of Jersey, 1861, thus stated the law :—

Venables Vernon, Vol. I., p. 589, col. 2.

> "It is to be observed that by the law of this island recourse may be had to a *curatelle* not only in cases of lunacy and mental incapacity, but whenever through drunkenness, prodigality, misconduct, or incapacity of any other kind it may become necessary or expedient to subject a person to control in the management of his property."

This statement of the law was questioned by the Privy Council in the case of *Ex-parte* Nicolle on appeal from the Royal Court of Jersey (L. R. Appeal Cases, Vol. 5, 1879–1880, p. 350). In this case, the Privy Council appear to have held that the interpretation given by the Royal Commission was too wide. Sir William Venables Vernon, however, informed us that :—

Vol. I., 10201–10203.

> "The practice has been to continue the administration of the law on the old lines."

He considered that the Privy Council had not the facts fully before them, and that much that was said in the judgment must be taken as *obiter dicta*. He concluded as follows :—

> "By the law of Jersey all insane and feeble-minded persons and prodigals must be either protected or restrained in the management of their property,"

adding that this system, as applicable to defective persons, is in practical working order in Jersey at the present time, and has been from time immemorial.

Account of the "*Curatelle*" Procedure.

736. In order to establish *curatelle*, the proceedings usually commence in the following way :—

Venables Vernon, Vol. I., 10203.

> "Any interested person, whether a member of the family, or some person interested by reason of business relations, such as a creditor, or other person, gives information usually to the police of the district; a preliminary inquiry is carried on by the police, or at any rate is supposed to be carried on. As the result of this, the head of the police communicates with the Attorney-General, who is also *ex officio* the public prosecutor of the island. Thereupon the Attorney-General files an information with the court, and states that a case has arisen for an inquiry, and moves the court to make an Order. That Order goes, as a matter of course; the Attorney-General being responsible and representing the Crown moving for the inquisition, the Order issues as a matter of course."

If no action is taken by relatives or friends the procedure may be set going in other ways :—

Venables Vernon, Vol. I., 10211.

> "1. The police may *ex officio* give information.
> 2. The Attorney General may *ex officio* institute proceedings on some fact being brought to his notice.
> 3. The Court might in the course of other judicial proceedings discover that a man apparently was incapable or incompetent to manage his own affairs and might draw the attention of the public prosecutor to the fact."

The next step is as follows :—

Venables Vernon, Vol. I., 10211.

> "The Attorney-General, after conferring with the head of the police of the district selects a given number, usually eight or nine, of the notables of the district, persons of substance and integrity, presumably acquainted with the person in question, having known him for at least a year and a day, having had opportunities of seeing him and knowing his mental state and his general behaviour, as well as acquainted with his mode of administration and management of his affairs and property, and these persons are according to the form summoned to appear before the Court on a special day. At the same time the defendant is made a party to the proceedings by a specific form of summons."

These six persons are called *principaux*. They are not in the position of a jury, but are selected witnesses. They are examined and cross-examined on oath, usually very closely by the court itself. If the court considers the evidence sufficient, the person in question is declared incapable. Seven *electeurs* are then appointed, usually from among the near relatives, four on the father's and three on the mother's side. These *electeurs* appoint the *curateur*, who consults them in his management of the estate and person, and for whose acts they are liable, as sureties, if they have concurred in them. The seven *electeurs* are then known as *la curatelle*. Account of the *Curatelle* Procedure—*contd.* Venables Vernon, Vol. I., 10212–10213, and p. 587, col. 1.

737. There is a further method by which the feeble-minded can *voluntarily* place themselves under control by signing a *procuration* appointing a *procureur* whose powers are then similar to those of a curateur. A *procuration* may be either (1) general, in which case it can only be revoked by the Court, on cause shown, or (2) special, in which it can be revoked without cause at pleasure. Whenever *procuration* is resorted to, it is usually done in order to avoid the compulsory process of appointing a *curateur*, which is looked upon as a disgrace. Procuration. Venables Vernon, Vol. I., p. 587, c. 2.

738. Sir William Venables Vernon stated that he had never known the hearing of such a case to last for more than two days. A disputed case might take a day at most. The minimum cost would be £6 or £7 and the maximum £14 or £15, including counsel's fees. If interdiction is pronounced, the cost comes out of the estate; if not, it is paid by the ratepayers. Length and Cost of Proceedings. Venables Vernon, Vol. I., 10214–10220.

739. By a statute of January 22nd, 1883, no person may keep in his or her custody "any person suffering from mental infirmity whatever may be the degree thereof" without notifying the fact to the President of a permanent Committee of the States of the Island appointed for that purpose under a penalty of £10 to £25. Parents must, under this law, report children as soon as they can reasonably tell that they are mentally defective. The Committee may visit such feeble-minded persons at any time and may give notice to the public prosecutor in regard to any circumstances which may come to their knowledge. Two visitors are usually appointed, and should they think it necessary to institute proceedings these must be conducted according to the usual procedure in *curateurship*. Great discretion is observed in the manner in which this law is put into force, the information thus obtained is never allowed to leak out, and, consequently, no resentment is felt by the public at having to notify cases of feeble-mindedness in their own families, as might otherwise be the case. This procedure applies to rich and poor alike. Compulsory Notification of Cases. Venables Vernon, Vol. I., 10235–10242.

740. In cases where something more is required than management of the property of the feeble-minded person the *curateur* has power to place him under restraint. To quote Sir William Venables Vernon again :—

> "If the *curateur* and his *electeurs* found they could not keep the man under proper and sufficient restraint in his own home they might place him as a boarder in the general hospital of the island or some other institution of that sort, or in a private asylum, or in a public lunatic asylum."

In case of escape, the Attorney-General would be informed, and would give directions to the police if he thought fit. The power of the *curatelle* is subject to supervision by the Attorney-General, and ultimately by appeal to the Court. Provision for Custody of the Person. Venables Vernon, Vol. I., 10272–10274.

There are two institutions in Jersey to which children can be sent—the Family Orphanage at Granville—supported by State grants, and the Jersey Home for Boys, which is a public institution. The parents can be compelled by legal process to maintain their children if sent to such institutions. Venables Vernon, Vol. I., 10255–10257.

741. The evidence upon which interdiction is allowed is that of the six *principaux* who are summoned as informants. There is no certainty that any of these will be medical men, though it is usual for the Attorney-General to appoint one or two out of the six. Medical certificates may be presented by counsel on behalf of the alleged feeble-minded person as also by the Attorney-General, but these would be unsworn and there would be no opportunity for cross-examination. Evidence of Mental Defect required. Venables Vernon, Vol. I., 10263–10271.

The system of *Curatelle*.

> "No witnesses not being members of the inquest can be examined on either side, unless therefore some medical man cognisant of the facts is competent to serve, medical evidence is unattainable." (Extract from Report of the Royal Commissioners (Jersey), 1861, Vol. I., p. xxix.

Venables Vernon, Vol. I., p. 589, c. 2

Sir William Venables Vernon mentioned in dealing with this point that it was thought by some that an alteration was necessary, and that medical evidence should be admitted.

Success of the *Curatelle* System.

Venables Vernon, Vol. I., 10204–10205.

742. As evidence of the success of the system, Sir William Venables Vernon mentioned that in his own experience, which extended over thirty years, there had been on an average from twelve to fifteen cases heard and determined before the Royal Court of Justice every year. The population of the island would be between 50,000 and 60,000. He also quoted from the Minutes of Evidence of the Royal Commission of 1860 as follows :—

Venables Vernon, Vol. I., 10206.

> "The Commissioners were: Sir John Awdrey, Lord Devon, and Mr. Jebb, and they had on that particular day before them the then Attorney-General of the island, the members of the Bar, the leading members of the legal profession, and others, and they had been inquiring into the specific cases of grievances under the law of *curatelle*, and they wound up a very long examination of the Attorney-General and the other members with the following: Sir John Awdrey to Mr. Dupré, the Attorney-General, Question 12863: 'Do you conceivet hat the power which is exercised by the court in this manner authorising restraint upon drunkards and prodigals is on the whole beneficial ?—(*A.*) I think it is generally considered so in the island; many families have been saved from ruin by it. (*Q.*) Taking place upon the examination of six *principaux*, if they are fairly selected is not that some evidence that the general sense of the island is in favour of it ?—(*A.*) I think so. (*Q.*) Do you then think that it involves greater restraint upon personal liberty than ought to be allowed ?—(*A.*) I do not think so. (*Sir J. Awdrey.*) Would any other gentleman like to give an opinion upon this very important question ?—(*Mr. H. Godfray.*) There are many instances where families have been brought to ruin by an incompetent person not having a *curateur* in time. (*Lord Devon.*) Is any legal gentleman aware of any cases in which this process has been used for the purpose of oppression or private wrong ? (*Mr. Dupré.*) I have no knowledge of any case of that kind. (*Mr. J. Aubin.*) Speaking from forty years' experience, I may say that I do not know of such a case."

Venables Vernon, Vol. I., 10286–10287.

There is no tendency for the work of the *curateur* to be habitually carried out by a solicitor as is the case in France. The courts always discourage this practice, and press for the appointment of a relative whenever possible. Consequently, the system has not lost its freshness, and is looked upon with confidence, and appreciated by the people generally.

In conclusion, it appears that "curateurship" is an efficient method of dealing with persons in possession of either large or small properties who have proved themselves incapable of managing their affairs. It is, however, inapplicable to the pauper class, amongst whom the existence of the feeble-minded causes the greatest distress; and secondly the ground for interdiction often falls far short of any actual mental defect such as doctors would be prepared to certify, but may be merely a general incapacity as shown by conduct, the type of person contemplated being thus described by Sir William Venables Vernon :—

Venables Vernon, Vol. I., 10224.

> "A man who having inherited good estate, having a wife and children, would be bringing destitution upon himself and them by reason of gambling and horse-racing or otherwise doing away with his property."

IV. The Conseil de Famille.

The system of *Conseil de famille*. Type of Persons to whom it applies. Budd, Vol. II., 17256.

743. We pass now to the consideration of the French system known as *Conseil de famille*. This is in many respects similar to *curatelle*. The class of persons to whom it is applicable is, however, less wide, the state of mind which gives rise to interdiction being described as "imbecility, dementia, or *fureur*," but these words are said to be widely interpreted by the court.

Account of Procedure. Budd, Vol. II., 17252.

744. The procedure is thus described by Mr. Wreford Budd, who gave evidence on behalf of the Incorporated Law Society :—

> "An application is made for an interdiction. The classes of person who could make that application are clearly defined in the code. The judge, when the application comes before him, interviews the person against whom the application is made; he then appoints a *conseil de famille*, and he asks the opinion of the *conseil de famille*. That opinion is given to him: there are minute directions as to how the *conseil de famille* is composed, who must, and who must not, sit upon it. The judge then pronounces in open court the interdiction—that is to say, he prevents the profligate person, or whatever he may be, the person against whom the application is made—from entering into contracts, and appoints a receiver of his property."

745. Mr. Wreford Budd recommended an adaptation of the French system in this country, the actual appointment of the "family council" being unnecessary as, in his opinion, the supervision could be exercised by the Chancery Division. Dr. Savage, who gave evidence on behalf of the Royal College of Physicians, also suggested "the French system of the family council or something like that" for dealing with cases in the upper and middle classes.

The system of *Conseil de famille*; how far adaptable to this country. Budd, Vol. II., 17262–17265. Savage, Vol. I., 6521.

Mr. C. M. Barker, the President of the Incorporated Law Society, after referring to the successful working of the system, pointed out :—

> "It must not be forgotten, however, that it is to some extent based upon the French law that a man cannot leave a certain proportion of his property away from his own family.

Barker, Vol. II p. 357, c. 2.

These words indicate the fundamental difference which exists between French and English law in the matter of alienation of property.

746. In England, a testator is under no obligation to bequeath his property to his relatives. He might leave everything to "a man in the street," and his will would be valid if he were "sane and of sound disposing mind." In this respect the law of Jersey resembles that of France, and in both cases, the popularity of the "Family Council" system is largely due to the different conception which exists with regard to private property.

How far should the State interfere in the Protection of Private Estates?

We cannot do better than quote Sir William Venables Vernon, who thus graphically describes the contrast between the two principles :—

> "I presume I may take it that the law of England is that a man, under God, is absolute master of his property, and, consequently, that he may deal with it exactly as he likes, both during his lifetime, and in contemplation of his death. The law of Jersey, which is founded on the ancient Norman law, is founded upon a radically different principle, the principle that a man holds, enjoys, and administers, and can only dispose of, his property, both *inter vivos* and *mortis causa*, subject to what is due to himself, to his family, and those dependent on him, to the community, and to the State. The consequence is that the law of Jersey from time immemorial has always held that the incapable must be protected, and the unfit must be restrained with regard to the exercise of the right of management of their own property."

Venables Vernon, Vol. I., 1020?.

Good and salutary as is the system of *curatelle*, we fear that it would not be possible to graft it into English procedure for the care and control of the mentally defective.

747. The difference between Norman law, and English, is deeply engrained in the social organisation and feeling of the communities of which those laws are the expression. The one recognises the unity and obligations of the family as a whole in relation to property. The predominating characteristic of the other is the liberty of the individual. In England, it would seem as if the "restraint of the unfit" would be effected, not through the family acting of itself as a controlling agency under the co-operative guardianship of a curator, but by the guardianship of a court whose protection is obtained by a procedure like that in force under Sec. 116 of the Lunacy Act. Members of the family of a mentally defective person should, we think, have the fullest opportunity of applying for the protection of the court, and, in order to achieve this, we recommend "that the powers and provisions of the Lunacy Act, 1890, relating to management and administration, shall apply to all mentally defective persons as defined in Recommendation IV."

Conclusion that neither the system of *Curatelle* nor the *Conseil de famille* would be possible in England.

Recommendation X.

748. It appears, therefore, that whatever alteration may be necessary in the existing law of this country, it must be based on some other principle than that in force in Jersey or France. English law does not recognise a right on behalf of relatives to be protected; it would be rather a question of the right of a feeble-minded person who inherits property and is incapable of managing it to be protected against himself. This appears to be the basis for any possible legislation. It should, however, be mentioned that the members of the Law Society who gave evidence were impressed by the effectiveness of the French method, and some desired that the courts of our own country should be armed with equal powers, not only covering the control of property held in full possession, but extending even to the variation of settlements under which the mentally defective person may be entitled.

Rawle, Vol. II., 17426. Budd, Vol. II., 17333.

V. The Curator Bonis.

Administration in Scotland of estate of an *incapax*.

749. We turn now to the Scottish system of the *curator Bonis*. Mr. Richard Brown, who had acted in many cases as *curator bonis*, gave evidence before us as to the procedure in Scotland for the administration of estates of persons who are found by the Court to be incapable of managing their own affairs or of giving directions for their management. We have not recommended the adoption of this procedure in England, as we are of opinion that an extension of the existing system in England will meet the case. But the Scottish method is both suggestive and far-reaching, and well worthy of consideration side by side with the methods of *curatelle* and *conseil de famille* and the English system.

In Scotland, the Court of Session has, from an early period, exercised the power of appointing an officer to whose care, under the supervision of the Court, are entrusted estates and interests without a capable owner or administrator. Such an officer is called a "judicial factor."

Brown, Vol. III., p. 41, col. 2.

By the Judicial Factors Act of 1880, the power of appointing judicial factors in cases of estates, the yearly value of which does not exceed £100, was extended to the Sheriff (or County) Courts in Scotland, an appeal from these Courts to the Court of Session being competent.

The designation—judicial factor—is a general term applicable to all persons appointed by the Court to take charge of estates. A person appointed to the property of a minor or of an *incapax* is specifically known as a *curator bonis*.

The conditions which justify an appointment may be either mental or physical; and, in either case, the question to be determined is, do they, or do they not, render the party incapable of managing his affairs? It is not necessary that the party be absolutely insane, if mentally unfit to manage his affairs. Appointments have also been made in cases of physical incapacity, such as paralytic affection, apoplexy, deaf and dumb, and blind and deaf, but it would rather appear that the Courts are averse to appoint on grounds of physical incapacity alone.

Mr. Brown continues:—

Brown, Vol. III., p. 42, col. 2.

> "The system appears to be sufficiently elastic to cover all necessary cases. If habitual drunkards or even spendthrifts were certified to the Court as incapable of managing their own affairs, possibly the present law in Scotland might be sufficient to enable the Court to appoint a curator of their estates. But whether under the present law or under a new law I have no doubt that the system of administration which I have described would be found perfectly suitable for all such cases."

Petition for appointment of *curator bonis*. Brown, Vol. III., p. 41, col. 2.

750. "A petition is presented to the Court by either the *incapax* himself, his relatives, or, failing relatives, any parties interested; by the Accountant of Court where a factor has died or ceased to act, and by the Lord Advocate where a report has been made to him under the Lunacy (Scotland) Act, 1857. These petitions come before a Judge only, either the Junior Lord Ordinary of the Court of Session or a Sheriff or Sheriff Substitute in the County Courts, and are not referred to a jury. There must be produced with the petition certificates by two medical men, on soul and conscience, to the effect that the party is incapable of managing his affairs or of giving direction for their management, and stating specifically the cause of this incapacity and its duration. One of the certificates must be by a medical man unconnected with the asylum where the *incapax* may be detained. The petition must be served personally on the alleged *incapax* and upon the other persons interested, who are named in the petition. Eight days' notice is given. All parties interested may appear in the case, whether the petition has been served upon them or not. Where the appointment is opposed by the alleged *incapax* with a denial of incapacity, the Court may cause an inquiry to be made into his state, and may examine him and other witnesses, or may adopt what course is considered best to obtain the necessary information. The alleged *incapax* is not entitled to demand a cognition and formal medical inquiry."

Appointment, duties, and discharge of *curator bonis*, in Scotland. Brown, Vol. III., p. 42, col. 1.

751. Speaking generally, any male person twenty-one years of age, in Scotland, in solvent circumstances, and not disqualified by incapacity or interest, may be appointed *curator bonis*. Where no objection is stated or appears, the Court will usually appoint the petitioner's nominee.

The curator's first duty is to find caution or security for his intromissions to the satisfaction of the Court. Until this has been done, he cannot obtain the official act and decree of his appointment which has the effect of a complete transfer to the curator of all property belonging to the *incapax*. As soon as he has received this he enters upon the administration of the estate. He requires

to prepare and lodge with the Accountant of Court within six months at the latest a full and distinct rental of all lands committed to his management and a list of all monies and funds belonging, and debts due to the estate, and also an inventory of any furniture or other movables. He must also acquire all writs and documents of importance belonging to the estate, and collect all monies not securely invested. He must satisfy the Accountant of Court as to the accuracy of the statements lodged by the production of vouchers."

Appointment, duties and discharge of *curator bonis* in Scotland—*contd.*

"While the curator appointed by the Court is not given specific control over the person of his ward, he has in effect such control, seeing that he has command of the whole of the ward's property. In practice, the curator sees that his ward is comfortably and suitably maintained according to his means. The ward may be placed either in a lunatic asylum or a private house, according to his condition, or he may even be allowed comparative freedom, but he is, of course, under the supervision of the Board of Lunacy, and if the officers of the Board think that the ward is not being properly or suitably taken care of, they may communicate with the curator and require him to make better arrangements."

Brown, Vol. III., p. 42, col. 2

"A curatory comes to an end on the death of the ward, and an appointment may be recalled at any time on the following grounds :—

"When the *incapax* can show that he has recovered, or was never incapable, or when the curator is superseded by a tutor-at-law or by a foreign guardian, or when the original appointment was incompetent or irregular. Medical certificates are usually held sufficient proof of the ward's recovery. When the curatory comes to an end the curator applies for his judicial discharge, which is granted by the Court after intimation and the receipt of a report by the Accountant of Court to the effect that the discharge may be given."

752. With regard to the cost of the procedure, Mr. Brown says :—

Cost of administration.

"I have ascertained that in the case of persons incapacitated, the average costs connected with the petition for, and appointment of, a curator, where there is no opposition, are £18 to £20 in the Court of Session, and £8 to £10 in the Sheriff Court. Where the petition is opposed the costs are usually larger, but it is in the discretion of the Court whether and how far the costs of unsuccessful opposition will be allowed out of the estate."

Brown, Vol. III., p. 42, col. 2.

He further states :—

"That the whole cost of administering the Court of Session factories amounts to less than 8 per cent. of the Revenue and the Sheriff Court factories less than 15 per cent. of the total expenditure. In the latter case the expenditure has been used as the basis of comparison, as the income in many instances is insufficient for necessary expenses, so that the capital has to be encroached upon. It will be understood that Sheriff Court factories consist entirely of estates of less than £100 annual income."

Brown, Vol. III., p. 42, col. 2.

VI. Legal Guardianship.

753. Another suggestion has been made to us, which we have not adopted, but which is well worthy of consideration. Sir James Crichton-Browne suggests the appointment of legal guardians by the County Court Judge. He says :—

Suggested appointment of legal guardians by County Court Judges in cases of mental defect.

"Over idiots and persons of defective intellect who have no property, some legal control is necessary in many cases for their own protection and for that of the public. So long as they are wholly maintained by their parents or relations, and are living at home and properly treated, no interference would be justifiable, but wherever relief was sought on their behalf, or wherever it appeared that they were subjected to privation or harsh treatment, or were not under proper control, then I would suggest that the County Court Judge should, on the application of the board of guardians or parish council, having satisfied himself of the existence of idiocy or mental defect, appoint a guardian who should have all the powers of the Committee of the person. The guardian thus appointed would have the custody of the idiot or mentally defective person, would decide his or her place of abode and education or industrial training, and recover from the parents such contributions to maintenance as they might be capable of making. The guardian should, I think, be an official person, acting for a large area, and appointed by the town or county council. He or she—for in the case of female idiots and defective persons it would be advisable to have a female guardian—would stand in *loco parentis*, would visit his or her wards regularly, and report to the board of guardians. They should be responsible for the safety and good conduct of their wards, arrange for the employment of such of them as might be safely hired out for employment, and supervise those in schools, homes, and colonies."

Crichton-Browne, Vol. I., p. 334, col. 1. Cf. Bramwell Booth, Vol. II., 14063.

754. In preference to this proposal, we have decided to recommend that the committee for the care of the mentally defective may resolve in certain cases to become the guardian of the mentally defective person, up to the age of twenty-

Conclusions as to guardianship and supervision.

Conclusion as to Guardianship and supervision—*contd.*

one, and after that age shall report the condition of the case to the Board of Control, who shall decide what further steps shall be taken in view of the continuance of the mentally defective person under care and control.

Recommendations XLIX., L. and LII.

For the control of mentally defective persons, Classes (3) to (9), we have adopted the method of the Idiots Act, 1886, which allows of admission to an institution on the application of a parent or guardian under the certification of a single qualified medical practitioner; and persons who have been received into an institution, when under the age of twenty-one, may be there retained after they are of full age, with the approval of the Board of Control.

VII.—Detention.

Cf. Chap. XX., par. 372.

Of detention, we have here said nothing. The whole argument of our report is an argument for its necessity in particular cases. The evidence in favour of it on the part of our witnesses is almost unanimous. By the proposals which we submit it would be within the power of the committee for the care of the mentally defective, subject to certification, to arrange for the detention of a mentally defective person. It would thus be in their hands as an instrument at any time available. But, in very many cases it may not be required; in many, once settled, it may rather remain in abeyance than be actually turned to account for the control of the patient. For some cases oversight will suffice, for others certification, and for others certification with an order for detention.

Preamble (7).

See paragraphs 372, 683–754, and 76".

The aim of the scheme is the application of particular methods suitable for the cases of different persons, not the general adoption of any one method exclusively. We have described these methods in our Report.

CHAPTER XXXVII.

The Management and Administration of Property.

755. To understand the conditions under which property is administered and managed in connection with Lunacy or mental infirmity it is necessary to study Sec. 116 of the Lunacy Act, 1890. The Section is as follows:—

Section 116 of the Lunacy Act, 1890.

"(1) The powers and provisions of this part of this Act relating to management and administration apply:—

(*a*) To lunatics so found by inquisition;

(*b*) To lunatics not so found by inquisition for the protection or administration of whose property any order has been made before the commencement of this Act;

(*c*) To every person lawfully detained as a lunatic though not so found by inquisition;

(*d*) To every person not so detained and not found a lunatic by inquisition, with regard to whom it is proved to the satisfaction of the Judge in Lunacy that such person is through mental infirmity arising from disease or age incapable of managing his affairs.

(*e*) To every person with regard to whom it is proved to the satisfaction of the Judge in Lunacy by the certificate of a Master, or by the report of the Commissioners, or by affidavit or otherwise, that such person is of unsound mind and incapable of managing his affairs, and that his property does not exceed two thousand pounds in value, or that the income thereof does not exceed one hundred pounds per annum;

(*f*) To every person with regard to whom the Judge is satisfied by affidavit or otherwise that such person is or has been a criminal lunatic and continues to be insane and in confinement.

"(2) In the case of any of the above-mentioned persons not being lunatics so found by inquisition, such of the powers of this Act as are made exerciseable by the committee of the estate under order of the Judge shall be exercised by such person in such manner and with or without security as the Judge may direct, and any such order may confer upon the person therein named authority to do any specified act, or exercise any specified power, or may confer a general authority to exercise on behalf of the lunatic, until further order, all or any of such powers without further application to the Judge.

"(3) Every person appointed to do any such act or exercise any such power shall be subject to the jurisdiction and authority of the Judge as if such person were the committee of the estate of a lunatic so found by inquisition.

"(4) The powers of this Act relating to management and administration shall be exerciseable in the discretion of the Judge for the maintenance or benefit of the lunatic or of him and his family, or where it appears to be expedient in the due course of management of the property of the lunatic.

"(5) Nothing in this Act shall subject a lunatic's property to claim of his creditors further than the same is now subject thereto by due course of law."

These "powers and provisions" include practically everything that is necessary to divest the person, in whose case the order is made, of the control and management of his property and business and to secure their management by others on his behalf under the supervision of the Courts.

Lunatics found by "Inquisition." Sec. 116 (1) (*a*).

756. The first Sub-section (*a*) refers to cases so found by inquisition. We have thus at the outset a distinction of cases "so found," and cases "not so found." If a person is found by inquisition of the Judge or Masters in Lunacy, with or without a jury, to be of unsound mind and incapable of managing himself or his affairs, he comes under Sub-section (*a*). Inquisition cases are comparatively few, and it has been proposed to us on various grounds that the system should be set aside; or that, at least, the inquisition should not be made by a jury, but by a Master in Lunacy only. It exists in no other country. It creates a quite unnecessary cross division both in the classification of mental defect and in the administration regarding it, and except as imposing an absolute status of lunacy on the individual, it offers no advantage which cannot be obtained under certification. And in some well-known cases the reference to a jury of difficult questions touching mental disorder complicated by all sorts of irrelevant issues of personal sympathy and social position has led, it is admitted, to very unsatisfactory judicial conclusions. On the other hand, authoritative evidence favours the continuance of the procedure; and hence we hesitate to make any definite recommendation for its abolition.

Crichton-Browne, Vol. I., 5990. Cozens Hardy, Vol. IV., 28409, 28485, 28510, 28511.

Lunatics not so found by inquisition. Sec. 116 (1) (*c*). Nicolson, Vol. IV., 27436. Fischer, Vol. I., 3008, 3068, 3058. Fischer, Vol. I., 3061. Cozens-Hardy, Vol. IV., 28409.

757. By far the larger number of lunatics are certified under reception orders and are thus by legal interpretation not "found" to be lunatics.

To these the Sub-section (*c*) refers—persons certified as lunatics "lawfully detained as lunatics though not so found." With this distinction, there follow weighty consequences. A lunatic "so found" has his whole status changed. He cannot marry, and no deed he executes during a lucid interval is valid. He is practically a ward of the Court and his property is protected. The management of oneself and of one's property are different things, and a person may be found of unsound mind and incapable of managing his property, but yet be found capable of managing himself; the certified lunatic is certified merely as to his person. The question of his property does not necessarily come up for settlement. Even though he be undischarged, his acts are held to be responsible and are validated, if it is proved that they were done in a lucid interval. He is not under any restrictions, apart from personal detention, nor under any incapacity, except at the actual moment or period of his insanity.

It is evident, therefore, that for most people and for their friends, detention after certification, which may be arranged by petition privately, would be preferable to detention after inquisition with its definite withdrawal of social independence; and under (*c*) their friends can claim for them the protection which the Court affords for the management and administration of their property.

Mentally Infirm Persons. Sec. 116 (1) (*d*).

758. But Sub-section (*d*) goes further and deals on the lines of the Lunacy Act with people who are not lunatics so found or so certified, and who are not of "unsound mind," as under Sub-section (*c*). The Judge in Lunacy has to be satisfied that "through mental infirmity arising from disease or age" they are "incapable of managing their affairs." We have thus a third class of persons in regard to whom no question of detention is raised and to whom strictly a "Lunacy Act" should not apply. They are, if the mental infirmity be due to age, senile dements; if to disease, probably prematurely senile. But the clause has been found popular and much use has been made of it. It is at least a recognition that mental defect exists outside the definition of lunacy, idiocy, or unsoundness of mind as these terms are defined and used in the Lunacy Act.

Unsound mind. Small property cases. Cozens-Hardy, Vol. IV., 28537. Sec. 116 (1) (*e*).

759. Sub-section (*e*) is a clause differing from the last, in that "unsoundness of mind" is the condition which justifies application under it, together with incapacity to manage affairs; and it applies only to persons of small property. It creates, however, a fourth way—yet another procedure, for proving unsoundness of mind and incapacity of managing affairs; that is to say, "by the certificate of a Master, or by the report of the Commissioners, or by affidavit or otherwise." In this case also there need be no detention; and, if detention becomes necessary, it is provided by inquisition or by a reception order in the usual way. Further, many who are dealt with under Sub-section (*d*) and (*e*) are not visited either by Lunacy Commissioners or Chancery Visitors.

Use made of the practice in various Sub-sections of Section 116 of the Lunacy Act, 1890.

Palmer, Vol. IV., 27817.

760. Upon the use of Section 116, Sub-section (*d*) something of a premium has been put. Sub-section (*d*) applies, as we have seen, to mentally infirm people who are not lunatics. "It was very soon discovered that, though all infirm people were not lunatics, all lunatics were infirm, and the solicitors very promptly found out that to claim 2 per cent. percentage fees instead of 4 per cent. (as under the other procedure would have had to be paid) was a very great advantage to their clients, especially as they got their people relieved from visitation either by the Commissioners or the visitors." The saving of 2 per cent. was a valuable thing with an income of £30,000 a year and a still more valuable thing with an income under £50, so that the patients, who before would have been found under the inquisition clause, were subsequently found under the subsection (*d*) as infirm and not lunatic.

Appendix to Vol. IV., p. 427.

761. Statistics respecting the extent to which the Sub-sections of Section 116 have been used, have been laid before us.

During six years (1901 to 1906) the cases dealt with under all clauses amounted to 3,244. The detailed figures are :—

1901–1906.	Sub-section (*a*)	(*b*)	(*c*)	(*d*)	(*e*)	(*f*)	Total.
Totals - -	89	35	1,565	592	941	22	3,244

Under Sub-section (*a*), inquisition, there is practically no increase of cases : they number only thirteen to eighteen in the year.

Under Sub-section (*b*) the number is dwindling constantly : the subsection refers only to cases dealt with on other lines before the Act of 1890 came into force.

Appendix to Vol. IV., p. 427.

Under Sub-section (*c*) come half of the total number of cases—cases "not so found," but certified. They tend to increase : 259 in 1902 ; in 1906, 310.

Under Sub-section (*d*) the mentally infirm cases also tend to increase : in 1906 the number was 113.

Under Sub-section (*e*), cases in which the question of unsoundness of mind and incapacity of managing one's affairs is settled "by the certificate of the Master, or by the report of the Commissioners or by affidavit or otherwise," the numbers keep at about 150 to 160 a year.

Under Sub-section (*f*), criminal lunatics, there are three or four cases a year.

Nicolson, Vol. IV., p. 87, c. 2.

The total number of cases dealt with under the section was—in 1902, 518, and in 1906, 608. The total number of inquisition cases under care is 653. The total number of Section 116 cases (other than those found by inquisition) is 3,129.

Appendix to Vol. IV., p. 430.

762. Another table shows the value of the estates dealt with under these clauses. The first class consists of estates under £20 a year. Of these, under "lunatics so found" there were only eleven ; under persons suffering from mental infirmity, clause (*d*), only twenty—evidence that these clauses are little used by poor people. On the other hand under (*c*), the certified insane and (*e*) the unsound in mind and incapable of managing affairs as proved by affidavit, etc., the numbers are respectively 142 and 433. As regards estates with an income of £20 a year but less than £100, there are 1,379 cases ; and as regards estates with an income of over £100 and paying "Lunacy percentage" there are 1,773 cases, of which 557 are inquisition cases. The lunacy percentage is 4 per cent. on inquisition cases. It produced £16,821. On non-inquisition cases it is 2 per cent., and produced £10,157. The percentage thus produced, £26,978, is enough to pay the expenses of the Court and leave a considerable margin. It is evident that the procedure under Section 116 and especially clause (*e*) is greatly appreciated by owners of small property. All these cases are notified to the Lunacy Commissioners, and they, and not the Chancery Visitors, visit them. A good many would not be certified except for this action on the part of the Commissioners. Those who apply under this clause avoid inquisition, and might otherwise, equally, avoid certification.

Southwell Keely, Vol. IV., 27968. Needham, Vol. IV., 26924. Nicolson, Vol. IV., 27413, 27417.

System of certification should harmonise with system for administration of property.

763. Our conclusion is that the system of certification for the person should be brought into harmony with the system of protection for the management and administration of property. The simpler the procedure, the more the advantages of the Act are likely to be utilised. We have suggested that the word "lunatic" should not be used in future statutes, and that under the general term mentally defective there should be several different classes. Under these would come

all those who would now apply for the protection of Sec. 116, and others beside, as, for instance, the morally imbecile. In Class 2 (*see* Recommendation IV.) would come the mentally infirm from age, and the mentally infirm, owing to decay of the faculties. The distinction between control of the person, and control of the property would remain. The test in most cases would be capacity or incapacity "to manage themselves or their affairs." Certification would settle this alternative, and the further question also, whether the person can manage himself, and not his affairs. Or this issue might be set aside, and the certificate, according to what seems to us the better plan, might carry with it incapacity on both counts, for as Master Fischer, a Master in Lunacy, says: "It is difficult to see how a person of unsound mind who is incapable of managing his affairs, can be capable of managing himself." At the same time, under our proposals, the courses open to the courts for providing for the care and supervision of these cases, through the operation of the committees for the care of mentally defective persons and of the Board of Control, would be much more various than those which at present exist. Certification would not carry with it one possibility only—detention in an asylum or licensed house or hospital or workhouse. It might carry with it, stay in a voluntary home, or in a "colony," or family care and guardianship. We have therefore no fear that any undue or unduly prolonged detention would result.

System of certification should harmonise with system for administration of property—*contd.*
Budd, Vol. II., 17243, p. 363, c. 1.
Barker, Vol. II., 17073, 17089.
17237, 17239.
Budd, Vol. II., 17354.
Rawle Vol. II., 17384, 17399.
Fischer, Vol. I., p. 155, c. 1.
Preamble (7).

764. We propose in the next chapter to discuss the transfer of the work of the Judge and Masters in Lunacy to the Chancery Division. But, here, we may make the suggestion that it is worthy of consideration whether the percentage levied on property should not be altered at the same time. In Chancery, 2 per cent. is paid for management; possibly the same percentage might be charged on all cases coming under Section 116, and the differences in the charges now made in accordance with different scales of income be abolished.

We recommend in general:—"That the powers and provisions of the Lunacy Act, 1890, relating to management and administration, shall apply to all mentally defective persons as defined in Recommendation IV."

Recommendation X.

CHAPTER XXXVIII.

The Chancery Jurisdiction and the Lunacy Commission.

765. Parallel with, and in some respects overlapping, the jurisdiction of the Lunacy Commissioners is the authority exercised by the Judges of the Supreme Court. To the origin of this authority, we alluded, when we dealt with the constitution and procedure of the Lunacy Commission. Here, we refer to it more at length, specially in relation to the judicial procedure which is in force for the control of the person and the property of lunatics.

The Judge in Lunacy: Historical.

Amongst the insane the common law of England draws a marked distinction between the lunatic and the idiot or "born fool." Edward I., desirous of following the Scottish precedent where the feudal lord had wardship of an idiot's land, laid claim to a wardship of the land of all natural fools, no matter of whom the lands were actually held. "There is reason to believe that the claim was novel, or at any rate there had been a struggle for it between the lords and the King. If idiocy be treated as similar to infancy this analogy is in favour of the lord; at all events if the idiot be a military tenant, feudal principles would give the custody of his land not to the King, but to the lord, while of socage land some kinsman of the fool might naturally claim a wardship. But in England a different rule had been established, and this, as we think, by some statute or ordinance made in the last days of Henry III. The King's right is distinctly stated in the document known as *Prærogativa Regis*, which we believe to come from the early years of Edward I. The same document seems to be the oldest that gives us any clear information about a wardship of lunatics. The King is to provide that the lunatic and his family are properly maintained out of the income of his estate, and the residue is to be handed over to him upon his restoration to sanity, or, should he die without having recovered his wits, is to be administered by the ordinary for the good of his soul; but the King is to take nothing to his own use."

Blackstone, Com. i., 302.
Pollock and Maitland, "Hist. of English Law," ii., 481, 2nd ed.

The Judge in Lunacy : Historical — *contd.*
Beverley's Case, Coke's Report, Part IV., p. 577, 1. James I.

Blackstone, i.,303–5.

In early days, before the abolition of feudal tenures, there was much law upon this subject of wardship of persons of unsound mind. Lord Coke says that the duty of the King to defend his subjects and their goods and chattels, lands and tenements, extends as well to *non compos mentis* as to an idiot, "but in case of *non compos mentis* the King has not any interest in the lunatic (as he has in the idiot) because the lunatic may recover his memory which he has lost, and therefore in the case of the idiot the law says *Rex habebit custodiam*, but in the case of *non compos mentis, Rex providebit.*" A later writer draws the distinction thus, that if a man were found *purus idiota* under the writ *de idiota inquirendo* the profits of his lands and the custody of his person became in the King's hands. If, on the other hand, he were found lunatic or *non compos mentis*, which Blackstone defines as "one who hath had understanding, but by disease, grief, or other accident, hath lost the use of his reason," and who "is indeed properly one that hath lucid intervals, sometimes enjoying his senses and sometimes not, and that frequently depending upon the change of the moon," the King provided for the patient, preserving his property and profits and taking nothing to his own use.

Archbold's "Lunacy," p. 147, 4th ed.
Beverley's Case.

Calr. of Inquisitions, P.R.O., Vol. I., No. 326.

It is believed that the royal prerogative in this respect was never exercised except upon office found. As an instance may be cited the return to a writ, *de idiota inquirendo*, dated August 8th, 3 Hen. VII. The Commission was held on October 23rd, in the same year, and the jurors returned, "He is, and for a long time past has been, frantic, lunatic, and an idiot with lucid intervals." Since the abolition in 1660 of the Court of Wards and Liveries the Crown has, by sign manual, delegated its powers and authority to some high officers or officer of justice or State. The practice has been to entrust the Lord Chancellor with the exercise of the royal prerogative in respect of the case of the persons and property of lunatics, a course convenient because he could exercise his jurisdiction as Chancellor in aid of his authority under the royal warrant.

Fitzherbert, "Natura Brevium" 232 B. ed. of 1588 and pp. 232–233 of ed. of 1794 for form of writ and notes.

"In addition to the authority so entrusted to the Lord Chancellor under the royal sign manual at common law, aided by his general jurisdiction as Lord Chancellor, he had certain statutory jurisdiction conferred upon him by various statutes of the reigns of George II. and George III., both in respect of his office as Lord Chancellor and also as, and when, entrusted, by virtue of the sign manual, with the custody of the persons and estates of lunatics, idiots, and persons of unsound mind, so found by inquisition."

Archbold's "Lunacy," pp. 147 and 148, 4th ed.

766. "Subsequently, when the office of the Lords Justices of Appeal in Chancery had been created by 14 and 15 Vict., c. 83, although that statute contained a saving of the powers, authorities, and duties of the Lord Chancellor under and by virtue of any appointment under the sign manual of the Crown, as having the custody of the persons and estates of persons found idiot, lunatic, or of unsound mind, it was found expedient to make out a similar warrant to each of the Lords Justices, and provision was made by Section 11 of 15 and 16 Vict., c. 55, and Section 15 of 15 and 16 Vict., c. 87, for extending to them all the statutory jurisdiction of the Lord Chancellor when so entrusted by sign manual, as well as his other statutory jurisdiction in relation to lunatics."

Lunacy Regulation Act, 1853 (16 & 17 Vict., c. 70).
30 & 31 Vict., c. 87, sec. 13.
38 & 39 Vict., c. 77, sec. 7.

The effect of later statutes has been to give the Lords Justices so entrusted, either jointly or severally, all the ordinary powers, duties and authorities of the Lord Chancellor in Lunacy.

767. By the Supreme Court of Judicature Act, 1875, it was enacted that any jurisdiction usually vested in the Lords Justices of Appeal in Chancery, or either of them, in lunacy, should be exercised by such judge or judges of the High Court of Justice or Court of Appeal, as might be entrusted by the sign manual with the care and commitment of the custody of the persons and estates of persons of unsound mind, and that all enactments referring to the Lords Justices as so entrusted should be construed as if such judge or judges so entrusted had been named therein instead of such Lords Justices.

The Judge in Lunacy : Jurisdiction of, how exercised at present time.

768. Now, by the Lunacy Act, 1890, Section 108, "The jurisdiction of the judge in lunacy under this Act shall be exercised either by the Lord Chancellor for the time being entrusted by the sign manual of Her Majesty with the care and commitment of the custody of the persons and estates of lunatics, acting alone or jointly with any one or more of such judges of the Supreme Court as

may, for the time being, be entrusted as aforesaid, or by any one or more of such judges as aforesaid." The Judges of the Supreme Court now entrusted with lunacy jurisdiction are the five Lords Justices and the Master of the Rolls. For this business, the Lords Justices have the assistance of a secretary, who was appointed upon the coming into existence of the Lunacy Rules of 1883. He is paid by the Treasury, but there is no statutory provision for his appointment.

The Judge in Lunacy: Jurisdiction of, how exercised at present time—*contd.*

James, Vol. IV., 30298–30303.

I. Administrative Powers and Duties.

769. The administrative powers of the judge in lunacy are defined by statute. They apply :—

The Judge in Lunacy: Administrative Powers of.

(*a*) To lunatics so found by inquisition.

(*b*) To lunatics not so found by inquisition, for the protection or administration of whose property any order has been made before the commencement of this Act.

Lunacy Act, 1890, Sec. 116.

(*c*) To every person lawfully detained as a lunatic, though not so found by inquisition.

(*d*) To every person not so detained and not found a lunatic by inquisition, with regard to whom it is proved to the satisfaction of the judge in lunacy that such person is, through mental infirmity arising from disease or age, incapable of managing his affairs.

(*e*) To every person with regard to whom it is proved to the satisfaction of the judge in lunacy by the certificate of a master, or by the report of the Commissioners, or by affidavit or otherwise, that such person is of unsound mind and incapable of managing his affairs, and that his property does not exceed two thousand pounds in value, or that the income thereof does not exceed one hundred pounds per annum.

(*f*) To every person with regard to whom the judge is satisfied by affidavit or otherwise that such person is, or has been, a criminal lunatic, and continues to be insane and in confinement.

770. The extent of the business of the Lunacy authority may be gathered from the following figures :—In December, 1906, the number of existing cases under inquisition was 653, and of those under the other sub-sections of Section 116 (1) was 3,129, of which 347 were dealt with under Sub-section (*d*). In 1905 the number of inquisitions held was eighteen, one with a jury and seventeen without. The number of inquisitions has been rapidly decreasing, and, as an explanation, it was suggested to us that many cases which would formerly have required an inquisition are now dealt with under Sub-section (*d*) of Section 116 (1).

The Judge in Lunacy: Extent of Business.

Ambrose, Vol. IV., p. 154, c. 2.

Nicolson, Vol. IV., 27413.

In 1905, the judge made eighty-two orders and the masters made 1,368, of which 484 were first orders under Section 116, in cases other than those under inquisition. The sums of cash and stock dealt with by these orders amounted to £4,114,789 18s. 2d. In addition, the masters, by certificate, dealt with the lodgment and investment of cash and stock, amounting to £244,819 6s. 8d., while the receipts shown by the accounts of committees and receivers taken during the year were £1,937,045 6s. 6d., and the disbursements £1,645,210 19s. 11d.

771. The general business of the judicial authority, except such as has to be performed personally by the judge in lunacy, is under the supervision and control of the masters.

Masters in Lunacy.

Lunacy Act, 1891, Sec. 27 (1).

There are two masters who are appointed by the Lord Chancellor. The necessary qualification is that the master must be a barrister of ten years' standing. There is no statutory obligation that he should give the whole of his time to his official duties: an obligation which, we think, should be imposed. He holds office during good behaviour, and there is no age limit for retirement. His salary is £2,000 per annum, which is paid by the Treasury. There is no power at present to appoint a deputy master, so that if a master falls ill the business of his office comes to a stop. This defect could probably be cured by the suggested transfer of the masters to the Lunacy Commission, without the need of statutory amendment, under the powers conferred by Section 337 of the Lunacy Act, 1890.

Lunacy Rules, 1892, Rule 10.

Lunacy Act, 1890, Part III.

Lunacy Act, 1890, Sec. 337.

Ambrose, Vol. IV., p. 153, col. 1.

Ambrose, Vol. IV., 29380–29385.

Masters in Lunacy: Summary of Duties.

Ambrose, Vol. IV., p. 154, col. 1.

772. The duties of the masters as summarised in a memorandum prepared in the department and prefixed to the evidence of Master Ambrose, K.C., then a Master in Lunacy, are as follows:—

They hold inquisitions with or without a jury, and while executing an inquisition the master has the powers of a judge of the High Court. Orders for inquisition, with or without a jury, or for the trial of an issue in the High Court in lieu of inquisition, for a traverse, and for a supersedeas, are made by the judge without previous consideration of the applications (which are by petition) to the masters.

The masters performed the duties formerly performed by the Masters in Ordinary of the Court of Chancery relating to all inquiries and matters connected with the persons and estates of lunatics and such other duties as the Lord Chancellor directed by general orders, *e.g.*, they enquired and reported or certified to the judge in lunacy, as to the most fit persons to be appointed committees, the lunatic's kin, fortune, income, maintenance and debts, and any matter affecting his person or estate, and submitted consequential directions or minutes of order for the confirmation and approval of the judge. They further, *inter alia*, approved of the security to be given by committees and receivers, and took their accounts and collected the lunacy percentage, and they still do so.

Lunacy Act, 1891, Sec. 27 (1).

Now, by Section 27 (1) of the Lunacy Act, 1891, it is enacted that "subject to Rules in Lunacy, the jurisdiction of the judge in lunacy as regards administration and management may be exercised by the masters, and every order of a master in that behalf shall take effect unless annulled or varied by the judge in lunacy"; and Rule 10 of the Rules in Lunacy of 1892 authorised the masters to make orders as regards administration and management and costs.

Rules in Lunacy, 1892, Sec. 10.

Vesting orders, and orders requiring Chancery jurisdiction, and orders under the Lands Clauses Consolidation Acts, the Settled Estates Act, 1877, the Settled Land Acts, 1882 to 1890, are made by the judge, the applications being made by summons at Chambers before the masters, who prepare the minutes of the order and submit them, with the evidence, to the judge. Appeals from the master go to the judge. All matters for the judge are brought before him out of court, but may be adjourned by him into court if necessary for fuller consideration. The judges entrusted with lunacy jurisdiction, by arrangement amongst themselves, take duty each for a period of six weeks at a time, and hear cases after four o'clock in their private rooms.

The Masters in Lunacy: Clerical Staff of the Masters.

Ambrose, Vol. IV., p. 153, c. 1.

773. The staff of the office, other than the staff attached to the Chancery visitors, consists of a chief clerk at £800 per annum, seven first-class clerks at salaries, except in one instance, of £500 rising to £600 per annum, four second-class clerks at £250 rising to £400 per annum, and seven third-class clerks at £100 rising to £200 per annum. In addition there is a messenger, who also serves the office of the Lord Chancellor's visitors, at an inclusive salary of £100 per annum.

Keely, Vol. IV., 28196–28208.

The masters appoint the clerks in their office, their number and salaries being determined by the Lord Chancellor with the concurrence of the Treasury. The appointment of the chief clerk must be made with the approbation of the Lord Chancellor. Since the passing of the Supreme Court (Officers) Act, 1879, the clerks must obtain the certificate of the Civil Service Commissioners. There is no age limit. There is no qualification required beyond a medical certificate and the certificate of the Civil Service Commissioners, and apparently a clerk can only be removed from office by the Lord Chancellor, notwithstanding the Civil Service rule as to retirement at sixty-five under Schedule A.

Keely, Vol. IV., 28219–28233.

Keely, Vol. IV., 28306–28312.

The Masters in Lunacy: Costs in Lunacy.

Ambrose, Vol. IV., p. 153, c. 2.

774. Costs in lunacy are at present taxed by and under the direction of the masters, but the actual taxation is performed by one first-class clerk who has a salary of £700 per annum, with the assistance of a third-class clerk. By rules dated December 13th, 1901, provision was made for the amalgamation with the central office, of the taxing department of the Lunacy Office, and the transfer to the central office of the lunacy taxing clerks, but such amalgamation has not been effected. We were told, however, that upon the retirement of the present taxing officer, the transfer would be carried into effect.

775. There are now three visitors, two medical and one legal. Visitors are appointed by the Lord Chancellor as vacancies occur, a medical practitioner in actual practice to succeed a medical visitor, and a barrister of not less than five years standing to succeed a legal visitor. A person shall not be appointed if he is, or has been within the two years preceding, directly or indirectly interested in any licensed house, and if any visitor after appointment becomes so interested, his appointment becomes void. They hold office during good behaviour and there is no age limit, but there is superannuation.

The Lord Chancellor's Visitors: Constitution. Lunacy Act, 1890, Sec. 163. *Ibid.*, Sec. 165. Sec. 164. Nicolson, Vol. IV., 27529–27530. Palmer, Vol. IV., 27738.

Each visitor receives a salary of £1,500 per annum, which the Statute directs shall be paid out of moneys provided by Parliament. It was claimed before us that these salaries, and all other expenses of the offices of the masters and visitors, were paid primarily out of the lunacy percentage fees, the balance of which, after all expenses are defrayed, now amounts to £9,000 more or less, and is paid into the Treasury. But against this it must be observed that should the lunacy fees become diminished, so that no surplus would be payable to the Treasury, the expenses of the offices would none the less have to be discharged out of moneys provided by Parliament.

Lunacy Act, 1890, Sec. 163 (4). Nicolson, Vol. IV., 27377, p. 87, c. 1 and 2. Palmer, Vol. IV., 27790–27791.

In addition, the visitors receive 30s. a day subsistence money when out, and travelling expenses. Visitors in office when mileage was abolished receive 20s. a day subsistence money when visiting in London, but it has not been given to a visitor since appointed. He is put on the ordinary Civil Service allowances.

Crichton-Browne, Vol. IV., 29835–29851.

The visitors have such clerks and officers as the Lord Chancellor may, with the concurrence of the Treasury as to numbers and salaries, determine. The present staff consists of a secretary at £300, senior clerk at £370, rising to £400, second clerk at £200, third clerk at £104. The office hours are from ten to four, except in vacations, when they are from eleven to one. There are always two clerks in attendance.

Lunacy Act, 1890, Sec. 163 (3). Nicolson, Vol. IV., 27377, p. 87, c. 1. Crichton-Browne, Vol. IV., 29706–29712.

776. The duties of the Chancery visitors with respect to visits of inspection and report, are governed by the Lunacy Act, 1890, Sections 183 to 186, the Rules in Lunacy of 1892, rules 100 to 109, and the fifth of the rules of 1893. By virtue of these provisions, every lunatic so found by inquisition is visited twice in every year, the interval between successive visits not exceeding eight months. Every lunatic resident in a private house is visited four times in each year during the two years next following inquisition. As already stated, the number of inquisition cases is 653.

The Lord Chancellor's Visitors: Visitation.

The visitors also visit, when specially required under order of the judge or master, such cases of infirmity or lunacy as are provided for under Section 116 of the Lunacy Act, 1890, other than Sub-section (*a*). The number of cases other than those found by inquisition as given to us were, under Sub-section (*b*), (*c*), (*e*), and (*f*), 2,782; under Sub-section (*d*) 347; in the whole for cases under these sub-sections, 3,129. Persons detained under reception orders under Sub-section (*c*) are not visited by the Chancery visitors, but they can be. They are visited by the Lunacy Commissioners.

Nicolson, Vol. IV., p. 87, c. 2. Ambrose, Vol. IV., p. 154, col. 2. Nicolson, Vol. IV., 27597.

The jurisdiction of the visitors is limited to England and Wales, but occasionally visits are paid to inquisition patients in Scotland by arrangement with the Scottish authorities. Each visitor takes a third of the area covered by the jurisdiction every year in rotation. These areas are known as the Home, Northern, and Western Circuits.

Nicolson, Vol. IV., p. 88, col. 1. Palmer, Vol. IV., 27759–27760. Crichton-Browne, Vol. IV., 29777.

The total number of visits paid in the year ending October, 1906, was given to us as 1,583, or an average of 527 visits by each visitor.

Nicolson, Vol. IV., p. 88, c. 1.

777. We found it impossible to ascertain with precision the amount of time during the year that a visitor has to devote to the discharge of his official duties. Inasmuch as each visitor has his own allotted share of work, he can, with some limitations, do it as he likes. Dr. Nicolson, Lord Chancellor's Visitor in Lunacy, could not say exactly, "We each have our own work to do, and we can do it as we like. . . . There are three months legal vacation at the Law Courts which prevent the masters having the opportunity of sending us special cases. I can take three months' holiday if I like and work nine months. No holiday is allotted at all. I can pick and choose my own time, as I like." Mr. Palmer, Lord Chancellor's Visitor in Lunacy, told us that it was "A recognised thing that visitors cannot get away for more than a fortnight at a time. I do not say it cannot

Nicolson, Vol. IV. 27485, 27490–27491.

Palmer, Vol. IV., 27806–27811.

The Lord Chancellor's Visitors. Visitation—*contd.*

be done, but as a matter of fact I have never done it. I do not like to say that it would have been impossible for me; it certainly would not have been impossible. I might have gone away, as I did this year. As a matter of fact I never have, and the reason which has kept me is that there has always been work at all these times. I cannot say if that is true of the other visitors. We all manage our own affairs ourselves. I cannot say what has been the case with them. . . . In August and September, when Parliament is not sitting, and we have no Board meetings, I have no knowledge of what my colleagues do under those circumstances." Sir James Crichton-Browne, Lord Chancellor's Visitor in Lunacy, said, "Of course I cannot speak for the other visitors, but for myself the longest holiday I have ever had was six weeks, and then I asked special permission of the Lord Chancellor to go out of the country. We get holidays in a fragmentary way. I have had a month again and again. You get your instructions, and if you can go through them rapidly and clear off your cases, particularly in the long vacation, when there are no specials coming in, then you can take a month at a time." The visitor "takes his holiday when he likes; he is asked no question; he must do his work, and must be there to take the specials when they arise."

Palmer, Vol. IV., 27811.

Crichton-Browne, Vol. IV., 29870–29871.

Palmer, Vol. IV., 27712–27719, 27753.

The reasons adduced for this uncertainty of time appear to be, put shortly, as follows:—Each visitor has to make a certain number of routine visits in each quarter of the year; how he makes them is left to his discretion. But there have been orders from the Lord Chancellor that he is not to make more than a certain number on a certain day, or to a certain place, but with that exception it is left to the discretion of the visitor. He is liable occasionally to have special inquiries put upon him by the master when sitting, on an average about twenty to each visitor. In addition a visitor may visit a case at odd times, and he has frequent correspondence with patients' committees and their medical attendants. He has also office duties and board meetings to attend. The board meets nominally once a month, "We try to have always eleven, and we have special boards from time to time."

Crichton-Browne, 29732–29733, 29743.

Crichton-Browne, Vol. IV., 29725.

Nicolson, Vol. IV., 27521, 27534, 27674–27675.
Palmer, Vol. IV., 27735.
Crichton-Browne, Vol. IV., 29741–29743.

778. The impression produced upon us by the evidence on this head is that, although it may be difficult for a visitor to take a long holiday in any year, the amount of spare time at his disposal at intervals during that period is not illiberal. The visitors do not complain of too much work, but Dr. Nicolson and Mr. Palmer do not think that the number of visitors can be reduced. Sir James Crichton-Browne, on the other hand, is of opinon that two visitors could do the work at present.

Lunacy Act, 1890, Sec. 166.
Nicolson, Vol. IV., 27613–27615.

The visitor can appoint a deputy, if necessity arises by reason of illness or unavoidable absence, but not otherwise, with the approbation of the Lord Chancellor. A Lunacy Commissioner, under similar conditions, has to apply to the Lord Chancellor to appoint a substitute. The masters are visitors *ex officio*, but they do not act in that capacity. They may visit on their own account, and have done so, but, if a visit has to be paid, they usually ask a visitor to make it.

Lunacy Act, 1890, Sec. 168 (1).

Lunacy Act, 1890, Sec. 151 (3).

Nicolson, Vol. IV., 27618–27621.

The function of the visitor is to report and to recommend. He has no power to compel. He can only refer the matter to the master for action.

The Lord Chancellor's Visitors. Cost.

Ambrose, Vol. IV., p. 154, c. 2.

779. The total cost of the departments of the masters and visitors for the year ending March 31st, 1906, was given to us as follows:—

Masters: Salaries, £11,530 13s. 4d.; Travelling, £136 2s. 8d; Pensions, £913 6s. 8d. Total, £12,580 2s. 8d.

Visitors: Salaries, £5,491 9s. 2d.; Travelling, £1,420 13s. 11d.; Pensions, £213. Total, £7,125 3s. 1d.

Add for messenger common to both departments, and we have a grand total of £19,805 5s. 9d.

This represents the cost of providing for:—

653 patients found by inquisition, 3,129 patients under Section 116, Sub-sections (*b*), (*c*), (*d*), (*e*), (*f*), of whom those under (*c*) are not visited except specially. Total, 3,782 patients.

Trevor, Vol. IV., p. 6, c. 1.
Trevor, Vol. IV., p. 18.

Here we may compare the cost of the Lunacy Commission.

On January 1st, 1906, there were 116,361 patients to be visited.* The cost of the Commission for the year 1904–5 as returned to us was £14,752 9s. 4d.

780. Lunacy percentage is paid to the judicial authority at the rate of 4 per cent. per annum on the clear annual income, amounting to £100 per

* The cost of the Commission, 1906–7, was (net) £15,618 8*s.* 11*d.* (Appropriation Accounts).

annum and upwards, of lunatics so found by inquisition, with a limit of £400 in any one year; and at the rate of 2 per cent. on the income amounting to £100 per annum and upwards of lunatics not so found, and of persons included within the scope of Section 116 (*d*) with a limit of £200.

The Lord Chancellor's Visitors. Cost—*contd.* Ambrose, Vol. IV., p. 154, c. 2. Keely, Vol. IV., 28326—28333. Ambrose, Vol. IV., p. 154, c. 2. Baker, Vol. IV., 33273.—89. Appendix, Vol IV, p. 446.

In addition, fees are charged and are taken in stamps. The amount put before us, as that contributed by lunatics' estates, by percentages and fees during one year was £26,943 for percentages and £5,033 10s. for fees. The Lunacy Department earns enough money by fees and percentages to pay the salaries of the Masters and Visitors, and their respective staffs, and to leave a surplus of over £11,000 a year. It was pointed out in the Report of Sir G. Jessel's Committee in 1882 that the State ought not to derive any portion of its general revenue from the contributions levied on the property of Chancery Lunatics incurred in protecting their interests. In the Chancery Division, percentages are also taken in certain matters, and, in the event of a transfer of business to that quarter, it would probably be found expedient to re-arrange the percentages in lunacy to bring them into conformity with those levied in Chancery.

Fischer, Vol. 4, p. 183.

II. Suggested Amalgamation of the Judicial Authority and the Lunacy Commission.

781. At the present time, there are two high authorities in Lunacy working side by side, and, to some extent, overlapping in their jurisdiction. On the one hand, we have the judicial authority of ancient origin, based on the prerogative of the Crown, and operative to protect the comparatively few lunatics and persons of unsound mind who are possessed of property. On the other, we have the Lunacy Commission, established by statute, founded with the object of preventing abuses and generally for protecting the persons of lunatics, irrespective of property qualification. The amount of business transacted by the former is less than that imposed upon the latter. The former, admittedly, is not overworked. The latter has been working under severe pressure for years, and an increase of its staff is called for. It is therefore of great importance to consider whether an amalgamation, in whole or in part, of the two authorities would be expedient, and if so, in what way it could be best effected.

The present position of the existing Central Lunacy Authorities.

782. Various suggestions have been put before us for the constitution of a central authority to which should be entrusted not only the duties now discharged by the above-named two lunacy authorities, but also such further and extended jurisdiction with respect to all mentally defective persons, not at present within their care, as might be recommended by us. In this part of our Report, however, we shall confine ourselves to the consideration of a proposal to amalgamate the judicial authority with the Lunacy Commission.

Suggestions as to constituting one Central Authority.

The views of the Lunacy Commission, and of the judicial authority, as represented by the masters and Chancery visitors, upon this question were diametrically opposed. The Lunacy Commissioners were unanimously of opinion that some such fusion was necessary. Whether the Commission absorbed the Chancery staff, or *vice versa*, did not seem to them a matter of so much importance. On the other hand, the masters and Chancery visitors were strenuously of opinion that their isolated position should remain unimpaired; that, no matter what should be recommended as to a central authority, the judicial machinery should not be touched.

It will be useful to state here the effect of the evidence directly bearing upon this branch of our inquiry.

783. First, as to the views of the Lunacy Commissioners:—

Views of the Lunacy Commissioners.

Sir John Dorington, an honorary Commissioner of considerable experience, said:—"I ventured to make the suggestion that the masters in lunacy with their visitors and the Commissioners, should all be amalgamated into one board, and that one of the masters in lunacy should be chairman of this board. You would then get your paid chairman at no increase of expense. You would have the two departments brought in connection with one another, and I think myself that the distinction between them is a very inconvenient one for administration; you get constant crossing between the two. One body is supposed to look after property, and the other after the mental condition. . . . You asked me whether I wanted to absorb the Chancery visitors in the Lunacy Commission or the other way. I think it is a matter of entire indifference. I think you might very well abolish the

Dorington, Vol. IV., 25470.

Dorington, Vol. IV., 25511.

Views of the Lunacy Commissioners—*contd.*

Commissioners in Lunacy, and found your new body on the masters. There is no objection to doing it in that way. You would arrive at the same result." Upon the question of double visitation, the witness said, "I do not see very well how it could be got rid of. These 695 I mentioned, are all under the direct jurisdiction of the Chancery visitors, but they are actually living in institutions which are necessarily visited by the Commissioners, and therefore they come under a double inspection." He explained that what he thought desirable was that the Lunacy Commissioners should be brought into closer connection with the judge in lunacy, but not that the whole jurisdiction of the Commissioners should be brought under the control of the judge in lunacy, or of a law court of any sort. "My idea was that you ought to be able to find the judge in lunacy within the composition of the board. I believe the masters in lunacy are the judges in lunacy; if they were the head of the Lunacy Commission, you would have the judge in lunacy within the composition of the board. . . . The present Commission works extremely well within its scope. In any alteration, its scope should not be lessened."

Dorington, Vol. IV., 25536.

Dorington, Vol. IV., 25739 and 25741.

Cooke, Vol. IV., 25825.

Dr. Cooke, a Commissioner in Lunacy, was asked whether it would be better, in his opinion, that there should be amalgamation of the Commission and the Chancery Visitors. His reply was in the affirmative, "provided on further investigation it is found feasible to work in the visitation now performed by the visitors with that performed by ourselves. If there were amalgamation and reorganisation, I think instead of creating another small department for the care and control of the feeble-minded, and so perpetuating a continuance of the present dual system, it would be better, on the whole, to have one general body." He added that, "Although Sir George Jessel's Committee, or the majority of that committee, was averse from amalgamation, in the Lunacy Act, 1890, provision was subsequently made giving power to the Lord Chancellor to amalgamate the two departments. Amalgamation would be a way whereby our Commission might be increased to an adequate extent without throwing any additional or only a very small additional burden upon the country. But we ought to have the power of single visitation as well. If our Commission were strengthened by the visitors being joined to us and with single visitation, I think we ought to be able to carry on the work of the Commission satisfactorily in the future. I am of opinion that it is absolutely essential that the power of single visitation should be conferred upon us. . . . Supposing the visitors were called Commissioners, or we were called visitors, I think they should be distinct from the masters; there would be so much for the masters to do, and their functions are so distinct from the duties of Commissioners, that, I think, it would be desirable to maintain the difference between the two, although the departments might be associated and called one. The functions of the masters should remain as at present, and they who have to discharge the duties of the masters should be quite distinct from those who have to discharge the duties of the Commissioners. I think they might do it as part of our department, but yet remain a different class of official from the Commissioners. All the Commissioners should be required to do the same work, and the same work as we do now, and that should not be mixed up with the purely judicial functions of the masters, nor with the other duties now performed by them. . . . If there were a concentration of the Commission business, Chancery business and Chancery masters, that would work all right, and you would have your two masters practically acting as part of the Commission."

Cooke, Vol. IV., 25863–25866.

Cooke, Vol. IV., 26259–26264.

Cooke, Vol. IV., 26312–26313.

Urmson, Vol. IV., 26628–26636.

The evidence of Mr. Urmson, then a Commissioner in Lunacy, on this point was as follows:—"(*Q.*) With reference to amalgamation of the Chancery department with yours, that has been frequently advocated, has it not? (*A.*) Yes. It has been in the air frequently. (*Q.*) I think I am right in saying that it was recommended in the Commission of 1860, and a scheme for effecting it has frequently been suggested; the Select Committee of 1859 recommended it in their Report in 1860, and a scheme for effecting it is embodied in one of the appendices to their report. The present section" (Section 337 of Lunacy Act, 1890) "is the outcome of the labours of the Dillwyn Committee, that is the section which enables the Lord Chancellor to amalgamate: the Dillwyn Committee recommended it? (*A.*) Yes, the Lord Chancellor has the power. (*Q.*) Has any attempt been made by the Commissioners to have that put into force?

(*A.*) No, it is rather an invidious thing for us to start. (*Q.*) Is it your idea, if there is an amalgamation, that precedence should be given to the Lunacy Commissioners or to the others ? (*A.*) We have no preference. (*Q.*) Who should absorb whom ? (*A.*) I do not care at all. (*Q.*) Do you not think great economy might be achieved ? (*A.*) Yes. (*Q.*) And that the time is ripe for it ? (*A.*) I do." Views of the Lunacy Commissioners *—contd.*

Mr. Shadwell, a Commissioner in Lunacy, said that he did not differ from the other Commissioners. He did not understand why it was necessary to have two sets of visitors. Shadwell, Vol. IV., 27052, 27056.

It will be noted that in this evidence no reference is made to the functions of the judges of the Supreme Court entrusted with lunacy jurisdiction. The Commissioners appear rather to have considered the question in its visitatorial aspect, and with reference to the powers, administrative and otherwise, of the lunacy masters acting apart from the judge.

784. It will, therefore, be convenient to consider next the opinions of the Chancery visitors on the proposed amalgamation from the visitorial point of view, leaving the question of administration and the exercise of court or judicial powers to be dealt with later in connection with the specific proposals which were put before us for the transfer of such duties to the Chancery Division of the High Court. Suggestions as to constituting one Central Authority. Opinions of the Chancery Visitors.

Master Fischer, a Master in Lunacy and *ex officio* visitor, gave his opinion thus :—" I think it would be a serious mistake to amalgamate the visitors with the Lunacy Commissioners, because the work of the Lunacy Commissioners is with a totally different class of people ; almost all of them are people in county asylums and institutions of that kind, and they have as much work as they can get done ; they are overworked, I believe, and they want more Commissioners. What I object to strongly is that you should put more work on the shoulders of the Chancery visitors who are fully employed and who do their work exceedingly well, if I may say so. . . . It is the fact that the essential difference between the two departments is possession of property, and no possession of property. An allowance is made out of a man's estate for his maintenance, and the visitor sees that that money is spent upon his maintenance, so that in addition to looking into his mental condition, they see to the mode of treatment of his property to ensure that he is getting its value. The visitors, if they notice that further expenditure is required, or would be beneficial to the lunatic, refer it to the master and the master makes that provision as soon as possible." " (*Q.*) Would it not be possible if there were an amalgamation for one of the Lunacy Commissioners to take over the duties of the Chancery visitors, to look specially after those matters concerning the patient and his property which are now looked after by the Chancery visitors ? (*A.*) I do not think any one Lunacy Commissioner could do it. It cannot be done by less than three. (*Q.*) Then three Lunacy Commissioners could do the work ; there is nothing in the work itself which requires a special official to do it, is there ? (*A.*) No. (*Q.*) So a qualified Lunacy Commissioner could do that work just as well ? (*A.*) A qualified Lunacy Commissioner could do it, no doubt. Of course, among the visitors we have two medical men and one legal man ; that is found to be sufficient for all purposes. The Lunacy Commissioners work in couples, as we know. There is a medical man and a legal man who go together. (*Q.*) But suppose we re-adjust the Lunacy Commission. Is there any reason why one of the Commissioners, or two, or three, should not discharge the same duties which are now done by the Chancery visitors ? (*A.*) Not that I am aware of. I am not concerned with the unfortunate people who are in county asylums, and places of that kind, but speaking for those who are under the care of the Lunacy Department, I say that they are properly taken care of by these visitors, and why should they be interfered with ? For the life of me I cannot conceive." Fischer, Vol. IV., 30069–30074. Fischer, Vol. IV., 30075–30078.

785. In the statement by Sir James Crichton-Browne, Lord Chancellor's Visitor in Lunacy, prefixed to the minutes of his evidence, he states that his board has considered the matter, and is of opinion that any fusion of the boards or offices is undesirable. He gives reasons which, shortly summarised, are these. The visitors are an adjunct to the courts of law, and their assistance is necessary for the administration of justice. It is, therefore, necessary that Crichton-Browne, Vol. IV., p. 162, p. 1.

Suggestions as to constituting one Central Authority. Opinions of the Chancery Visitors—*contd.*

they should be in some place near the courts. The whole of the information upon which the visitors act is derived from the master's office. The visitors are in frequent communication with the judicial authority, and the official solicitor:—"It would be to them highly inconvenient and confusing to have to attend on the same business at two offices distinct from, and at some distance from, each other. The separation of the masters' and visitors' departments would be equally inconvenient to solicitors concerned in lunacy cases, and would probably increase the costs." Another reason was that if duties were distributed "The Commissioners, then nine or ten in number, could not possibly have that intimate personal knowledge of the Chancery cases which the visitors possess. The relations of Chancery patients would, in some instances, be distressed to have their family affairs discussed by a large board, twelve or fifteen in number, for privacy and secrecy have always been characteristic of the visitors' department." He does not think that a saving in clerical staff would result, and, lastly, he considers it would be unjust that officials who are paid entirely by Chancery lunatics should be employed at the expense of the latter in work in which they have no concern. This last reason is of course founded on the fact that percentages are charged by the Chancery authority in respect of cases under that jurisdiction. We have dealt with that point elsewhere.

Crichton-Browne, Vol. IV., p. 162, c. 2.

Crichton-Browne, Vol. IV., 29583–29588. Report of a Committee appointed by the Lord Chancellor in 1882. Vol. IV., p. 447.

786. In his evidence, Sir James Crichton-Browne repeated his objection to amalgamation. He stated that he gave evidence before Sir George Jessel's Committee and he still adheres to it. "(*Q.*) The Committee reported against it? (*A.*) Yes, by a majority. There were two in favour of amalgamation and three against. (*Q.*) That Committee reported that it was a subject which ought to be reconsidered very shortly? (*A.*) I believe they did. (*Q.*) The finding of the Committee is not very decidedly against amalgamation? (*A.*) No. (*Q.*) In fact they went as near advising amalgamation as they could without advising it? (*A.*) They did not advise it." Referred to the Report of the Dillwyn Committee, the witness said that he gave evidence before it. "(*Q.*) They reported in favour of amalgamation? (*A.*) Yes, but their recommendation was not embodied in the subsequent legislation." He certainly did not agree with the finding of that Committee that "The possession of property requiring protection should not make any difference in the personal treatment of lunatics or in the supervision exercised over them. I think the Chancery lunatics having property and means are entitled to an entirely different form of treatment." "Every lunatic should be sufficiently and efficiently inspected. (*Q.*) Why should the Chancery lunatic get double inspection, and the pauper, in some cases, none at all? (*A.*) In the case of the pauper there is not the same motive for detention or pecuniary misappropriation. If a man is maintained out of the rates nobody has an object in keeping him shut up. In the case of the Chancery patients there are a great many people who have an interest in having them remain lunatics, so that they require a very special kind of supervision. . . . If the Lunacy Commission is to do it, it would involve an entire reconstruction of the law. If the visitation of Chancery lunatics were thrown on the Lunacy Commission they would have to nominate two medical Commissioners to devote themselves exclusively to that work. (*Q.*) If we assume that the duties of the Lunacy Commissioners are differently arranged, are they in any way incompetent to do the duties? (*A.*) Certainly not. It is not their competency, but their physical capacity I doubt. They would require two additional men to do it, and I think that there would then be great inconvenience in the Chancery work. If the administration of the Chancery Court is to remain, the visitor has to be near the courts, and ought to have constant opportunities of communicating with the masters and the Lords Justices. . . . The Commissioners are capable of performing every duty of the visitors, but it would be incompatible with their existing work. (*Q.*) Are there any duties which you discharge which could not be done by the Lunacy Commissioners? (*A.*) Certainly not. There are no duties which cannot be done by a physician or by a Commissioner in Lunacy or by any other person thoroughly qualified for it." Sir James Crichton-Browne was of opinion that patients properly under Section 116 (*d*) should not be visited. "I would not put the stigma on them of having lunacy visitors sent to them."

29591–29592.

Vol. IV., 29593.

Vol. IV., 29598–29599.

Vol. IV., 29601.

Vol. IV., 29602.

Vol. IV., 29624.
Vol. IV., 29627.

Crichton-Browne, Vol. IV., 29649.

787. Dr. Nicolson, another of the Lord Chancellor's Visitors in Lunacy, was also against amalgamation. His views seem to be summed up in the following answer. "There are several points of view from which that question could be approached. First of all there is the question how far the Commissioners and ourselves could do all the work. I have no doubt we could, by the addition of three to the Commission; but with regard to the question of the patients who, so far as the Board of Commissioners are concerned, form the prime portion of all our work and duty, we have to consider the patients who are first of all compelled to be labelled as lunatics, and in the second instance have their property removed from their own disbursement, and who pay for this out of their own income; I say that they have the first right to be heard in a matter of this sort, on the old principle that the man who pays the piper should call the tune. I think that the patients regard us just as they would regard the Commissioners if they were all made visitors; they regard us as their special patrons, their friends, and their consultant legal and medical advisers. If you mix us up with the general Board of Lunacy of the country you give them a grievance which must be permanent. If you are prepared to face that first difficulty—I say it would be wrong to do it—and make arrangements for the work to be done, I have no doubt that the Commissioners and ourselves could carry it out efficiently and thoroughly, so far as the mere Commission and visitation are concerned."

Suggestions as to constituting one Central Authority. Opinions of the Chancery Visitors—*contd.* Nicolson, Vol. IV., 27533.

788. Dr. Mercier, speaking from a position outside both the authorities under consideration, was of opinion that their amalgamation could be effected with advantage, but he advised the joinder with them of other bodies public and otherwise, in view of our possible recommendations. Other witnesses were in favour of an amalgamation of the Lunacy Commission, the masters in lunacy, and the Chancery visitors. The transfer of powers of control and management of lunatics' estates to the Chancery Division was recommended by the Lancashire Asylums Board, the Guardians of the West Derby Union, and the Manchester Board of Guardians.

Opinion of general witnesses. Mercier, IV., p. 176. *e.g.*, Spence, IV., p. 252, c. 1. White, IV., p. 232, c. 2. Stratton, IV., 31631 Muir-Mackenzie, 34604–15, 34810, 34881–3, 34909. App. vol. V., pp. 227–228.

III. The Scheme of Amalgamation Suggested by the Master of the Rolls.

789. A comprehensive scheme was put before us in outline by Lord Justice Cozens-Hardy, now Master of the Rolls, one of the judges entrusted with the lunacy jurisdiction. Stated shortly, it contemplates the fusion of the Chancery Authority with the Lunacy Commission, so far as visitation and the holding of ordinary inquisitions, where an issue was not directed, are concerned, and the transfer to the judges and staff of the Chancery Division of the judicial authority, and the business of administration and management.

Suggestions of Cozens-Hardy, M.R. as to constituting one Central Authority.

"I should like," he says, "the whole of the lunacy jurisdiction now exercised by the masters and the judge in lunacy to be transferred to the Chancery Division of the High Court, and the jurisdiction of the masters, as separate officials, to be abolished."

Cozens-Hardy, L.J., Vol. IV., p. 116–117.

"With the exception of the first step, viz., the inquisition, there is the closest possible analogy between the aim and object of the Chancery Division in taking care of and administering the estate of an infant, and providing for his maintenance and custody, and the aim and object of the lunacy authorities in taking care of and administering the estate of a person of unsound mind and providing for his maintenance and custody. In the Chancery Division these duties are discharged with reasonable despatch and with admirable care. Thanks to modern changes in procedure, the number of accounts to be taken and receipts to be vouched in the Chancery Division has been steadily diminishing, and I do not apprehend that the chambers of the judges of the Chancery Division would be blocked by the addition of the whole of the lunacy work. The change would be economical, but, what is more important, it would tend to efficiency. A judge in the Chancery Division is head of a large staff for whom he is, in great measure, responsible. If his attention is called to any lingering delay he can at once send for the master in charge, ask for explanations, and secure improvement. This is not so in lunacy. The judge has no responsibility for, and no control over, the lunacy masters. I feel myself powerless to correct anything that may seem wrong. Moreover, in the Chancery Division, there is always somebody ready to deal with urgent matters—the vacation master and the vacation judge. In administrative details, this is of great importance.

Suggestions of Cozens-Hardy, M.R., as to constituting one Central Authority—*contd.*

"If this is sound in so far as the administration of the lunatic's own property is concerned, it is almost too clear for argument that the trustee work (including mortgages) should be transferred to the Chancery Division. Appointment of new trustees, with vesting orders, is part of the regular business of that division. If a trustee is abroad, or cannot be found, you go to the Chancery Division. Why not if he is a lunatic? I never heard any argument in support of this anomaly. It not infrequently happens that an order has to be made both in Chancery and in lunacy, and this is highly perplexing. Cozens-Hardy, L.J., Vol. IV., p. 117, c. 1

"As to the inquiry itself, that is a matter which is not administrative in character. In the majority of cases there is no opposition on the part of the alleged lunatic, and the result is almost a foregone conclusion. And even when there is opposition there may be no demand for a jury. In all such cases one of the Commissioners, by preference one of the legal Commissioners, might hold the inquiry. But where the question of unsoundness of mind is really in issue, and a jury is demanded, a trial before a master is scarcely satisfactory. A judicial officer of high rank and considerable experience ought to be called in. And this can be done by directing an issue to be tried before a judge of the High Court (Section 94), as was done in two recent cases with great advantage. The order directing an issue, which is now made by the lunacy judge, might just as easily be made by the Chancery Division judge. In short, I would have the inquiry conducted by one of the Commissioners in every case except where an issue is directed."

Cozens-Hardy, L.J., Vol. IV., 28457.

790. In answer to questions by us, his Lordship said, "My strongest feeling, I confess, is about the absurdity of requiring the lunacy judge to make vesting orders, and appoint new trustees, and deal with mortgages and so on. The Chancery Division have no jurisdiction in that way [in lunacy] as matters now stand. That is business which is designed and intended for the Chancery Division, and there is no possible reason why that should not go to its natural place."

Vol. IV., 28494.

791. In explanation of so much of the scheme as relates to the holding of inquisitions he said: "At the present moment, as Lord Justice, I make an order for an inquiry. That goes before one of the masters; then I have done with it for the present. If the matter were transferred to the Chancery Division the judge would make the order for the inquiry, either before a Commissioner, if it were practically unopposed, or by an issue to be tried before a judge of the High Court. I have a very strong feeling that in contested cases, one of which we had recently, and another of which came before me personally, and gave me a good deal of trouble, it is extremely desirable that a judge of the highest position and experience should deal with what is one of the most difficult problems which can be presented to any man. I think it ought not to be dealt with by anyone but a judge of the first rank."

Nature of work done by the Judge and Masters in Lunacy.

792. Mr. Christopher James, barrister at law, who has held the office of "Secretary to the Lords Justices for Lunacy business" since the year 1883, furnished us with a statement showing the nature of the business at present transacted by the Lords Justices and the masters in lunacy, and explanatory of the manner in which such business would be conducted if the scheme recommended by Lord Justice Cozens-Hardy were adopted. This statement is prefixed to the printed notes of the evidence given by Mr. James. James, Vol. IV., pp. 193–194

James, Vol. IV., p. 193, c. 2.

793. The following is a short sketch of the nature of the work done by the Lords Justices and the masters. The business in lunacy may be classed under four principal heads:—

A. Proceedings antecedent to an inquiry into the lunacy of a person alleged to be of unsound mind; the inquiry itself; and proceedings for a supersedeas by which the insane person is upon recovery restored to the management of himself and his affairs.

B. The management and administration during lunacy of the property of a person who has been found by inquisition of unsound mind, or of a person whose property may, under Clauses (*c*) to (*f*) of Section 116 of the Lunacy Act, 1890, in effect, be administered as if he had been found of unsound mind.

C. The supervision of the lunatic in regard to his residence, maintenance, and treatment.

D. The dealing with property not strictly belonging to the lunatic, but as to which he is trustee or mortgagee and by reason of his lunacy unable to act. In these cases the lunacy authority has, in regard to trusts, power to substitute new trustees for the lunatic and to vest the trust property in them, and in regard to mortgages power to vest the property, as upon a reconveyance, when the mortgage is paid off. Nature of work done by the Judge and Masters in Lunacy —*contd.* James, Vol. IV., p. 193, c. 2.

There are minor matters in which jurisdiction is exercised, *e.g.*, under Section 134 of the 1890 Act for the purpose of dealing with property in this country of lunatics residing abroad, but the above four heads will be found to cover the principal branches of lunacy business.

794. Passing for the moment over *A*—

As to B. there seems to be no good reason why the property of a lunatic should not be sold, leased, invested, and otherwise managed and applied in the same way and by the same jurisdiction as the property of an infant, *i.e.*, by the Chancery Division of the High Court. Exactly the same considerations seem to apply to both cases, and the principle to be followed is in each case the same, *i.e.*, to do what is most for the benefit of the incompetent owner; and the appointment of a committee of the estate has a strong analogy to that of a guardian of the estate of an infant. James, Vol. IV., p. 194, c. 1.

As to C. The care of a lunatic is entrusted to a committee of the person appointed by the lunacy authority through whom that authority acts. This appointment is analogous to that of a guardian of the person of an infant. There is, however, in lunacy, a further and important supervision exercised over the care and treatment of a lunatic *so found*, by the periodical (or special) visits of the Lord Chancellor's visitors who keep in touch with the patients under their care and periodically report to the Lord Chancellor upon them. These reports might with equal facility find their way to the Chancery Division as to the Lunacy Office. Whatever amendment be made in the Lunacy Law it is matter for consideration whether some arrangement might not be advantageously made by which these periodical visits could be extended to some, if not all, of the persons *not so found* whose property is being administered in lunacy and who at present are only visited by one of the Lord Chancellor's visitors when special directions are given for a visit or visits.

As to D. It is really an anomaly that this branch of the jurisdiction should not be exercised by the Chancery Division, which exercises a similar jurisdiction in other cases of incompetent trustees and mortagees, *e.g.*, infancy, absence from the United Kingdom, etc.

It remains to deal with *A*. So far as the proceedings antecedent to an inquiry are concerned, they are almost always of a more or less formal character, the only question being whether there is established by affidavit a sufficient *prima facie* case to justify the holding of an inquiry.

795. So far as the inquiry itself is concerned, the cases may be sub-divided into two classes— James, Vol. IV., p. 194, c. 1.

(1) Those in which the inquiry is not opposed by the alleged lunatic. This class comprises by far the larger proportion of the cases. In these an inquiry is held without a jury before a master in lunacy, the evidence is probably all in the same direction, and the result in most cases a foregone conclusion. Such cases do not seem to require the aid of great judicial experience.

(2) Those in which the question of unsoundness of mind is really in issue, and these give rise to trials before a master in lunacy generally with a jury, which are obviously of the greatest importance to the alleged lunatic. There is in the Lunacy Act a power, which on some rare occasions has been exercised, of ordering these trials to take place before a judge of the High Court. It would seem not unreasonable that trials of this nature should in *all* cases be held by a judge of the High Court who might be either a judge of the Chancery Division, or the issue being really unconnected with the subsequent administration of the property which may result from it, a judge of the King's Bench Division.

796. We think upon the evidence that where an issue is not directed by the High Court or a jury is not demanded or thought necessary such inquiry with regard to the question whether or not a person who has property is suffering

Nature of work done by the Judge and Masters in Lunacy—*contd.*

Recommendation VIII.

from mental defect as defined in Recommendation IV., and is incapable of the responsible control of himself and his affairs, might be disposed of by one of the legal Commissioners in Lunacy, assisted, if necessary, by a medical Commissioner, while all opposed cases were disposed of by a judge of the High Court with or without a jury according, as at present, to the desire of the party affected. In the former cases the ancient right to traverse, under that or some other name or form, might be preserved as a protection to the party affected in the improbable case of the finding being wrong, while in the latter case, in which there would have been a full trial, it might be abolished.

With regard to supersedeas, the consideration of this question depends almost entirely upon medical opinions as to whether the party affected has recovered or not, great weight being attached to the Visitor's Report. The jurisdiction might be exercised as well by the Chancery Division as by the present authority in lunacy.

797. As to present practice. The masters in lunacy have, under the Lunacy Acts of 1890 and 1891, full power to deal with cases under the heads B and C, there being a right of appeal from their orders to a Lord Justice. Cases under A are dealt with by a Lord Justice only, except the holding of the inquiry, the practice as to which has been already explained. For reasons before appearing there seems to be no sufficient ground for retaining cases for ordering an inquiry, or cases of supersedeas, to be dealt with by a Lord Justice only. Orders under D are at present made by a Lord Justice only and form the greater part of the business done by the Lords Justices. Whatever other changes may be made, it is suggested that a transfer of these cases (D) to the Chancery Division would simplify the procedure in relation to trusts and vesting orders, the present dual jurisdiction being a source of confusion and perplexity in the minds of practitioners. There are also some cases of administration (*e.g.*, dealing with property under the Settled Land Acts or the Lands Clauses Consolidation Acts) in which orders have to be made both in Chancery and in lunacy, and therefore can only be made by a Lord Justice acting for this purpose as a Judge of the Chancery Division. A transfer of the lunacy jurisdiction to the Chancery Division would simplify these.

Suggestions as to constituting one Central Authority. Opinion of the Judges and Officers of the Chancery Division.

798. A considerable body of evidence bearing upon this proposal was afforded us by judges and officers of the Chancery Division.

The Right Hon. Sir Arthur Kekewich, the senior judge of that division, laid a Statement before us, which had been submitted to and had received the approval of all the judges of the division. We extract the following passage which bears directly upon the question under consideration.

Kekewich, J., Vol. IV., p. 334.

"It has been proposed that the jurisdiction in lunacy now exercised by the Lords Justices with the assistance of two masters in lunacy and a staff of clerks shall be transferred to the Chancery Division and be exercised by the judges of that Division and their masters. I am not sufficiently acquainted with the transaction of business in lunacy to express an opinion whether such transfer would be of advantage, but I am clearly of opinion that the business could properly be done by the judges and masters of the Chancery Division, all of whom are necessarily familiar with business of an analogous character. I do not think that the judges would have any difficulty in finding time and convenient opportunities for the disposal of such part of the business as would properly come before them, and although I cannot speak so certainly about the masters, I believe that they also could undertake their part. . . . The Chancery business is distributed among six judges, working in groups of two each, with four masters attached to each group and I think that if the lunacy business were transferred it ought to be distributed in like manner."

Kekewich, J., Vol. IV., 33528–33542

Sir Arthur Kekewich explained to us that he assumed that it was not proposed to transfer the duty of holding inquisitions, which the Chancery judges could not undertake, but he agreed that if the judges of that Division were constituted the judge in lunacy there would not be the slightest difficulty in any one of them ordering an issue to be tried before a judge of the King's Bench Division or an ordinary inquiry to be held before a Lunacy Commissioner. Nor could medical visits be taken in hand by the Division, but there would be no difficulty in giving directions to or obtaining advice from the Lunacy Commissioners or whoever might have the charge of the patient or the direction of the committee of his person.

Kekewich, J., Vol. IV., 33556–33562.

Suggestions as to constituting one Central Authority. Opinion of the Judges and Officers of the Chancery Division—*contd.*

799. Master Burney, who has been one of the masters of the Supreme Court for twenty-nine years and who had carefully considered the scheme, was unable to see any reason why the business of administration could not be transacted quite as efficiently and quite as economically in the Chancery Division as in the Lunacy Department, assuming that, in the event of transfer, the staff in lunacy would be distributed between the several Chancery Chambers. With this additional assistance he was of opinion that the extra work, even though the number of accounts should be largely increased, could be done with reasonable dispatch. The whole trend of modern practice in the Chancery Division had been in the direction of avoiding the lengthy and expensive accounts which were an essential part of every decree for administration under the old system, and probably year by year the number of such accounts will become less. The transfer to the Companies Winding Up Department, under the Companies (Winding Up) Act, 1890, of the work connected with the winding-up of public companies had the effect of taking away a large amount of business from the Chancery Chambers. "It is undoubtedly the fact that there is no longer the pressure which I can remember in the early days of my official career and which certainly used to result in regrettable though unavoidable delays." Master Burney was asked, with the view to satisfy us whether under the proposed scheme the property of a lunatic would be as well protected as it is now under the lunacy jurisdiction. "(*Q.*) They have someone whom they call Committee of the Estate; whether he is called Committee of the Estate or whether he is called Receiver, would he have the same duties under you and would you have to report to the court and would he be an officer of the court punishable for contempt of court, liable to all the liabilities which a defaulting or dishonest officer of the court would be liable to? (*A.*) That is so, certainly. (*Q.*) Then it is difficult to see why you could not with equal efficiency secure the protection of the property of the lunatic? (*A.*) That, after very careful consideration, is my deliberate opinion."

Burney, Vol. IV., p. 301, c. 1.

Burney, Vol. IV., p. 301, c. 1.

Burney, Vol. IV., 33018–33019.

The master was alive to the point that so far as the actual care of the person of a lunatic was concerned the duty could be better discharged by a separate body, such as the Lunacy Commissioners. He absolutely refused to entertain the idea that proceedings in Chancery would entail loss of privacy in lunacy cases. He pointed out that if a transfer were effected, the lunacy business should be divided among all the Chancery judges, and among all the masters, and not be confined to one judge and his staff. This was what he was authorised by Lord Justice Cozens-Hardy to say was the latter's intention. There are now, and there have been for thirty years, twelve masters. The number has remained constant notwithstanding increase or decrease of business.

Burney, Vol. IV., 33044–33047.

33070–33074.

33120.

33123–33124.

The opinions thus expressed by Master Burney were supported by Master Walker, the senior master of the Chancery Division, who informed us that they had the support of all his colleagues.

Walker, Vol. IV., p. 313, c. 1.

800. Mr. Hawkins, formerly senior master of the Supreme Court, now retired, who has had experience of the practice from the time of Lord Romilly, M.R., was requested by us to furnish us with a statement of his views upon this branch of our inquiry. Twenty or twenty-five years ago he prepared a memorandum upon the subject, upon which nothing was done. He says, "I thought then as now that the administration of estates of lunatics was analogous to that of infants and that it could be dealt with by the Chancery Division in the same way as the estates of infants, and that where the persons of lunatics had to be dealt with the judges of the High Court could deal with the persons much as those of infants. In the judge's chambers the management of real property of infants, such as letting land where necessary, selling land, granting leases, repairing and rebuilding property, making vesting orders, appointing new trustees, drainage, and in regard to personal property, dealing with investments, appointing guardians, approving of schools and education, and in short overseeing the care of the infants and their property, taking and vouching the accounts of receivers and guardians of estates has been done since 1852, when the court was reformed, and the Masters and their staffs are thoroughly used to such work, subject to adjournment to the judge in all cases of importance and in some cases where so directed, whether asked for or not, and I see no difference in thus dealing with the property and persons of lunatics and of infants. . . . I see no reason why the jurisdiction now exercised by the Lunacy Masters and their staff may not with advantage be transferred to the Chancery Division to be dealt with in a similar mode to that in which that division deals with infants and their property." Mr. Hawkins was also

Hawkins, Appendix Vol. V., p. 238, c. 2, and p. 239, c. 1.

p. 239, c. 2.

Suggestions as to constituting one Central Authority.

of opinion that the lunacy percentages were excessive and might be assimilated to the percentages in Chancery, bringing the practice into line with the Chancery Division.

Opinion of the Judges and Officers of the Chancery Division—*contd.*

801. Sir Kenneth Muir-Mackenzie, the Permanent Secretary to the Lord Chancellor, and Clerk of the Crown, was also of opinion that this administrative change could easily be effected, that the work would be well done in Chancery Chambers and that there would be a saving of expense, which would not, however, accrue to the Exchequer upon the whole. He added that the Chancery arrangements are carried on with the aid of a certain exceptional treatment for the cases of wards and that this would be very largely increased by bringing in "lunacy" and would, he believed, prove "a very heavy burden on the Judges themselves." The evidence given before us by the Judges and the Masters in the Chancery Division leads us to hope that they would be both willing and able to cope with the work.

Muir-Mackenzie, IV., p. 393, c. 1.

Cf. 34620, 34653–34668, 34681.

IV. The Taxation of Costs in Lunacy.

Taxation of Lunacy Costs. Baker, Vol. IV., pp. 313–315.

802. The question of taxation of costs in Lunacy was dealt with by Master Baker of the Supreme Court Taxing Office, who delivered the collective opinion of all the Taxing Masters. He informed us that until shortly before his appointment in 1889 the lunacy costs were taxed by a Chancery taxing master, but that, on the retirement of Mr. Bloxam in that year, the taxations were referred to the office of the masters in lunacy, and have since been taxed by the former principal clerk to Mr. Bloxam. Master Baker was of opinion that costs in lunacy should be taxed by a taxing master. These costs assimilate very closely to the costs relating to infants and their estates, cases which call for vigilance and the careful exercise of discretion. The responsibility, he declared, is certainly not less onerous in the case of the administration of the estates of lunatics. "There are occasionally contested cases in lunacy in which heavy costs are incurred involving the consideration of substantial fees to counsel, solicitors and witnesses. These should certainly be taxed by a master in fact, and not merely in his name. There is also the question of uniformity to be considered. It is, in my judgment, a first essential that, as far as practicable, taxations should be in accordance with a settled and uniform practice, and to this end it is of the greatest importance that the masters who deal with the taxation of costs should have frequent opportunities of discussion and co-operation. This has now been largely secured by the Rules of the Supreme Court, January, 1902, but for some reason, with which I am not acquainted, the operation of the Rules is suspended *inter alia* as to lunacy costs. These rules were the outcome of the Report of the Taxation of Costs Committee in 1901—lunacy costs remain the exception to the salutary rule that costs shall be taxed by a responsible master or registrar who has been either a member of the Bar or a solicitor, and has had the advantage of a legal education and of experience in the practice of his profession." The master suggested that the Rules of January, 1902 should be brought into operation as to lunacy costs, and that the number of taxing masters should be increased by the addition of one master and two clerks. The taxing office of the Supreme Court is open during vacations, so that, by transfer of the lunacy taxations to the Chancery side, there would be no reason for delay in respect of this branch of practice.

Baker, Vol. IV., p. 314, c. 1.

See Appendix to Vol. IV., pp. 441–445.

Baker, Vol. IV., p. 315, c. 1.

33252–33253, 33226.

803. We would point out that the appointment of the masters and taxing masters of the Supreme Court is in the hands of the Lord Chancellor:—

> Orders made by the Chancery Masters upon the face of them are stated to be the orders of the Judge, and for the acts of the master the Judge, as we have stated, accepts the full responsibility, although he has not the appointment of the person to fill the office. Orders made by the masters of the King's Bench Division are in different form, and purport to be only the orders of the master.

Local Jurisdiction.

Chancery of Lancaster Act, 1890, 53 and 54 Vict. c. 23. Cleaver, IV., pp. 368–369.

804. In recommending the adoption of Lord Justice Cozens-Hardy's suggestion that lunacy should fall within the jurisdiction of the Supreme Court, we are influenced by the consideration that it is of great importance that the Judge who would control the management and administration of property would be accessible at all times to the central authority that would have to ascertain the mental condition and be responsible under his directions for the control of the person of the mental defective.

This involves the principle that London would be the place where the main business affecting the individual and his affairs could most conveniently be transacted. We are far from saying that some details of property management might not for cheapness and expedition be administered in the provinces, when specially remitted by the Chancery Judge having seizin of the particular matter. On this principle we consider that no proceedings should be allowed to fall within the usual jurisdiction of either of the Palatine Courts of Durham or Lancashire.

Suggestions as to constituting one Central Authority.

Local Jurisdiction—*contd.*

Evidence was given on behalf of the Liverpool Law Society to the effect that if lunacy jurisdiction was transferred to the High Court it would follow automatically in such transfer that District Registrars in Chancery in Liverpool and Manchester would naturally deal with lunacy matters arising in their registries as they now do with Chancery business.

Cleaver, Vol. IV., p. 369, c. 2.

We think such a result undesirable. The Chancery Judges and the Chancery Masters being located together in London would certainly avail themselves of the opportunity thus afforded of securing uniformity of practice, with the assurance that greater regularity of administration would ensue than if district registries were allowed to administer.

It is not unlikely that in the management of property, especially in the country, the Chancery Division would in future be assisted by the services of the public trustee, as up to now it has been served by the official solicitor, and, occasionally, by judicial trustees. While encouragement might be given for the disposal of disputed issues, and other matters arising in property administration, in district registries or county courts, we do not think that substantial administration of the property of mental defectives should pass from the officials of the High Court regularly associated with the judges to whom the care of mentally defective persons would be assigned.

CHAPTER XXXIX.

Summary of Conclusions as to Part VII.

Transitory Measures. Recommendation VII.

805. We have now completed our statement of the changes which we recommend with a view to the reorganisation of the present Lunacy Commission, the transference of the Lunacy Jurisdiction now exercised by the Judge and Masters in Lunacy to the Chancery division of the High Court, and the abolition of the jurisdiction of the Masters as separate officials. But we should very shortly explain what transitory measures we deem necessary; for, it is evident, that, if the scheme which we propose is adopted, some time must elapse before it is put in force in its entirety; and the pressure of work on the Lunacy Commission is such that immediate steps should be taken to lighten it. We make four recommendations.

Recommendations XXIV.–XXVII.

Lunacy Act, 1890, Sec. 337, (1).

Under the Lunacy Act of 1890, Sec. 337, the Lord Chancellor may, by order under his hand, amalgamate the office of the Masters and their staff, and the office of the Chancery Visitors and their staff, and may amalgamate such offices, or either of them, with the office of the Commissioners. We recommend that, for immediate purposes, the Lord Chancellor should act on these powers and amalgamate the office of the Chancery Visitors and their duties and staff with the office, duties, and staff of the Lunacy Commissioners. A step would thus at once be taken in the direction of concentration and economy.

Recommendation XXIV.

Lunacy Act, 1890. Sec. 337 (2).

We also recommend that the Lord Chancellor, under the powers which he possesses under the same section of the Lunacy Act, should appoint two additional Medical Commissioners to the amalgamated office.

Recommendation XXIV.

We have, also, recommended that the Lord Chancellor in making fresh appointments and by the exercise of any of the powers and jurisdictions he possesses, whether by rules of court or otherwise, should, if possible, forthwith cause the transfer of the jurisdiction of the Judge and Masters in Lunacy to the Chancery Division as regards the existing business in lunacy, without waiting until the statute is passed which would be necessary for bringing our complete scheme into operation.

Recommendation XXVI. Lunacy Act, 1890. Sections 150 & 151.

In addition to this amalgamation and transfer and this increase of the paid executive, we think that the administration should be further strengthened by the immediate appointment of honorary Commissioners to fill the existing vacancies on the Board of the Lunacy Commission.

Transitory measures—*contd.*

Recommendation XXVII.

Lastly, we think that our recommendation that an architect should be appointed to devote his whole time to the Commission's work should also be acted upon as soon as possible.

The completion of these measures we believe to be a matter of great urgency, and we venture to hope that they may be brought into operation as soon as possible.

The Board of Control.

806. In the reorganisation of the Lunacy Commission, our policy has been to enlarge and remodel it, so that it may be able to accomplish the work which it now undertakes but for which its staff is insufficient, and to fulfil the new duty which may be imposed upon it with a view to the care and protection of the various classes of mentally defective persons defined in Recommendation IV. We recommend that under the name of "The Board of Control" it be the one central authority "for the general protection and supervision of mentally defective persons, and for the regulation of the provision made for their accommodation and maintenance, care, treatment, education, training and control."

Recommendations I. and V.

Recommendations III., IV. and V.

807. From the title of the Board, and from our recommendations, we have excluded the word "lunatic." We have shown to how large an extent the duties of the Board and of the local authorities, which, we propose, should be associated with it, are, in their nature, duties of guardianship; and the evidence suggests that this branch of work must assume a larger, and larger, place in its administration.

Recommendation VI.

808. With regard to the qualifications of Commissioners and their selection we have recommended that there should be appointed "Persons who are specially qualified for that post subject amongst others to these two qualifications: (1) That a certain proportion of the number be qualified medical men who have expert knowledge in regard to the various classes of mental defect mentioned in Recommendation IV., and respecting institutional and other administration; (2) That a certain proportion of the number be legal members, being barristers at law, qualified to deal with particular cases and points of law, including such questions as may arise out of the new conditions which the plan proposed by us must necessarily entail." But as the whole spring and vitality of the future administration will depend upon the selection of capable and energetic men who by ability and temperament are well qualified for the special work of the Board, we add a few words. The Board and the Committees will have before them a much larger and more various field of work than the Lunacy Commission have dealt with. They will have to consider varieties of treatment, not merely in closely regulated asylums but in training schools, industrial colonies, and voluntary homes of all kinds, and also under the methods of family guardianship and wardship, and they will have to bring into friendly co-operation with themselves a great many outer agencies which have hitherto lain entirely beyond the view of the Lunacy Commission, though in a tentative and experimental manner they have been endeavouring to handle one part of the problem of the mentally defective. In the selection of men for the office of Commissioners there should therefore, we think, be a recognition of this very great change in administration. And, in these circumstances, it is essential that the selection should have no relation either to party claims or personal predilection. For certain kinds of work, within certain limits, one person may be as well qualified as another, but for this work, for which wide experience and wide sympathies are necessary in combination with special knowledge and administrative ability, the selection, we would urge, should rest entirely on individual suitability and should be biassed by no other consideration whatever.

Relation of the Lord Chancellor and the Secretary of State to the Board of Control.

Lunacy Act, 1890, Sec. 247.

809. Two central authorities, if we may so call them, are associated with the work of the Lunacy Commission, the Lord Chancellor and the Secretary of State for the Home Department, but the authority that is actually responsible for the enforcement of the Lunacy Act of 1890 is the Home Office; and under the new conditions of administration which we propose it will of necessity be more than ever responsible for good management and progress in the field of work which now lies before the Board of Control. It is the authority at present entitled to approve of plans and contracts and to enforce and regulate the provision of accommodation for the insane by local authorities on mandamus. We desire the creation of a more efficient and economical administration. One condition of such an administration is that the Board, and the authority in connection

with which it serves, should each be held responsible; but that, in the case of the superior and mandatory authority, the responsibility should be recognised by representation in Parliament and be liable to the criticism of question and debate. Relation of the Lord Chancellor and the Secretary of State to the Board of Control —*contd.*

Further, the authority which is ultimately responsible should, according to the ordinary canons of administration, with its responsibility have the right of appointment. The two go together. An authority can hardly be responsible which has not the right of appointing the officers who ultimately are responsible to it; and the appointment of officers by an irresponsible superior authority is the abandonment of one of the chief securities of efficient local government. Accordingly, we think, that the Secretary of State for the Home Department, who is the central authority under the Lunacy Act, should have the right of appointing the Commissioners, and should represent the Board in the House and be expected to explain and defend its policy and reply to questions in regard to it, just as he would be expected to do in regard to other business which came more directly within his own department. It may be said that we have not recommended that the Board should be made a part of the Home Office, and that only on that condition could the Home Secretary be in a proper position to represent it in Parliament as fully as we have suggested. We think, however, that there are good reasons for preserving for the Board of Control a detached position similar to that of the Lunacy Commission. They stand outside the field of normal administration. They perform duties which are largely personal and private, medical and yet also judicial, duties which affect the lives, homes, and property of a large class who "cannot manage themselves or their affairs"; and to provide for this class effectually their administration must be staffed and organised in a manner that will enable them to fulfil quite special and characteristic functions. Thus, though perhaps on such a point too much stress should not be laid, in their capacity as Commissioners a certain respect may be paid to them, which, considered merely as the officials of a department, they might not always receive. On the whole, therefore, we have concluded that the Board of Control should, like their predecessors, the Lunacy Commission, be detached from the Home Office; and yet, in spite of this, we desire that it should be represented in the House by a member of the Cabinet, who, we think, should be the Home Secretary, and who, in assuming a fuller responsibility for the Board, should have also the right of appointing its members. Already, it need hardly be said, the Home Secretary, in branches of work which are within his department, appoints to important offices, both barristers and medical men, as well as laymen.

With regard to the question of the appointments being made, as they now are, by the Lord Chancellor, we would point out that the feeling of the House of Commons, in discussions at an earlier stage in the history of the Commission, was evidently in favour of the appointments being made by the Home Secretary. But we do not wish to enter on a discussion of the question from the point of view of there being any real or latent rivalry in making these appointments, such as the debates in the House of Commons and the action that followed upon them in 1832 seemed to indicate, between two of our highest State functionaries. We base our case solely on this main contention: that, if in this branch of work there is to be efficient and economical administration, the head of some one of the great departments of the State must be made responsible for it. This responsibility, we argue, involves almost as an administrative necessity, that the official who is ultimately responsible for the work should appoint the persons who are in turn responsible to him. The Secretary of State for the Home Department is in our view by the Act of 1890 placed in the position of final responsibility, which is from its very nature to a large extent supervisory. We conclude therefore that he rather than the Lord Chancellor should appoint the members of the Board. Hansard, 1831. 3rd Series, Vol. VI., p. 448; Vol. VII., pp. 603, 877.

810. We have not specified how many of the members of the Board should be medical men, and how many barristers, nor have we recommended that the Board should be constituted of a certain number of members only. There must, it is obvious, be legal members of the Board to preside at inquiries (Recommendation VIII.), and to settle many points of difficulty that must, almost of necessity, arise in the extension of the Board's work. We have recommended the appointment of a paid chairman. We have recommended, subject to conditions, that persons who are superintendents of licensed places may be appointed members of the Board. We have recommended, also, that one of the members of the Board be a woman of special experience in the subject. In view of their probable usefulness in the enlarged work of the Board, we have recommended that honorary members be appointed. Constitution of the Board of Control. Recommendations V. and VI. Recommendations VII. and VIII. Recommendation VI. Recommendation XVIII. Recommendation XX.

Constitution of the Board of Control—*contd.*
Recommendation XXIV.

We have also recommended that the Lord Chancellor's Visitors should transfer their services to the Board of Control and become members of it. Recommendation XIX.

Transfer of the jurisdiction of the Judge and Masters in Lunacy.
Recommendation VIII.

811. To concentrate the administrative force available for the care and protection of the mentally defective and their property, we have recommended the transference of the jurisdiction of the Judge and Masters in Lunacy to the Chancery Division of the High Court. This, we think, should lead to economy both of time and means. And we have further recommended that where an issue is not directed in the High Court, or a jury is not demanded or thought necessary, the inquiry in regard to the question whether a person who has property is suffering from mental defect, should be undertaken by a legal member of the Board, with a medical member of the Board as assessor, if necessary. The management and administration of property, on the ascertainment of mental defect by the legal Commissioner or on an issue directed in the High Court, would then be entrusted to the Chancery Division. Recommendation VII. Recommendation IX.

Visitation of institutions, etc., and persons by the Board.
Recommendation XI.
Recommendation XXII.
Recommendation XIV.

812. We have not recommended that any definite number of visits be paid to institutions of different kinds as laid down in Part VII. of the Lunacy Act of 1890. In the case of mentally defective persons, we have recommended that visits be paid twice a year, unless in particular circumstances the Board decide that a less number of visits will suffice. We have recommended that all institutions or houses (as defined in the Preamble) for the mentally defective should be visited twice a year. We have recommended that it be competent for a single medical member of the Board to visit an institution, where the Lunacy Act now requires that two members should visit. We have recommended that the Board should be the sole authority for licensing all institutions for the care of the mentally defective, including receiving houses or wards, whether they be in workhouses or infirmaries, or elsewhere.

Appointment of Assistant Commissioners.
Recommendations XV. & XVI.

813. As a step towards the connection of the work of the Board, with the local authorities, and for their assistance in visitation and other duties, we have recommended that England and Wales should be divided into districts, and that there should be at least eight Assistant District Commissioners, who should be medical men. We have fully weighed the evidence submitted to us in favour of there being no Assistant Commissioners; but in view of the duties that the care of the mentally defective will impose on the Board, and the amount of miscellaneous work which other changes that we propose will necessitate, we think it would be unreasonable to appoint Commissioners only, and we recommend that for special branches of work Assistant Commissioners may, if necessary, be appointed.

The Committees for the care of the mentally defective.
Recommendations XXVIII.–XXX.

814. Hitherto, the Commissioners have not been connected with any local authority acting in their behalf or in close relation to them. This, we think, has been a disadvantage, and we now propose that, the county councils and county borough councils who are the local authorities recommended, should act through committees for the care of the mentally defective, in which the visiting committees will be absorbed. All the evidence we have received would lead us to believe that the visiting committees are usually much interested in their work and would not be averse to undertaking larger obligations. We hope that, under the arrangements we suggest, there may be a closer personal connection between the members of the Board and the committees for the care of the mentally defective. With a larger staff, it should, we think, be possible for the Board to arrange that at times of inspection, and on other occasions, there should be some kind of conference between a member or members of the Board and the committees.

815. Our aim has been to broaden the whole position and outlook of the Lunacy Commission and to reorganise it as a Board of Control, so that it may be an active and efficient centre, both for the general protection and supervision of the mentally defective, and, also, for the promotion of measures of scientific administration and investigation, which will prevent, as far as may be, the increase of mental disease and defectiveness.

Savage, Vol. IV., 29315.

We have recognised, as Dr. Savage said, that the Commission is "the head of a great body, and that it ought as the head to have a directing, observing and supervising power." We have endeavoured to recommend the measures by which, to the best of our judgment, that result may be achieved.

PART VIII.

FINANCE.

CHAPTER XL.

816. In regard to Finance, we make the following Recommendation :—

Discontinuance of 4s. grant.

(1) " That the transfers and payments now made by county and county borough councils pursuant to s. 24 (2), (*e*), (*f*), and (*g*) of the Local Government Act, 1888, out of the funds placed at their disposal by the Exchequer contribution under that Act from Local Taxation, Probate Duties, etc., consisting of :—

Recommendation XL.

(*a*) 4s. per week to the county fund liable to bear the expenses of pauper lunatics chargeable to the county in respect of each county lunatic.

(*b*) 4s. per week to boards of guardians in respect of each lunatic chargeable to guardians and maintained in an asylum, registered hospital, or licensed house.

(*c*) 4s. per week to Borough Councils in respect of each lunatic chargeable to borough funds

shall be discontinued.

(2) " That the total cost of the maintenance, care and treatment, education, training and control of mentally defective persons and of the provision of suitable accommodation for them shall be borne by the County and County Borough Councils aided by new grants from the Exchequer.

Exchequer grant payable to local authorities.

Recommendation XLI.

(3).—That substantial financial assistance be granted from the Exchequer to a Council of the County or County Borough for the care and maintenance of mentally defective persons, and of epileptics not mentally defective, and that this assistance be granted by one or other of the following methods either :—

(i) On the method of an annual block grant on the principle that the grant be greater or less according to the proportion of the local expenditure to an approved standard of proper and economical expenditure and also greater or less as the assessable value per head of the population of the district is smaller or larger ; or

(ii) That in addition to the present Exchequer contributions there be paid by the Exchequer to the Councils of Counties and County Boroughs annually a grant based on the number of mentally defective persons and epileptics not mentally defective for whom provision is made beyond the numbers provided for on the 1st January, 1908, and that such grant be the sum which the Board of Control certify to be equal to one-half of the cost properly incurred by such Councils in respect of such additional numbers of mentally defective persons.

4).—That this block grant or this maintenance grant be payable subject to the certificate of the Board of Control that the local authority has carried out its duties under Recommendation XXVIII satisfactorily, and that in the event of the Board of Control refusing to give such a certificate an appeal shall lie to the Secretary of State, whose decision shall be final.

(5).—That in addition to the above grant, whether it is a block grant or a maintenance grant, there be provided from the Exchequer annually for a term of years a grant in aid for the provision of necessary accommodation in the manner and in the locality advised by the Board of Control."

We will take in turn the questions which these recommendations suggest. They refer, it will be noted, to Exchequer grants proposed to be made for the aid of all mentally defective persons, including pauper lunatics.

THE FOUR SHILLING GRANT.

The 4s. grant.

817. The first question is the discontinuance of the 4s. grant. The clause of the Local Government Act, 1888—Section 24 (2) (e), (f) & (g) which refers to this grant is as follows :—

> (2) In substitution for local grants, the council of each county shall from time to time as from the said day pay out of the county fund and charge to the Exchequer Contribution Account the following sums, that is to say—

The 4s. grant.—*contd.*

(*e*) They shall transfer to that account of the county fund to which the maintenance of any pauper lunatic chargeable to the county is charged, a sum equal to four shillings a week for each such pauper lunatic, for whom the net charge upon the County Council, after deducting any amount received by the County Council for the maintenance of such lunatic from any source other than local rates, is equal to or exceeds four shillings a week throughout the period of maintenance for which the sum is so transferred.

(*f*.) They shall pay to the guardians of every poor law union wholly or partly in the county a sum equal to four shillings a week for each pauper lunatic chargeable to that union, and maintained in an asylum, registered hospital, or licensed house, for whom the net charge upon the guardians, after deducting any amount received by them for the maintenance of such lunatic from any source other than local rates, is equal to or exceeds four shillings a week throughout the period of maintenance for which the sum is so paid ; and

(*g*.) They shall pay to the council of each borough to which the maintenance of any pauper lunatic is chargeable, a sum equal to four shillings a week for each such pauper lunatic for whom the net charge upon the council of the borough, after deducting any amount received by them for the maintenance of such lunatic from any source other than local rates, is equal to or exceeds four shillings a week throughout the period of maintenance for which the sum is so paid.

Report of Sir Henry Fowler on Local Taxation, 1893, pp. xliii., xliv.

Davy, Vol. IV., 34170–34192, 33859–33860, and the Finance Act of 1894.

See p. 103, Report of Sir Edward Hamilton and Sir George Murray :— Final Report of the Royal Commission on Local Taxation : England and Wales. Cd. 638, 1901.

Annual Report, Local Government Board, 1905–6, pp. xviii. and cxlvi., cxcix. Cd. 3105.

818. In 1874–1875 a new grant of 4s. a week for every pauper lunatic maintained in an asylum or registered hospital was passed by Parliament. This grant was paid direct from the Exchequer to boards of guardians, and, to that extent, reduced the amount expended from the union rate on each pauper lunatic in an asylum. It was fixed so as to meet the difference in the cost between maintenance in the workhouse and maintenance in the asylum, and it acted, as indeed was intended, as a direct bounty to the guardians to induce them to remove certifiable lunatics from Poor Law workhouses and infirmaries to asylums. In 1887–8 it amounted to £485,169. In 1888, the Local Government Act was passed, and in 1894, the Finance Act : and a considerable change was made. After 1888 grants were no longer paid by the Exchequer to the guardians, but there were handed over to the County Councils certain subventions called "Exchequer Contributions," and the Councils were required to pay to the guardians a weekly sum of 4s. for each pauper lunatic on the conditions mentioned in the last paragraph. The Exchequer contributions consisted of the proceeds of (1) local taxation licence duties within the county ; (2) a part of the probate, and subsequently, in lieu of it, a part of the estate duties, with (3) in 1890 "beer and spirit surtaxes," or "local taxation (customs and excise) duties," and (4) in 1896 a grant out of the estate duties in relief of occupiers of agricultural land. The amount so contributed, less the sums paid under the Agricultural Rates Act, amounted to £7,003,305 in 1905–6. The amounts applied by local authorities to the maintenance of lunatics from proceeds of these duties was £787,176.

Table : Number of insane persons chargeable to Poor Law unions, counties or boroughs Annual Report of the Local Government Board, 1905–6, p. 561.

Davy, Vol. IV., 34170–34184.

819. So far as the guardians were concerned, the position was only altered in that the subsidy paid to them came from the County Council instead of from the State. It became practically a subsidy of the union by the county—a transfer of revenue within the county from one authority to the other. It was no longer an alleviation of local taxation. It acts, indeed, in a contrary direction. It stimulates the boards of guardians to throw upon the county a charge which imposes upon the county an expenditure much greater than that which the union would have incurred if the person had not been sent into an asylum. Thus if a case costs 10s. a week in an asylum and it costs the guardians 6s. a week in the workhouse, and the guardians send it to the asylum, they are quit of the case without any greater cost to themselves, and if it costs them more than 6s., they make a profit on the transaction. But the ratepayer does not gain. He is paying 10s. for a person for whom he was paying 6s. ; and the 4s. grant has thus acted as an inducement to the boards of guardians to impose this larger charge on him quite unnecessarily, if, in fact, the case, though it may be certifiable, is not really suitable for asylum treatment.

4s. grant results in loss to ratepayers.

Davy, Vol. IV., 33860.

820. The extent to which this inducement has acted, Mr. Davy, Chief General Inspector and Assistant Secretary to the Local Government Board, has pointed out. He said that the result of the grant was—

> "That whenever a board of guardians was short of room, and would have had to build for some other class, they shipped their lunatics or their imbeciles off to the asylum, and used the workhouse buildings for other cases, thereby transferring the cost of buildings from themselves to the county authorities. I have known that done in a very glaring way in more than one case. Also medical officers of workhouses and masters occasionally do not like having persons of unsound mind there ; they are troublesome, and they are sent off to the asylums, the result being that you have now in some workhouses no lunatics, and in some 40 per cent. of the total lunatics, showing quite clearly that the complaint of the Commissioners that the asylums have been filled up with chronic cases is a just one.

"I can only account for the fact that the grant has been allowed to remain as it is by the fact that there are three bodies responsible for it; I mean to say the Home Office, the Lunacy Commissioners, and the Local Government Board. If the whole matter had been in the hands of one Department, I do not think that grant could have existed, because I think it can be demonstrated that it has resulted in a loss to the ratepayers. It was intended to benefit local taxation, and it has increased local taxation, and the sole advantage has been that it has removed all temptation from boards of guardians or their officers to detain persons of unsound mind in workhouses improperly." The 4s. grant results in loss to the ratepayers—*contd.*

It is clear that, in these circumstances, it will be well to discontinue the grants to the guardians, and this, indeed, will be the necessary consequence of the proposal which we have made elsewhere, that the care of the mentally defective should be removed from the Poor Law guardians to Committees for the care of the mentally defective under the Councils of Counties and County Boroughs.

821. As we have explained, at the present time the grant is stimulating the transfer of charges from the union to the county or county borough, but nevertheless it is desired to extend it. The unions are often poor, the county or borough relatively rich. And hence, whether the effect of the grant be understood or not, many witnesses have pressed upon us a demand that it should in future be payable not only for certified lunatics but for other classes of mentally defective persons. Mr. Davy in a few words stated the policy of the Local Government Board in regard to this movement: The suggested extension of the 4s. grant.

"It is a matter which has been very frequently before the Local Government Board. It was before the Local Government Board in 1882, when the Commissioners in Lunacy expressed the opinion that a return obtained by them with the concurrence of the Local Government Board from the medical superintendents of asylums established the fact that a great proportion of the asylum population might be adequately, and much more economically, provided for in workhouses. The return showed the number of cases in asylums who, in the opinion of the superintendents, might be sent to either workhouses with special lunatic wards, workhouse infirmaries with a paid nurse, or ordinary workhouse wards. The number of such cases was not very large in the return, only amounting to 5,745, but, as the Commissioners point out, the superintendents took varying views on the matter. For example, in the two Surrey asylums of Wandsworth and Brookwood, where the total numbers were about the same, four times as many patients were recommended for workhouse treatment from the latter of those asylums as from the former. So the personal equation of the medical superintendents had a great deal to do with it. Upon that return the Commissioners wrote to us and said: 'The Commissioners do not know what opinion the Local Government Board as administrators of the capitation grant may have formed on this point, but if it should be the case that any change in the conditions of the grant is in contemplation they would desire to throw out for their consideration whether it might not be well to exclude from the weekly grant all such persons in asylums as could be shown to be capable of being adequately taken care of in workhouses.' Davy, Vol. IV., 33859.

"Again, there is the continual application from the boards of guardians that the 4s. a week grant shall be paid for imbeciles in workhouses as a matter of the relief of local taxation. In 1897 the County Councils Association approached the Board with proposals that the grant should be so paid as a means of relieving pressure on asylums, and suggested that a chronic lunatic must be sent to an asylum before being transferred to a workhouse, and then if he were transferred from the asylum to a certified workhouse the grant should continue to be paid. The Board considered that proposal—it was rather an elaborate proposal—but finally decided against it on the ground that it would problably lead to increasing the pressure of asylum accommodation, because guardians would try all their imbecile cases in the asylum to see whether they should be sent out and so become eligible for the grant, and they also, the opinion of the inspectors having been taken, pointed out that there was not much room in workhouses for this class of case.

"The Board write: 'The scheme of the association is that the grant shall only be paid in respect of a chronic lunatic transferred from the asylum to a certified workhouse, that is, a workhouse where the accommodation for the lunatic has been approved and certified. This assumes that there are many workhouses where there is vacant accommodation of a suitable character for the reception and maintenance of lunatics transferred from asylums. But this is not the case, and it would be necessary, if such provision is to be made, that the guardians of a large number of unions should erect additional buildings for the purpose, and in each case provide a staff for the care of the patients. The Board would observe with regard to this that it appears to them that, instead of increasing the number of lunatics in workhouses, it is desirable, in the interests of the poor who through poverty are obliged to have recourse to the workhouse, that the workhouses should, as far as circumstances reasonably admit, cease to be asylums for lunatics. The Board direct me also to state that it appears to them that if a large number of unions, in order to qualify for the grant, have to provide new buildings and additional staff and officers, the required accommodation can be much more economically provided by the county councils in additional asylums to be appropriated solely for chronic and harmless cases, the buildings and the arrangements generally being of a much less expensive character than those founded primarily for acute cases and curative treatment.' This was the opinion of the Board in 1899."

Mere extension of 4s. grant would be useless.

822. This evidence strongly confirms our view that the solution of our question does not depend on the extension of the grant to guardians of the poor, or, indeed, on any form of subsidy to them, but on enabling county and county borough councils, in one way or another, to fulfil the duties for which they are already responsible, and in the performance of which the grant has been a hindrance to them rather than a help. The Exchequer contribution must, we think, take some other form and be available not for the maintenance of "persons of unsound mind" only, but for the maintenance of other mentally defective persons also, and, in the assignment of it, consideration must also be given to the necessary expenditure that will have to be incurred for accommodation, care, treatment, education, training, and control of all types.

THE PROPOSALS OF THE ROYAL COMMISSION ON LOCAL TAXATION IN REGARD TO GRANTS IN AID AND A BUILDING GRANT IN RESPECT OF PAUPER LUNATICS AND EPILEPTICS.

The extension of the 4s. grant and the proposals of the Royal Commission on Local Taxation.

House of Commons Paper, No. 362 of 1900.

823. The Royal Commission on Local Taxation adopted the opinion of the Select Committee of the House of Commons on the Cottage Homes Bill of 1899, "that all pauper imbeciles and epileptics should be provided for outside the workhouse," but apparently considered that they should remain under the care of the Poor Law Guardians; and they proposed an extension of the 4s. grant in the hope that it would "effect two very desirable objects, namely: (1) bring about a much needed reform in the administration of provincial workhouses; and (2) tend to reduce unnecessarily large expenditure in county and borough asylums."

Final Rep of Royal Commissi on Local Taxation England and Wale 1901, Cd. 638, pp. 2 and 26.

Final Report of Royal Commission on Local Taxation, England and Wales, 1901., Cd. 638, p. 26.

824. By the return of 1st January, 1900, they found that there were in the workhouses 17,460 pauper lunatics and 2,566 epileptics; in institutions of the Metropolitan Asylums Board in 1899 a daily average number of 5,953 imbeciles, at an annual expenditure of £151,994; and in county and borough asylums (1st January, 1900) 73,721 pauper lunatics. These amounted in all to 99,700, and, accepting that as the number for which provision was to be made, they recommended "the extension of the present pauper lunatic maintenance grant by an allowance of 3s. a week—£7 16s. a year—in respect of such of those lunatics and epileptics as were not in county and borough asylums, and might, therefore, if proper provision were made to the satisfaction of the Local Government Board for the separation of all of them from the other inmates of the workhouses, ultimately add at least £200,000 a year to this grant."

The proposal of the Royal Commission on Local Taxation to give a grant for providing accommodation.

825. They proposed also "a new grant towards the cost of providing accommodation for pauper lunatics and epileptics, whether in asylums or in other institutions. We estimate," they write, "that a grant of £500,000 might ultimately be required if one half of the annual expenditure on asylums, and other institutions in which pauper lunatics and epileptics are maintained, were made a charge on the Imperial revenue."

Final Rep of Royal Commissi on Local Taxation England Wales, 19 Cd. 638, p. 26.

The insufficiency of the present grant.

826. Passing by, for the moment, the question of a grant for accommodation, we agree with the view that one-half of the expenditure on asylums and other institutions, in which we would say not "pauper lunatics," but "mentally defective persons" and epileptics are maintained, should be a charge on the Imperial revenue. We hold strongly that the burden which now lies on local authorities in respect of the care and maintenance of lunatics and other mental defectives should be relieved by generous subventions from the Exchequer.

Annual Report, Local Government Board, 1905-6. p. cxcix.

It seems to us that the grant of £787,176, the present subsidy from Imperial revenues, is a very insufficient subsidy towards the extremely important and difficult work with which the visiting committees and the present Commissioners in Lunacy have to deal. We have shown how large is the necessary field of public intervention in the case of the mentally defective; and hence we would strongly urge that to meet the actual requirements of this class the Imperial subventions be considerably augmented. We have recommended that all mentally defective persons be under the supervision and protection of one central authority, the Board of Control, and we have suggested the removal of the responsibility of their maintenance and supervision from boards of guardians, except in so far as the committees for the care of the mentally defective may contract with them for that purpose. And so in the case of other authorities,

Recommendations I. and V., XXVIII. and XXX., XLII.

such, for instance, as the education committees of county and borough councils, charges for the care of the mentally defective which would, under existing legislation, fall on them, would, according to our proposals, pass to the committees of the county and county borough councils for the care of the mentally defective. We will deal with this point in more detail later; but it is obvious, we think, that if there is to be one central authority for the general protection and supervision of all persons of mental defect, with local authorities responsible for their care and maintenance, a reapportionment of charges and obligations, which now, sometimes to a large and sometimes to a small extent, fall on other departments of public work, is necessary.

Rateable value and the incidence of mental defect. Vol. VI., p. 55, Table, col. 12.

827. Another question has also to be determined. Our evidence goes to show that, while certain parts of the country may be more free from mental defect than others, *e.g.*, the mining and country districts of Durham and such a port as Hull, in general the incidence of mental defect is alike both in town and country, throughout England and Wales. It follows that a rural sparsely populated district may require, relatively to its population, as much help to enable it to deal with the difficulty as an urban area. Indeed, the need may be greater. A rural county has a low rateable value. It does not include the county boroughs, the centres of population and of commercial activity, and thus the local resources of the county, which, applied over the whole area, might in some degree equalise the conditions of the poorer districts to those of the large urban areas, remain altogether insufficient. It appears that the division of interests and sentiment between a county and a county borough is so strong that a local rate assessable for the whole county, including the boroughs and available equally for all parts of it, is not likely to meet with approbation, even for a purpose which, as we have shown, affects both town and country very seriously, and affects them alike We are led, therefore to suggest that some method of equalisation should be adopted through the operation of grants from a local taxation account or from the Consolidated Fund, by which the grants should be larger or smaller inversely as the assessable value per head of the population is smaller or larger. How great is the variation of rate between different urban and rural areas and of indebtedness between counties Mr. Noel Kershaw, Assistant Secretary to the Local Government Board, showed in his evidence.

Recommendation XLI. Kershaw, Vol. IV., 32038 *et seq.*

Recommendation XLI.

828. But proposals of the kind we have mentioned would entail the resettlement of our system of local taxation, a serious question which it may not be found possible for the Government to undertake. It seemed right to us, therefore, to submit alternative courses; one which would have the very desirable effect of equalising the burthen of local taxation in rural and urban districts, districts which have a low and those which have a high assessable value; and one which, though it would not have this advantage, would under more effective methods of supervision than now prevail, provide larger grants to local authorities to meet charges incurred by them on behalf of the mentally defective.

THE APPORTIONMENT OF STATE AID TOWARDS THE CARE AND CONTROL OF MENTALLY DEFECTIVE PERSONS.

Equalising system of apportionment necessary.

Final Report pp. 73–83 and 128–142, and Appendix, p. 206, to Final Report (England and Wales) of the Royal Commission on Local Taxation, 1902, Cd. 638, and "Local Taxation," an address by Lord Balfour of Burleigh, 1907.

829. As one alternative, we venture to suggest that the scheme which was submitted by Lord Balfour of Burleigh, and Sir Edward Hamilton and Sir George Murray, Joint Permanent Secretaries to the Treasury, to the Royal Commission on Local Taxation is worthy of very careful consideration. It promotes, alike, equalisation and economy. As matters now stand, it is, we think, impossible for counties with a low assessable value, and many claims on the county rate, to make a provision that in our opinion is absolutely necessary in the interests of the community and of the mentally defective themselves; and the mere fact that the subsidy of the Exchequer is increased, even largely increased, will not of itself meet the difficulty. On the other hand, by the application of definite standards to administrative finance the methods which we recommend would further economy.

Local expenditure falls into two divisions, national and onerous, and local and advantageous. Onerous charges, such for instance, as the care of the mentally defective, should tend to be national, while advantageous expenditure

Equalising system of apportionment necessary—*contd.*

designed to benefit a locality should be provided from local rates. Some local expenditure would thus be accounted onerous with a national claim; some advantageous with no, or a lesser, national claim. The question may be confined to the former. In estimating the financial position of a town or district, we have to ascertain two points: (1) what is the expenditure actually necessary to meet its requirements, considered in relation to the number of the population; and (2) what is the ability of the place to meet this expenditure, as represented by the local assessable value.† If we seek a standard of expenditure, by which we may judge of its local expenditure and the local expenditure of other towns or districts, and if we seek a standard of comparative ability to pay, or, what is the same thing, of assessable value by which we may compare the assessable value of this and other places, we must look for these standards outside. The external standard of expenditure we may find—so far as requirements and expenses go—in the sum per head of the population for which the services in question could be done under favourable circumstances. The external standard of ability or assessable value we may find in an estimated rate in the £, which, whether local assessable values be high or low, may be assumed to be assessable uniformly over the whole area of which our town or district forms part. These two standards we may apply to the financial position of the place. And we may say: (1) what would our local expenditure be, if it were at the standard scale of expenditure? (2) What would our assessment be, if it were based on the standard rate in the £? Our expenditure so calculated minus our assessment so calculated would produce a sum, which, as it is reckoned in relation to conditions which are applicable to the whole country, may fairly represent a grant payable to us by the Government, as, by similar calculations, other similar sums may be reckoned and considered to be payable to other towns or districts. This sum may be called the primary grant. On the difference between the actual expenditure of the town or district and an expenditure for the town or district taken at the standard rate, a further or secondary grant may be made.

Standards of Expenditure and Rating.

830. To apply and explain this statement of the method. First we have to fix a standard of expenditure, and next a standard rate in the £. To fix the former, amongst several ways, we might take a group of areas differently placed in regard to rating, administration, and expenditure, and from the deductions we make on these heads we might form a standard of expenditure. Or we might take an average of the expenditure over the whole of a large district, *e.g.*, England and Wales, or of England divided into two or three large "expenditure" districts, and so arrive at an expenditure standard for all England and Wales, or for an "expenditure" district. But, in some way, a standard of expenditure will have to be fixed, and it would be better, of course, if it were applicable to the whole country. We shall have thus met our first need *A*, as set out below—standard expenditure per head of the population.

So again with B., the standard rate in the £; it might be a standard based on the assessable value of a large actual or typical area, or aggregation of areas, or it might in some other manner be formulated as might seem just, as a basis for calculation.

Calculations based on standards.

831. Then, having worked out our standards, we may make our calculations on separate districts in detail as below, adopting figures which were suggested by Lord Balfour and will serve for purposes of illustration, though they relate, not to expenditure in connection with the mentally defective but to expenditure in connection with poor relief. The following statement sets out the data:— Report of Royal Commission on Local Taxation, pp. 134 and 135.

† "In estimating the ability of a district, the 'assessable value' should be the measure chosen, *i.e.*, rateable value after deduction of half the value of agricultural land (as under the Agricultural Rates Act), and after deduction also of half the value of tithe rent charge attached to a benefice. By taking assessable value thus defined (instead of full rateable value), the measure of ability of rural districts will be reduced in an equitable degree, and the amount of the grant correspondingly increased," p. 76. Report of Lord Balfour of Burleigh. Final Report of the Royal Commission on Local Taxation. (Cd. 638.)

Calculations based on standards.

EXPENDITURE FIGURES.

A		B		C	D
The standard expenditure per head of population. 3/6	×	Population of particular place or area. 10,000	=	The standard expenditure applied to that population. £1,750	Actual expenditure of the particular place or area. £2,500

FIGURES AS TO ASSESSABLE VALUE.

E		F		G
The standard rate in the £. 4d. in the £.	in	The assessable value in the particular place or area. £60,000	=	Product of the standard rate in the £ applied to the local assessable value. £1,000

Then (C) £1,750 (standard expenditure applied to the population of the particular place) — (G) £1,000 (standard assessable value applied to the local assessable value) = £750, which represents the difference between standardised local expenditure, that is, the reasonable or inevitable expenditure considered in relation to the locality, and the standardised local rate, that is, the generally accepted measure of ability to meet expenditure, considered also in relation to the locality. This difference, £750, is the amount which would be contributed by the Exchequer as the *primary* grant. But the actual expenditure (D) is £2,500. On this we work next, by deducting from it (C) £1,750, which represents the standard expenditure applied to the population of the particular place or area £2,500 – 1,750 = £750. This figure, then, represents the excess of local expenditure over the standard expenditure, and a part—a *secondary* grant—it is suggested, should be paid by the Exchequer to meet a part of this expenditure. Suppose it to be a third, then the figures would be £750 (*i.e. £2,500—£1,750*)—£250 = £500.

And the result would be ;

(1) Primary grant £750.
(2) Secondary grant £250.
(3) Balance to be raised by local rate £1,500.
(1) and (2) together would be the block grant.

Elements to be considered in equalised adjudication of State aid.

832. There are, it will be seen, four elements in the question : The requirements of the area in regard to the particular service or provision ; the expenditure as a fair indication of the legitimate satisfaction of those requirements ; the population in relation to its increase, adding to these requirements and thus increasing the expenditure ; and lastly, the assessable value, as indicating the means available for the satisfaction of the requirements, itself created in large measure by the increase in values which accompanies the economic demands of an increasing population. In an equalised adjudication of State help, these four elements should be taken into account. On all heads, there must be local variations. The requirements in regard to any particular service or provision differ from district to district. So, necessarily, does the expenditure, and with the extent and character of the population there arises the greatest difference in the assessable values. "Assume a simple case of two equally economical unions," Lord Balfour of Burleigh writes : "each spending 5s. a head of the population on poor relief. The amount of rateable value per head of population is £14 in one case and £3 in the other—variations which, though not common, do in practice actually occur. Thus the poor unions would require a rate of 1s. 8d. in the £, whilst the richer would only levy a rate of 4½d. in the £.

The "Block" grant.

833. Now, if it is possible to arrive at a standard of expenditure per head of the population, *i.e.*, a minimum standard, and a standard of assessable value which would be generally applicable, *i.e.*, a minimum rate per head of the population, this difficulty might be met, for, as the local expenditure and assessment taken conjointly rise or fall according to this double standard of expenditure plus assessable value, so the grants might be less or more.

Lord Balfour of Burleigh ; separate recommendations. Report : Royal Commission on Local Taxation 1901. Cd. 638, pp. 76–77.

"Since it is manifestly desirable that there should be some local contribution even in a union which confines its expediture to the minimum, each union should be required to raise a small uniform standard rate in the £ on its assessable value. This rate would of course produce more in the wealthier unions and less in the poorer ones. As it is also desirable that as many unions as possible should share in the State contributions to the

The "Block" grant—*contd.*
Report of the Royal Commission on Local Taxation, 1901, p. 77.

minimum expenditure, the rate should be so fixed that it will not produce more than 3s. 6d. per head of the population in any appreciable number of unions, otherwise those unions would receive no grant. This condition would be satisfied by a rate of 4d. in the £, since there are few unions in which this rate on assessable value would produce more than 3s. 6d. per head. On the other hand, to throw upon the localities less in any case than one-third of the expenditure would be inconsistent with prudence, and a rate of 4d. in the £ would produce about one-third of the expenditure in the more economical of the poorest unions. Consequently it is suggested that the standard rate should be fixed at 4d. in the £."

"The grant will then be divided into two parts, to correspond with the division of the expenditure, and from the first and larger part will be distributed to each area the product of 3s. 6d. per head of the population after the deduction of the product of the 4d. rate on the assessable value. The minimum expenditure would thus entail a rate of 4d. in the £ in every union. The second and smaller part of the grant would consist of one-third of the expenditure incurred in excess of the minimum (expenditure here means the expenditure of the financial year preceding legislation, "standardised" in the manner prescribed in the Irish Local Government Act, 1898 [Sec. 49])—thus leaving the remaining two-thirds of the expenditure above 3s. 6d. per head to be met from local sources. The grant might be fixed for a period of years, and this limit (coupled with the administrative safeguards to which I refer presently) would prevent aid being given to expenditure which is not necessary, and retain the inducements to real economy. As a further safeguard it would probably be desirable that no union should receive more than two-thirds of its expenditure, in case such a contingency should arise when revised figures of population, valuation, and expenditure are available for calculating the grant."

834. To apply this method then, for the details require close attention, and we repeat the calculation therefore in a rather different form—Suppose 3s. 6d. a head to be taken as the standard of expenditure per head of the population which is generally applicable. This standard of expenditure is applied to the population of the particular area. That area has, for example, a population of 10,000. This produces a sum of £1,750.

Again, suppose 4d. in the £ to be taken as the standard of assessable value which is generally applicable. This standard assessment is applied to the assessable value of the particular area. The area has an assessable value of £60,000. This produces £1,000.

The difference between the general standard of expenditure as applied to the population and the general standard of assessable value as applied to the assessable value of the particular area is the sum payable as a *primary grant* from the Exchequer to the area: £1,750 − £1,000 = £750. In this grant, we equalise rich and poor districts from the point of view of their assessable value in its relation to their standard expenditure.

The next process is to regulate the grant that may be made to the area in relation to any excess of expenditure on its part over and above the standard expenditure. The *actual* expenditure of the area is taken to be, say, £2,500. The *standard* expenditure we have seen is £1,750. If this be deducted from the other, £2,500 − £1,750 = £750, we have the *excess of expenditure.* And of this, some definite part, it is suggested, should be payable as a *secondary* grant. Lord Balfour of Burleigh proposes one-third. Accordingly the area would receive £250—one-third of the £750, its excess of expenditure.

The total grant would then be: as primary grant, £750; as secondary grant, £250. As the actual expenditure of the area is £2,500, it would have to raise the difference, £2,500—£1,000 (*i.e.*, £750 + £250) = £1,500 from the local rates.

The primary and secondary grants taken together would make what Lord Balfour calls the block grant. In this way, when account has been taken of expenditure, the larger the assessable value the less the grant, and vice versa.

Adoption of "Block" grant suggested.

We have endeavoured to explain the principle of this scheme, as we believe that, if it were generally understood, it would, on the financial side of our problem, lead to the application of conditions which would tend both to local economy and to fair and legitimate central control. The relative amount of the grant would be settled, according to the standard of expenditure per head of the population and the standard of assessable value agreed upon for a definite period, such as ten years. It would not vary according

Recommendation XLI.

to population merely, nor according to the number of certified patients, as in the case of the 4s. grant. It would be an equalising grant and it would be sufficient, being reckoned, it is suggested, as amounting in all to a half of the expenditure. Nor do we apprehend any difficulty as to defining the classes of mentally defective persons—a point raised by Lord Balfour of Burleigh—for, though in every series of recognised variations there must be borderland instances, the typical variations of mental defect are now generally recognised by members of the medical profession, and by others who are conversant with the subject; and, subject to the many safeguards contained in our recommendations, this would, we believe, suffice to prevent abuse and unwise expenditure. The scheme, too, is applicable to particular branches of administration as well as to a general subsidy payable towards the cost of local administration as a whole; and we would have submitted some examples of its application to administration connected with the care and control of the mentally defective had the preliminary data been forthcoming. But, in order to ascertain what in that regard would be suitable standards of expenditure and assessment, local inquiries would have to be made in a certain number of representative districts as to the extent to which different methods would have to be adopted in dealing with individual cases, for much would turn upon the answers obtained to such questions as these: How many of the mentally defective children will receive no benefit from "special" education, and should therefore be provided for in some more appropriate, but for them equally effective, manner; how many should remain with their parents, requiring no institutional maintenance; how many should be placed in "colonies." And equally in regard to the unsound in mind, much would turn on the extent to which persons in the asylums could be provided for as effectively and more economically in other and cheaper buildings, either near the existing asylums, or as part of some "colony." Further the cases of persons suffering from mental defect would have to be considered which are related at present to no department of administration, but are found in the general population; and for many of whom provision of some kind may be necessary. And so in the case of other classes.

Adoption of "Block" grant suggested—*contd.* Recommendation XLI.

See Lord Balfour of Burleigh's separate recommendations, Report of Royal Commission on Local Taxation, 1901. Cd. 638, p. 83.

835. The second scheme that we submit contemplates the division of the whole local expenditure on the mentally defective, excepting expenditure incurred in capital expenditure such as the building of institutions, the purchase of sites, etc., into two equal parts, of which one would be paid by the local authorities, and one by the Exchequer. The grants made by the Exchequer would be safeguarded. In order to protect the State against undue demands being made upon it, the Board of Control would be charged with the duty of certifying that the expenditure of the local authority had been proper and reasonable before the Exchequer issued its contribution. The advantage of this scheme is that the expenditure, towards which each grant from the Exchequer will be payable, will be subject to the official and independent scrutiny of the Central Board, and if the Board is supported in the event of its objecting to expenditure incurred by municipal and other bodies, it will be able to check undue expenditure very effectively. We think it right to mention this point, for the evidence shows how easy it is for an administration to slip into expensive methods of providing accommodation, and in such circumstances as those, for instance, which have prevailed in recent years, how difficult it is to check the decline. In view of these considerations, we recommend this as an alternative scheme of providing assistance to the local authorities from the Exchequer under conditions which should "secure economy."

Alternative scheme suggested. Recommendation XLI.

Cf. paragraphs 667–672. Spence, Vol. III., 21081–21084, 21073. John Macpherson, Vol. III., 21258–21263.

836. We have, also, recommended that, in addition to the grant made under one or other scheme referred to above, there be provided from the Exchequer annually for a term of years a grant-in-aid for the provision of necessary accommodation in the manner, and in the locality advised by the Board of Control.

Grant-in-aid for term of years for provision of accommodation. Recommendation XLI.

FINANCIAL CHARGES AND ESTIMATES FOR DIFFERENT CLASSES OF MENTALLY DEFECTIVE PERSONS IN THE AREAS INVESTIGATED BY THE MEDICAL INVESTIGATORS.

837. In regard to an estimation of financial charges all that it seems possible for us to do with any accuracy is to take as typical the areas in England and Wales in which the medical investigators have made their inquiries, and to treat these areas as a whole, and, in regard to each item, to set down how far the

Number of mentally defective in a conjoint investigated area.

Number of mentally defective in a conjoint investigated area—*contd.*

mentally defective are already supported from rates and taxes, and to submit some data that might be considered as preliminary to an estimate. Though we have later on ventured to make a general estimate of mentally defective persons "needing provision," as some such statement is likely to be desired, the course we here adopt is better, we think, than to apply proportionately to the whole of England and Wales the rough and uncertain estimate, which is all we can devise, of expenditure based on the data collected in the investigated areas taken together. Further inquiry alone could show what the value of any such estimate could be. Accordingly, here we only reprint the table in Paragraph 568 above and deal with the items in it point by point on the financial side, and in the table, it will be understood, none of the figures (cols. 2, 3 and 5) are mere estimates. They are figures which represent the actual facts as reported to us. Thus, for instance, we have entered no estimate of the number of certified lunatics that there may be proportionately in the investigated areas, nor of the number of mentally defective inebriates. The figures represent actual counts only.

See Vol. VI., Table III., IV., V., pp. 58–62, Part III. of Memorandum, and Forms Part I., pp. 7, 8 and 9.

TOTALS, less certified lunatics, of Mentally Defective Persons in the selected areas, England and Wales, in relation to local and other authorities and institutions for Education, Poor Relief, Crime and Lunacy, etc. Population, 2,362,222.

Authorities.	Total population, dealt with by the several authorities.	Total number of persons other than certified lunatics reported as mentally defective.	Percentage of Col. 3 on Col. 2.	Total number of mentally defective persons reported as "needing provision."[1]	Percentage of Col. 5 on Col. 3.
1.	2.	3.	4.	5.	6.
I. Education—					
Scholars on the Registers	436,833	3,437	·79	2,590	75·36
II. Poor Law—					
(1) Indoor paupers -	15,748[2]	2,864[3]	18·19	481	16·79
(2) Outdoor paupers -	43,155[2]	997[3]	2·31	388	38·92
III. Prison Authorities—					
Local Prisoners - -	2,448[4]	246	10·05	216	87·81
IV. Persons mostly under no public authority - -	1,864,038[5]	3,381[3]	·18	1,181	34·93
Population of total areas -	2,362,222	10,925[3]	·46	4,856	44·45

[1] The object of this column is to supply an estimate of the number of persons at the present time urgently in need of provision, either: (1) in their own interest; (2) for the public safety. It is recognised that there may be many others for whom the present accommodation is not ideal; these are not here included, but only such cases as are, in the opinion of the investigator, improperly, unsuitably, or unkindly cared for; or who, by reason of particular habits and characteristics, are a source of danger to the community in which they live.

[2] Less Insane (excluding lunatics in county and borough asylums, registered hospitals and licensed houses). *See* Pauperism (England and Wales) Half-yearly Statements, July 1st, 1905, pp. 17, 21, 23, 25, 27, 33, 35, 37, and 39.

[3] There were 1,414 persons found to be lunatic or insane and *not* certified. They are included chiefly in groups II. and IV. The number of these "needing provision" was returned as 141, or 9·97 per cent. of the total.

[4] This figure represents the number of prisoners seen in the local prisons. No mentally defective persons in convict prisons are included.

[5] This is the general population other than that included in institutions, etc., as above.

Education. Pooley, Vol. I., 242 and p. 96 *ante*.

838. I. Education.—Under column 3, there are 3,437 mentally defective children, and of these, as defined in the note, 2,590 "need provision." For these, in so far as they are "defective," and come under the Elementary Education (Defective and Epileptic Children) Act, 1899, if it be adopted, provision is already made in special schools or classes, and in these circumstances further payment is already made at the average of £10 a head—£4 from the Government, and £6 from the rates—a minimum average expenditure probably. Of the total 3,437, 2,963 were returned to us as "defective" by the medical investigators, and the remainder are almost all idiot, imbecile, feeble-minded, or sane epileptics.

Memorandum, Vol. VI., p. 59.

Recommendation I., XXVII. and LXXIV.

Thus for the bulk of this class, school provision and, if it is required (*see* p. 95), boarding in houses or special schools may be provided under the Act; and, if the Act were made compulsory, as many witnesses have desired,

a great part of the expenditure under this head would have to be met under existing statutes. Our recommendations would impose on the local authority and the Board of Control the obligation of dealing with all these children under the general Act for the Care and Control of Mentally Defective Persons. Education—*contd.*

The net expenditure from grants and rates on maintenance "in the certified day schools, conducted by school authorities for defective children," in 1902–3 was £35,633, with an average attendance of 3,474 children.

If the Act of 1899 were made compulsory, the expenditure that could be claimed on these terms for the mentally defective children in the conjoint area would be (3437 × 10) = £34,370, and for those "needing provision" £25,900.* To this figure some addition probably would have to be made to represent the cost over and above £10 per annum payable for cases which require treatment in residential institutions. On the other hand a deduction would have to be allowed for the annual cost of children in special day schools, which may be reduced below £10 by the adoption of other methods of care and treatment. The difficulty of making any certain estimate is obvious.

839. II. Poor Law.—Under this head come 2,864 indoor paupers—being mentally defective, of whom 481 "need provision." "The expenditure of Poor Law authorities exclusively relating to indoor relief," £7,251,874, includes "in-maintenance"† "salaries and other remunerations, rations and superannuation allowances of officers and servants; buildings, furniture, rent, rates and taxes; loan charges; principal repaid and interest; and other expenses. This total expenditure represents "an average cost per head of the mean number of indoor paupers‡ relieved of £37 16s.3d. in London, of £24 14s. 8¼d. outside London, and of £28 10s. 11¾d. for the whole of England and Wales." Poor Law. Annual Report of Local Government Board, 1905–1906, clvi.–clvii.

840. It is likely that many pauper lunatics in workhouses cost less than £28 10s. 11¾d. a head, though in particular institutions which are technically "workhouses," such as at Tooting Bec and the Darenth Imbecile Institutions, etc., they cost more. There are, however, no data for a more exact computation. The mentally defective in receipt of indoor relief who are already being maintained, becoming chargeable to committees for the care of the mentally defective instead of to boards of guardians, would represent not a new charge but only a transferred charge on public funds. Possibly under the suggested new conditions, the charge in many instances might be less than that which is now entailed by their maintenance. As a mere estimate the cost of "in-maintenance" might be taken at £28 11s. This would produce £81,767 as the cost of the total number of mentally defective persons in receipt of indoor relief, namely 2,864 persons, and for the cases needing provision (481) it would produce £13,732. See Mann, Vol. I., p. 284, 2.

* The estimate may be made in another way—that adopted in the case of Ireland (*see* Paragraph 1100 (c.), p. 437). It may be estimated (Kerr, Vol. I., p. 435, col. 1) that 25 per cent. of the mentally defective children will require maintenance in some kind of home or colony, and at present charges the cost per child so dealt with may be entered at £29 (Vol. III., p. 335). Both these factors—the number of the children to be so dealt with and the cost per child—are open to revision on further experience, and the cost especially may be considered high. But, subject to these qualifications, the estimate would, on these terms, be £38,193 for children "needing provision" as against £25,900, the figure in the text.

† "'In maintenance' comprises all the expenses incurred by boards of guardians, by the managers of the Metropolitan Asylum District (excepting patients treated in the small pox, fever, etc., hospitals, who, not being 'paupers,' are excluded from the term 'Poor Law institutions'), and of the asylum and school districts, and by Poor Law joint committees, in and about the maintenance, treatment, and relief of paupers in workhouses and other Poor Law institutions, *exclusive* of the cost of buildings and repairs thereto and furniture, and the salaries or other remuneration, rations, and superannuation allowances of the officers and servants, but *inclusive* of charges for apprentice fees, outfits, burials, and the necessary expenses incurred in warming, cleansing, and lighting the institutions, and otherwise keeping them fit for daily use. The cost of maintenance of vagrants in the vagrant wards is also included under this head." Annual Report of Local Government Board, 1905-6, p. cxlviii.

‡ "For the purposes of this calculation 'indoor paupers' is taken to include (*a*) those maintained in workhouses and in other Poor Law establishments under the direct control of guardians, including separate homes and schools, and schools under the direction of the managers of school districts, in sick asylums in London belonging to the managers of the sick asylum districts, and also in the institutions other than fever and smallpox hospitals belonging to the Managers of the Metropolitan Asylum District; and (*b*) the paupers who were maintained in hospitals and in other institutions, not under the direct control of guardians, which are designed for the education and training of children or to meet cases of particular infirmity for which the organisation of the workhouse may not be adequate, *e.g.*, institutions for the blind, deaf and dumb." Annual Report of Local Government Board, p. clvii. footnote.

Poor Law—*contd.*

841. Under Outdoor relief, 997 persons are entered, and 388 "need provision." "Out-relief represents the charges for relief, whether given in money or in kind to paupers—not being lunatics in asylums, registered hospitals and licensed houses—relieved otherwise than in workhouses and other institutions as are mentioned above, or in hospitals, institutions for the deaf and dumb or blind, or certified schools, together with school fees, schooling, and other expenses incurred with respect to such paupers, but exclusive of the salaries, &c., of officers and the charges for relief stations."

Annual Report of Local Government Board, 1905–6, p. cxlviii.

p. clvii.

The cost of outdoor relief per head thus defined is £6 18s. 10¼d. Taken at £6 19s. this would amount to almost £6,929 for the total number of mental defectives in receipt of outdoor relief in the conjoint area, and for those "needing provision" about £2,696—if they were kept as they are now kept. There is thus on their account a public charge of nearly £7,000 a year on the whole number, which may be considered as a transferred and not a new expenditure, if they were placed under other conditions in the charge of the proposed Committees.

Lunacy.

842. Lunacy. The number 1,414 referred to in note 3 of the table on p. 276 represents lunatics who are not certified, but in the opinion of the Medical Investigators should be. The pauper lunatics in England and Wales were returned by the Commissioners in Lunacy as 111,079 on the 1st January, 1906; but, by that return (Cols. 2 and 3), only 85,990 of these were "maintained in county and borough asylums, registered hospitals and licensed houses." The total expenditure (other than that out of loans) incurred for the maintenance of lunatics in county and borough asylums, registered hospitals, and licensed houses during the year ended Lady Day, 1905, was £2,339,963. "In this item the full sum charged by the asylum and other authorities for the support of insane paupers chargeable to the poor (or in London the general) rates is shown, without any deductions on account of grants charged on the Exchequer Contribution Accounts of County and County Borough Councils." Thus the cost, per lunatic chargeable, as above, would be, approximately, £27·21.

Annual Report of Local Government Board, 1905–6, p. 561.

p. cxliv.

p. cxlix.

We may say, however, that in this case, too, the expenditure on the mentally defective persons is already a recognised public charge, so that the 1,414 persons entered in our table do not represent a new demand on public funds. About a thousand of these are already in receipt of "in-door" or "out-door" relief and come under those headings. At the above rate, if they had to be provided for as lunatics, they would cost £38,475 a year. Proportionately, the number of "certified" pauper lunatics in the conjoint area would be about 8,067, and would cost about £219,503.

Prison authorities.

843. III. Prison Authorities. The local prisoners in the conjoint area who are mentally defective numbered 246 (col. 3), or as "needing provision" 216. From the Report of the Prisons Commission, 1905, pp. 106, 108, the expenditure on prisoners, exclusive of new buildings and alterations, was £27 a head; but this is on the basis of a year's maintenance. Many of these prisoners would only be in prison for a few weeks, and much more economical provision could probably in this instance, as in others, be made for them. But if the State accepted its responsibility of ameliorating their condition through detention in prison, it might be considered that already the £27 might legitimately be spent on them, as in the case of the convict prison at Parkhurst, out of which a kind of "colony" has been developed. On this understanding, the cost of the prisoners in the local prisons would be £6,642 in the case of the whole number of mental defectives, and £5,832 for those "needing provision."

Annual Report of the Prisons Commission, 1905. pp. 107.

Persons mostly under no public authority.

844. IV. "Persons mostly under no public authority." Of these, 3,381 is the total number, and 1,181 "need provision." In regard to these, it is not possible to make an estimate. But if all who need provision had to be maintained at 10s. a week, the cost would be £30,706; if the total number found were so maintained, it would be about £87,906.

845. On this basis we might set out the estimate of expenditure in the conjoint area; the figures are estimated on present basis of expenditure, *see* paragraphs 837–844, and we may supplement them by adding estimates of the number of certified pauper lunatics and mentally defective inebriates :— Statistics of numbers and expenditure in a conjoint investigated area, according to classes.

ROUGH ESTIMATES: CONJOINT AREA.

Population 2,362,222.

Class.	Total reported as Mentally Defective.	Estimated Annual Cost of Col. 2.	Total reported as "needing provision."	Estimated Annual Cost of Col. 4.	Whether already and to what extent chargeable to State or Local Funds.
1	2	3	4	5	6
		£		£	
I. Education: Scholars on the Registers.	3,437	34,370	2,590	25,900	These would be already chargeable to the extent of about £10 each, if the Elementary Education (Defective and Epileptic Children) Act of 1899 were made compulsory.†
II. Poor Law:					
(1) In-door Paupers	2,864	81,767	481	13,732	Already chargeable. Yearly charge taken at £28 11s. subject to considerations mentioned in the text.
(2) Out door Paupers	997	6,929	388	2,696	Already chargeable at £6 19s.
III. Lunacy:					
(1) Uncertified Lunatics	[1,414]	—	[1,414]	—	Reported by Medical Investigators as certifiable, and if certified would be chargeable at the cost of £27·21 for maintenance. Practically 1,000 of these are already chargeable under the Poor Law—II. above, as indoor or outdoor paupers. *See* Statistics, pp. 56, 58, 60, Part III., Reports of the Medical Investigators, Vol. VI. Others are to be found in the other classes, especially in Class VI.
(2) Certified Pauper Lunatics.	*8,067	219,503	—	—	This is a proportional number for the Conjoint Area. The cost is taken at £27·21 for maintenance. These are already maintained.
IV. Local Prisoners	246	6,642	216	5,832	Already *quâ* prisoners chargeable to the State while in prison. Annual cost of prisoner £27a head.
V. Mentally defective Inebriates.	*27	1,080	—	—	Already chargeable. The number (col. 2) estimated. *See* Report of Inspector for the year 1905 [Cd. 3246] p. 5. "Under detention at end of year" in Certified Inebriate Reformatories, 970. Of these 45 per cent. estimated as mentally defective (*see* paragraph 413 above): 436 therefore taken to be mentally defective: or in "conjoint area" only, 27. The maintenance expenditure, less cost of farm, garden, and industrial occupation, averages £40. —Report of the Inspector under the Inebriates Acts for year 1905 (Cd. 3246), pp. 70 and 71.
VI. Persons outside any of the above classes.	3,381	87,906	1,181	30,706	Not already chargeable. Estimated charge 10s. a week

* These are Estimates.

† The estimate may be made in another way—that adopted in the case of Ireland (*see* Paragraph 1100 (c) p. 437). It may be estimated (Kerr, Vol. I., p. 435, col. 1) that 25 per cent. of the mentally defective children will require maintenance in some kind of home or colony, and at present charges the cost per child so dealt with may be entered at £29 (Vol. III., p. 335). Both these factors—the number of the children to be so dealt with and the cost per child—are open to revision on further experience, and the cost especially may be considered high. But, subject to these qualifications, the estimate would, on these terms, be £38,193 for children "needing provision" as against £25,900, the figure in the text.

Conclusions and reservations as to statistics of numbers and expenditure in the conjoint investigated area.

846. This table shows that in an investigated area of 2,362,222 persons the budget of a local authority for the care of mentally defective persons may be expected to amount to about £438,197, in connection with 19,019 of such persons. Or if those who " need provision," the urgent cases, only are considered, the charge at the same rates may be estimated at £78,866—for 4,856 persons. But this statement taken by itself would be misleading. Those who " need provision " do not " need provision " of the same kind or at the same cost as that which they are now receiving. Nor, necessarily, do those whose cases have not been marked down as urgent, as "needing provision," require the provision which is now made for them and no other. Many of them may require a larger financial expenditure, as, for instance, removal from a special school or a workhouse, more constant attention and care. Some, on the other hand, may do better at a lesser charge, as, for instance, where a simple farm colony would take the place of a highly specialised asylum or training home.

So far as the items in the above table are concerned, the only charges which are almost entirely new are (Col. 3) for cases " outside any of the above classes." £87,906, or, if urgent cases, those " needing provision " only, are dealt with ; £30,706, affecting in the one instance 3,381, in the other 1,181, persons. The expenditure here is calculated at the rate of 10s. a week per case ; but obviously the rates of expenditure must vary greatly according to the case. Further, it will be understood (Col. 5) that in Class I. Education, the £25,900 entered against the 2,590 children who are in urgent need of new arrangements, is not now being spent. It is, practically, a new charge ; for, now, it is optional under the Elementary Education (Defective and Epileptic Children) Act, 1899, to incur this charge, and it is not incurred. This £25,900 should, also, therefore be treated as added to the charges of the future. Again in the case of children of school age, if they are properly cared for, the charges on their account are likely to continue after school age to a greater extent than heretofore ; and the after-charges must often exceed £10 a year ; the sum estimated as payable for them at the special schools. On the other hand (*see* IV. Local Prisoners : Estimated Annual Cost (Col. 5)), local prisoners are not in many cases kept in prison for nearly a year ; but for want of a better basis of calculation, the estimated annual cost of their maintenance has been taken for that period. This would be more consistent with the probable requirements of mentally defective prisoners in the future, but it represents a sum in excess of present expenditure. No entry is here made in regard to convict prisoners ; a small number are mentally defective and are supported by the State (*see* p. 188 *ante*).

In general, it will be observed, to how very large an extent the changes, which we propose, are changes of reorganisation, and to how comparatively small an extent, do they involve new or very large charges.

England and Wales. Number of the Mentally Defective, " needing provision."

847. For practical purposes an estimate of the cost of dealing with the cases of persons " needing provision," the urgent cases, in England and Wales, will be more useful than a general estimate, and accordingly we limit ourselves to it. The Table below refers to these cases only. In column 5 final estimates of their cost are given :—

(1) Class I., col. 5, mentally defective scholars are taken at the present charges per head ; but, as has been explained, those charges have yet to be incurred in regard to the 35,804 children in the estimate (col. 3).

(2) Class II., col. 5. The cost of indoor paupers, who " need provision " is entered in both the cols. 4 and 5 ; in col. 4 as representing expenditure already incurred, in 5 as representing part of the expenditure which would fall within the province of the Board of Control in future years. No additional expense probably will have to be incurred in regard to them. The present cost of outdoor paupers who are mentally defective may be taken at £33,290, but a considerably larger expenditure must be anticipated. This expenditure has been calculated at 10s. a week, and the estimate of the future annual cost under this head will thus become £124,540.

(3) Class IV., col. 5. The estimate for the cases of prisoners is ample.

(4) Class VI., col. 5. The estimate for these persons who are outside the other classes, viz., 17,317, is at 10s. per week per annum, and amounts to £450,242.

The total required is thus estimated approximately at £866,000.

ROUGH ESTIMATES: ENGLAND AND WALES.

TOTAL NUMBER OF MENTALLY DEFECTIVE PERSONS "NEEDING PROVISION" and their annual cost of maintenance as estimated, but subject to various qualifications mentioned in the text, and already in great part chargeable to rates and taxes.

England and Wales. Number of Mentally Defective "needing provision"—*contd.*

Class.	Population.	Estimated Number of Mentally Defective "Needing Provision."	Annual Cost, Estimated on the present basis subject to such qualifications as are above mentioned.	Annual Cost estimated for the future, subject to such qualifications as are above mentioned.
1.	2.	3.	4.	5.
			£	£.
I.—Education.				
Scholars on the Registers	6,044,394	35,804	358,040	358,040
II.—Poor Law.				
(1) Indoor Paupers	229,804	6,990	199,564	199,564
(2) Outdoor Paupers	532,778	4,790	33,290	124,540
III.—Lunacy.				
Certified Lunatics	121,979*	—	—	—
IV.—Local Prisons.				
Prisoners	18,217	1,608	43,416	43,416
V.—Inebriates in Certified Inebriate Reformatories	970*	—	—	—
VI.—Persons outside any of the above Classes	25,579,701	17,317	—	450,242
TOTAL	32,527,843	66,509	634,310	1,175,802

* For these provision is already made.

848. Reducing the question, therefore, to the estimated charges for person "needing provision"—the urgent cases—in England and Wales, we may estimate the annual cost at £1,175,802, an increase over the present annual cost of £541,492. It does not follow that the whole of this amount will have to be borne by the public. Some part will doubtless be furnished by relatives of the persons provided for, as is the case at present with lunatics and inmates of reformatories and industrial schools; and, further, we anticipate that the establishment of a new class of institution on simpler and more economic lines and the adoption of new methods of care and maintenance, especially family care or guardianship on the plans that we have described in France and Belgium, or boarding out, as applied to the case of the mentally defective in Scotland, will result in a considerable diminution of the expenses now incurred in respect of the treatment of persons of unsound mind.

849. Lastly, we come to the charges for the Board of Control. The yearly charges are:— Cost of the proposed Board of Control.

	£
Lunacy Commissioners (for year ended 31st March, 1905)*	14,752
Masters in Lunacy and Visitors in Lunacy (for year ending 31st March, 1906)	19,805
	34,557

Trevor, Vol. IV., 25382. Ambrose, Vol. IV., p. 154, c. 2.

In view of the various proposals that we have made for the reorganisation and concentration of the judicial and administrative work now being done for the mentally defective, we do not think that this sum need be exceeded in spite of the appointment of the additional officers which we have recommended, though with a reduction of the percentage charged for administration which we have suggested, some additional cost may fall upon the Exchequer.

ACCOUNTS OF ASYLUMS AND AUDIT.

850. We would conclude with a reference to suggestions made to us in regard to the accounts of asylums. It is urged that in connection with the Lunacy Commission there should be an accounts department. There is, it is stated, no uniformity in the preparation of asylum accounts; and owing to a certain rivalry among asylums to show a low rate of maintenance, some asylums, for instance, are led to charge to the repairs

Pasmore Vol. IV., p. 281, c. 1, 32493. Cunynghame, Vol. IV., 33519.

* The cost of the Commission 1906–1907 was (net) £15,618 8s. 11d. (Appropriation Accounts).

Accounts of asylums and audit.

Clare, Vol. IV., 33697.

Clare, Vol. IV., 33698.

Clare, Vol. IV., 33699.

account items which other asylums charge to their maintenance account. Another witness points out that "asylums in which the conditions cannot be very substantially different, spend on maintenance a difference probably between 9s. and 12s. or 13s. a week." This should be explained, he urges. The visiting committee should also be asked to show their specifications for tenders and other contract prices. The Commissioners, "if they found that in one asylum they were spending 4d. a pound for meat on an average, and in another 3d.," should investigate the matter. "Even in Lancashire, where the asylums are all under one board, owing to the fact that each visiting committee have their own contracts, the variation in the price, although not very great, represents on the whole several thousands a year." The Lancashire Board was now considering "whether it would not be in the interest of the ratepayers as a whole that they should have a central committee to invite tenders and accept contracts."

Davy, Vol. IV., p. 350, col. 1, 34222.

Kershaw, Vol. IV., 32135.

851. The accounts of the visiting committees are subject to audit by the district auditors of the Local Government Board (Lunacy Act, 1891, Sec. 18), which we think should be as full and complete as possible; and the accounts of each asylum are included in the Local Taxation Returns, but there is no audit of borough accounts and stores. "So far as the boroughs are concerned, the greater part of the control and maintenance of lunacy in those places is beyond any sort of independent control," unless a special clause has been inserted in a local Act by which the audit is thrown on the auditors of the Local Government Board.

Kershaw, Vol. IV., 32126–32135, 32129.
Tunbridge Wells Improvement Act 1890, Sec. 272.
Plymouth Corporation Act, 1904, Sec. 6.
Poole Extension Order, 1905.
Article XI.
Recommendation XCIV.

Recommendation XXIII.

We are of opinion that, in the interests of economical and satisfactory management, the accounts of boroughs relating to the care and control of the mentally defective, including the accounts of asylums, should be audited by the Local Government Board Auditor, and that the specification for tenders and the contract prices should be examined by the members of the Board of Control or be investigated by the Auditor of the Local Government Board on their behalf and form part of his report to the Board. The reports of auditors should also, in our opinion, be communicated to the Board of Control and the Home Office. In any circumstances, we think that economy of management in asylums should be a question considered and reported upon by the Board from year to year in their annual report.

Payments by Relatives.

Recommendation XCIII.
Davy, Vol. I 34222.

852. We have dwelt on the necessity of enforcing from relatives contributions for the maintenance of mentally defective persons in public asylums or elsewhere under public care and control. We are of opinion that continuous attention should be paid to this subject and very careful inquiry made, so as to prevent those who could afford to support their relatives wholly or in part leaving them to be maintained at the public charge. The principles on which these contributions should be enforced, remitted, or suspended ought, we think, to be laid down and enforced by the regulations of the Board of Control. The amount raised in this way from year to year should be definitely and sufficiently stated in the accounts of the asylums, so that the public may be able to judge whether adequate attention is paid to the subject, and the question should be equally considered by the proposed committees in the case of mentally defective persons who are dealt with otherwise than in asylums and hospitals.

Grants Subject to Certificate of the Board of Control Recommendation XLI.

853. In these and in other matters, to strengthen the hands of the Board of Control we suggest, in Recommendation XLI., that the grant paid from the Exchequer to the local authorities should be payable "subject to the certificate of the Board of Control."

PART IX.

AMERICAN INSTITUTIONS FOR THE FEEBLE-MINDED.

CHAPTER XLI.

Institutions for the Feeble-minded in America.

854. We publish in a separate volume (Vol. VII.) simultaneously with this Report an account of a visit paid by some of our members to the United States of America in order to see the more remarkable American institutions for the care of the feeble-minded and epileptics. Our members were struck by the originality and directness of the methods adopted in several of these institutions with a view to stimulating the activity of the perceptive powers of the inmates, and, also, by the freedom from cramping and unnecessary regulations which enabled the managers to apply their minds to new experiments in education and organisation. They were also impressed with the large size of American institutions, some of which contained from 500 to 2,000 inmates. This seems to them to secure proper classification, the general plan being that each institution contains three departments, and it is perfectly easy to transfer an inmate from one to the other. These departments are, the Custodial for the lowest grade (*i.e.*, idiots), the school for the higher grade children, and the Industrial for the higher grade adults. These departments are entirely separate, and, often, at some little distance from one another, though under the same central management. Our members are of opinion that the large size of the institution tends not only to better classification but to greater economy. They also point out that the provision for the feeble-minded in America is on very economical lines. The capital outlay varies in the institutions they visited from £90 to £160 per head. We deal here, however, with only a few points which bear upon questions which we have discussed in this Report. Many details of interest will be found in the account of their visit which our members have drawn up.

Report of the Members of the Royal Commission on the Care and Control of the Feeble-minded upon their visit to American Institutions. Vol. VII.

855. As in England, so in America, the founders of the earlier institutions believed that by education, as ordinarily understood, they could bring the feeble-minded to such a level of intelligence as would enable them to earn their living. Experience showed by degrees that this aim, except in the higher grade cases, could not be accomplished; and later, in America, as in England, grave apprehension has been felt whether it was right to allow feeble-minded persons, more especially feeble-minded women of child-bearing age, to leave the shelter of institutional life. These two changes of opinion imply in effect a great modification of methods and of organisation. To give effect to them, little short of a remodelling of the whole institutional system is necessary. Space and opportunity have to be provided for manual labour of all kinds. The institution develops into the "colony," whatever be the name by which it is called, and this becomes the centre of a large estate, with the object both of employing the patients and of furnishing as large a part as possible of the necessaries of the establishment by their labour. And in the process of change, which is yet very far from complete, institutions for the feeble-minded stand at many different points of development, and endeavour to utilise the resources which they have inherited in many ways in order to meet the requirements which the change of opinion is now demanding.

The system of education or training.

856. The main issue is the method of education or training to be adopted with a view to a useful and contented life afterwards.

The Elwyn School in Pennsylvania. Vol. VII., p. 83.

The Elwyn School for Feeble-minded Children in Pennsylvania is "primarily a training school" under the management of Dr. Barr. He has compiled a careful scientific classification of the feeble-minded, which in the American use of the word includes all forms of congenital defect or retardation

The system of education and training—*contd.*

of the brain such as those we have included in the definitions (3) to (9) in Recommendation IV. Consistently with this he has framed a system of education, subject to the drawback, however, of the necessity of doing as much as he can for the children, while they are yet children and can remain in the School. "Owing to there being no power of detention and to the children being constantly taken away by their relatives, every effort is made by intensive education to fit them as rapidly as possible for a life of freedom, efforts doomed, in the opinion of Dr. Barr, to failure in the vast majority of cases." Vol. VII. p. 82.

Vol. VII., p. 83.

The actual classification of the School is shown as follows: There are 1,000 children: 303 are in the School Department, including 74 in "Improvement Classes," 277 are in the Custodial Department, including 79 in the Nursery. "When the limit of educability is reached we send them to the Custodial Home," Dr. Barr said. "There is very little to be done after the fifteenth year." The rest—rather less than half, 428, are in the Manual and Industrial Departments, 215 being "in household service." This shows how, even here, education, in the sense of reading and writing, occupies the time of but a small part of the children; and on the other hand music—a band and a large singing class, military training, and football and baseball teams, in which all who are capable of receiving any training take part, become important educational means. Yet the limitation of the whole method, however revised and improved, seems to no one, it would appear, more unsatisfactory than to Dr. Barr himself. A change of law in regard to detention might, however, alter the whole condition of the School. It would then become part of a larger organisation for the care of the feeble-minded—at least Dr. Barr's statements suggest such a development. He said: "No really feeble-minded child ought ever to be released from an institution. . . The high grade cases are very troublesome; the nearer they approach the normal, the worse they are. . . Most of the parents of these children are feeble-minded. . . We have quite a few cases of a third generation of defectives, nearly 100. . . Many of the children are absolute criminals. . . The absolutely bad children we cannot do anything with. We have fifty to seventy-five of them. I think the Government should take up the question of these children. I should have these form a national colony on the bad lands of the West, to be taken care of under military discipline. . . Of the 270 custodial cases about 100 are of the lowest grade who are unable to feed themselves." "There is a large waiting list seeking admission," the Commissioners point out; and "there is no systematic drafting of the uneducable cases to a colony or other custodial institution." In fact, there are the same conditions of isolation and block which affect our institutions for the care of the mentally defective in England.

Vol. VII., p. 84.

Vol. VII., p. 84.

Vol. VII., p. 85.

Vol. VII., p. 86.

The Custodial Asylum, Rome, New York State. Vol. VII., p. 21

857. But the more recently established institutions, or those practically remodelled under the influence of new ideas, adopt almost wholly the manual and industrial method of education.

The State Custodial Asylum at Rome, New York State, was established in 1893 originally as an institution for "untrainable idiots." It has a farm of 400 acres, which it is prepared to extend by the purchase of 1,000 acres more. The inmates consisted of men, women and children who required to be kept under control. "There was only one trained and certificated teacher. Dr. Bernstein discouraged any education in the ordinary sense of the word. He stated it was useless in most cases, and, where it succeeded, did not make for happiness, but increased restlessness, and a desire to leave the institution. He would like the whole of the time devoted to manual work, and this had been the case until lately. . . . . More than 50 per cent. of the inmates were actually occupied in cleaning floors or in domestic work of some trifling description. . . . ." Only one third were capable of doing work which had an estimable money value. Apart from domestic work, painting, repairing, etc., the farm was the chief source of employment.

Vol. VII., p. 20.

Large estates attached to institutions for the feeble-minded.

858. And the farm is prominent in many of the accounts of the American institutions. The New Jersey Training School for feeble-minded boys and girls has a farm of 280 acres. "In the spring the greater number of the children in the industrial classes are put to work on the farm." Part of the

l. VII., . 99, 101. l. VII., . 32, 86. . 103, 113, 120, l.

land is used as an orchard, and the girls pick the fruit and assist in canning, and the garden beds are alloted to a child or a class of children for caretaking. "On the farm most of the work is done by the patients. There is only one paid farmer, one florist, and four paid assistants. Some of the boys are practically self-supporting. Five are capable of delivering coal from the railroad without supervision."

Large estates attached to institutions for the feeble-minded—*contd.*

The Craig Colony for Epileptics has the beautiful estate of Sonyea, consisting of over 1,900 acres. The State institution for the feeble-minded of Western Pennsylvania at Polk has an estate of over 800 acres. The New Jersey State village for epileptics at Skillman, New Jersey, has a farm of 890 acres. The institution for the feeble-minded at Columbia, Ohio, has a farm colony of 1,800 acres; and the Illinois asylum for feeble-minded children has a farm of 880 acres. At the Indiana school for feeble-minded youth, it is proposed to purchase 500 acres more farm land, on which none but workers will live. At the Illinois institution, the farm "contributed substantially to the economical maintenance of the inmates, and this was corroborated by the fact that the legislature had recently completed the leasing of another 480 acres of land to reduce still further the expenditure by supplying as much as possible for the institution. The probable reduction in the maintenance cost was estimated to be from 11s. to less than 8s. a week." Everywhere, it may be inferred, on the ground of training, employment, and economy, a considerable estate available as farm land appears to be thought desirable.

Vol. VII., p. 122.

Vol. VII., p. 135, par. 24.

859. But the utilisation of an estate for the training of the feeble-minded appeared to our members to be illustrated best by the two joint institutions of Waverley and Templeton, in Massachusetts.

860. The Waverley or Waltham School, established in 1851, has developed from the "School" into the Training Custodial Home, as opinion has changed on the question of training and control of the feeble-minded. The school has 180 acres of land. "To get the highest development of these people," Dr. Fernald says, "it is not well to specialise their work highly during the educational period. It is best to give them great variety. Reading and writing are only for a few of our patients. The character of the feeble-minded boy should be practical and should aim at fitting him for work." "In no case is the actual industrial work mixed with the experimental work. The girls go through a special educational school for cooking, laundry work, etc.; after going through these they are sent to do the actual work. The same applies to boys with regard to carpentry." Both are kept in school for some part of the day up to the age of eighteen. To do so longer "would ruin them for practical purposes." There are very few cases of the highest grade. As to the lower grade: Ninety per cent. of the idiots are expected to come out of their "school" or "cottage." "They mostly do physical work, but there is hardly a child who does not receive some instruction. Each attendant has a class in teaching children to wash their faces, to dress themselves, etc. . . . . A very large proportion can 'go up,' if the training is done in early childhood. If they are properly developed they are capable of doing physical manual work." So on this scheme of training, out of doors in a field, were young boys carrying stones, and older boys using pickaxes and breaking the earth, under one supervisor. "A party of girls, low grade cases, were carrying stones from one circular enclosure to another, for exercise and health and muscular instruction." "Many children were playing games and practising balance and exercises, under an expert teacher on the lawn"; and "about a dozen children were playing outside with a teacher, holding on to a rope. The teacher was beating a small drum. The children ran after balls, and the weak and paralytic were helped and encouraged to stand, and walk, and run."

The Waverley School, Massachusetts. Vol. VII., p. 51.

p. 56.

Vol. VII., p. 59.

p. 58.

p. 59.

861. Connected, administratively, with Waverley, is the Templeton Colony. It represents, to some extent, the results of the system in its application to life in a "colony" after the age of training. It consists of "four groups of well-designed but very economical wooden cottages, standing some distance apart, each group affording room for fifty workers and the attendants."

The Templeton Colony, Vol. VII., p. 60.

Chapter XLI.
Institutions for the Feeble-Minded in America.

Large estates attached to institutions for the feeble-minded —*contd.*
Vol. VII., p. 61.

The colonists, though all custodial cases, *i.e.*, idiots or marked imbeciles, are all required to do manual work, and many of them do nearly the full work of a free labourer. "We saw a group of four," the members of our Commission write, "with heavy sledges and hammers breaking rock, and drilling it for blasting with explosive; they were working steadily and without supervision. Further on was another group of five men working in a field. They were bringing in stooks of corn which they were loading upon a cart. Others in the shed were unloading and storing the corn. A further group was hauling brick in wheelbarrows. At a little distance, there was a row of about a dozen who under the supervision of one man only, were working a field with sharp pick-axes. An imbecile was ploughing with a pair of horses, his daily task. All of these men had come from Dr. Fernald's schools for the feeble-minded, and a large proportion of those who were busily and happily engaged in useful work could never be taught to read and write; some had not human speech. The previous training was of course essential: idiots and low grade imbeciles could not be employed in this way without preliminary training."

"All the cottages are built on essentially the same plan—solid brick foundations on cement with rough cast walls and slate roof. £20 was paid to the architect for the original design, after which all the buildings are modelled. The cost of building and furnishing a cottage is £2,000, although the cost of the group just erected, owing to rise in the material, was £2,400—£40 to £50 a head. The levelling, etc., is done by the inmates, as well as all carting, trenching, sewering, painting, and varnishing."

"In each of the cottages, there is a large sitting and dining room for the men. It is a pleasant apartment, with an immense open fireplace, and windows along three walls of the room. The impression given is that of a large, substantial farmhouse. . . . There are two dormitories in each group, holding twenty-five beds each. . . . The attendance in one cottage consists of a man and his wife, four women, and a laundress. In another group, it consists of a man and his wife, two male assistants, and three women. In each group there are rooms for the attendants. Belonging to each group is a barn, the care of which falls entirely to the inmates. An immense woodshed, where the entire supply
p. 62. for the colony is kept, furnishes employment for many of the men, especially in winter. There is no doctor in the colony, but the local physician looks after the care of the inmates. There is telephonic communication with Waverley. It is seldom that medical aid is required, as long a period as six months having passed without an illness or mishap occurring."

Vol. VII., p. 62.

"The training schools at Waverley and their adjunct, the Templeton Colony, appear to embody the ideals of Dr. Fernald and the State Commissions at Massachusetts as a permanent provision for the training and employment of custodial cases, whether feeble-minded, epileptic, or even of certain types of insanity. . . . . The ideal, and, of course, to a more limited extent, the practical realisation, made a most favourable impression on the Commissioners. It was a pleasure to see the happiness of the colonists, the humanity of their treatment, and the social utility of their employment in reproductive work, and with prospects of good economical results."

The Newark State Custodial Home for Feeble-minded Women.
Vol. VII., p. 28.

p. 26.

Vol. VII., p. 31.

Vol. VII., p. 28.

862. We desire to draw particular attention to the account given by our members of the Newark State Custodial Home for Feeble-minded Women, in some respects the most remarkable of the American institutions. The object of this institution is "to detain women of a child-bearing age, in order to prevent the propagation of persons of feeble mind with its attendant evils to the community." There are 600 inmates. "About half were decidedly imbecile or idiotic, the other half being high grade imbeciles, or young women whose defect was so slight that on casual observation it would not be evident." "Twenty-five per cent. were women who had been brought before a magistrate on some charge, and without being convicted by him had been sent to the asylum as a proper place for their detention." A small percentage had been transferred to Newark from prison and detained there after the expiration of their sentences. This institution is one of the brightest and most comfortable, and, also, one of

the most economical that our members visited. It is built on the detached cottage system, and the cost varied according to the different cottages, sinking as low as £50, and never rising much beyond £80 per bed. The weekly cost of maintenance per inmate was 9s. 6d. The Newark State Custodial Home for Feeble-minded Women. —*contd.*

863. To the Report of our members on their visit to America (Vol. VII.) we desire to draw special attention. We propose many changes which will, we hope, facilitate an education such as is here described, followed by employment and occupation of healthy and useful nature, which is now entirely beyond the reach of the mentally defective. For, neither does their education at present, however careful and costly it be, fit them for it, nor has the community heretofore recognised the necessity of making provision for them after childhood in any organised or systematic manner. Conclusions.

The members of our Commission who visited America have summarised in definite conclusions the experiences which they have drawn from their visit. These should be read in relation to our Report. To one or two of the points on which they touch, we have made reference elsewhere. Vol. VII., p. 132.

PART X.

CHAPTER XLII.

Epileptics.

864. By our reference, we have "to consider the existing methods of dealing with idiots and epileptics, and with imbecile feeble-minded or defective persons not certified under the Lunacy Laws." We have submitted evidence and recommendations in regard to all these classes except sane epileptics, for in regard to epileptics who are also mentally defective we have already reported, in part at least. In this chapter, therefore, we propose to submit some evidence respecting epileptics generally, but to allude chiefly to the position and requirements of sane epileptics.

Definition of Sane Epileptics.

The use of the words "Sane Epileptics."

865. Sane epileptics, according to the phraseology of the Poor Law, are epileptics who are not certified as lunatics under the Lunacy Act of 1890. But it does not follow that a sane epileptic is not, in some degree, mentally defective. Many of them are. Thus under the Elementary Education (Defective and Epileptic Children) Act, 1899, Sec. 1 (*b*), an epileptic child is a child who, not being an idiot or an imbecile, is unfit by reason of severe epilepsy to attend an ordinary public elementary school. But a considerable proportion of these children who are provided for by the Education Authority in special schools are mentally defective, and, if not imbecile, at least feeble-minded in the sense in which we have defined the word. Indeed, the relation between epilepsy and mental defect is very close, and to define those for whom provision should be made as sane epileptics we have in the first instance to consider this relation. In doing so we will endeavour to indicate the serious effects which epilepsy appears to produce in persons who suffer from it and in their offspring.

Vol. II., p. 218.

Miss Skinner gave the following particulars as to epileptics then in York Union Infirmary:—"We have nineteen epileptics. These are placed in wards with special beds. Eight of these cases are certified. Five of these epileptics are sensible; two are feeble-minded; four are epileptic imbeciles; and eight are mental. Two of the epileptics are sisters; of these two, one is mental and noisy, the other sensible and quiet."

Conditions associated with Epilepsy.

866. Dr. Bond, the Medical Superintendent of the County of London Colony for Insane Epileptics, described the conditions associated with epilepsy, as follows:—"A neuropathic or psychopathic family history is pre-eminently the most important factor in the production of epilepsy and weak-mindedness, in all its grades, from simple mental defect on to all the graver mental reductions included under the term insanity. . . . The epileptic family history is to be regarded as especially dangerous. In the case of a parent who is epileptic the disease may be regarded as practically always present, and moreover, in the vast majority of cases it will have developed either early in life or at least prior to the birth of the next generation; whereas an attack of insanity may be recovered from, and, furthermore, in an appreciable number of cases described as possessing a family history of insanity, the insanity will not have appeared in the parent until after the birth of the children." When investigating the personal and family histories of 300 epileptics certified as insane, Dr. Bond found an epileptic family history almost as frequently as an insane one. Yet "that marriage was thought likely to 'cure the fits' has been repeatedly stated to him as the explanation of marriages which he had no compunction in stigmatising as social crimes and sins against posterity." "The prevalence of marriage with epileptics, though difficult to accurately estimate, is certainly not exaggerated, when it is mentioned that, in a series of 300 epileptics certified as insane (excluding the congenital cases, only one of whom was married) of those in whom epilepsy developed before the age of fourteen, no less than 20 per cent. had become subsequently married." And Dr. Bond later in his memorandum states that "in our present lamentably scanty knowledge as to what epilepsy really is, it is impossible to assert that there is any fundamental difference between the feeble-minded with, and the feeble-minded without, epilepsy." "He would prefer to regard all those who are congenitally weak-minded as predisposed to epilepsy, and the development of the latter disease as expressive of a further mental reduction."

Bond, Vol. I., p. 165, c. 1.

p. 165, c. 2.

Bond, Vol. I., p. 172, c. 1.

867. Dr. Alexander, Hon. Consulting Physician to the Maghull Home for Epileptics, associates epilepsy with a dulness of the intellect. "I do not think," he says, "that any epileptic escapes quite free from a certain amount of dulness. They have gradations from the simplest down to the severe. . . . They require to be looked after by somebody; they might be at home if their parents looked after them; they are not certifiable as being insane." And Dr. Clouston, Superintendent of the Royal Asylum, Edinburgh, says: "The real cause of mental feebleness in youth is undoubtedly the physical one of non-development of the brain cells which are the vehicle of mind. Fifty-one per cent. of all epilepsy comes on before fourteen years of age, and 95 per cent. before twenty-five. This shows its definite relationship to the developmental period of the brain."

The use of the words "Sane Epileptics." Alexander, Vol. II., 16794, 16796.

Clouston, Vol. III., p. 200, c. 2.

868. These quotations show that, in the opinion of competent observers, epilepsy and mental defect are as a rule closely associated, or rather perhaps are due both alike to some derangement of the brain, in the course of which sometimes one, sometimes both, come to light. It follows that though we may use the words "sane epileptic" as descriptive of a class, we cannot apply them absolutely to any large number of epileptics, for out of many who are termed "sane epileptics," and cannot but be treated as such, there are comparatively few who being epileptic are entirely free from mental defect. We may presume, therefore, that under the term "sane epileptics" we may include "epileptics whose minds are feeble but who will attend to advice; and praise or blame affects them:" —who are "subject to control by friends or self-control."

Alexander, Vol. II., 16725–16729.

Statistics of Epileptics.

869. This close relation between epilepsy and mental defect makes it very difficult to obtain any trustworthy statistics of epilepsy, considered by itself. The statistics, in fact, are little more than estimates.

Statistics of epilepsy generally.

(1) According to one estimate, the number of sane epileptics is one per 1,000 of the population, and "of that number only about one-fifth or one-sixth would be severe cases." On this estimate the number of epileptics would be about 32,527. Apart from this estimate, there have been one or two counts.

Gaskell, Vol. II., p. 310, c. 1, 16596. Ireland, Vol. III., 23998.

(2) Our medical investigators returned the number of sane epileptics as 1,373 in the areas which they investigated. The population of these areas combined is 2,362,222. This by proportion would give the number of sane epileptics in England and Wales as 19,516.

(3) Our medical investigators have furnished us with figures relating to sane epileptics in the areas in regard to which they made inquiries. We set out in the table below only the larger groups that may be compared with definite sectional populations, *e.g.*, the population of school children, the population of recipients of indoor relief, and the population of recipients of outdoor relief. The total number of epileptics in a population of 2,362,222, the population of these areas combined, was 1,373 (*see* Vol. VI. p. 53). Of these, 724 were either of school age (314 in all, *v.* cols. 4 and 5 below), or were in receipt of indoor relief (281 in all, *v.* cols. 10 and 11), or in receipt of outdoor relief (129 in all, *v.* cols. 16 and 17). The rest (649) come chiefly under the group "Known to practitioners" and the group "Other sources," that is to say, they are living among the general population:—

—	School Population.		Sane Epileptics.		Percentage.		Recipients of Indoor Relief (Adults).		Sane Epileptics.		Percentage.		Recipients of Outdoor Relief.		Sane Epileptics.		Percentage.	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.	19.
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Urban Areas	120,805	118,342	121	93	·10	·08	5,153	3,705	130	117	2·52	3·16	2,495	7,858	22	23	·88	·29
Mining Area	15,779	15,227	8	5	·05	·03	156	99	2	2	1·28	2·02	621	1,442	—	—	—	—
Rural Areas, England.	58,709	57,775	40	40	·07	·07	1,275	876	10	15	·78	1·71	3,340	8,059	9	21	·27	·26
Rural Areas, Wales.	25,157	25,039	3	4	·01	·02	270	184	3	2	1·11	1·09	1,058	3,816	20	34	1·89	·89
Total	220,450	216,383	172	142	·08	·07	6,854	4,864	145	136	2·12	2·80	7,514	21,176	51	78	·68	·37

Statistics of epilepsy generally—*contd.*

870. These figures show: (a) That the amount of epilepsy in the school population in urban areas is lower than the count made by Dr. Francis Warner which is mentioned below; (b) that it is rather larger in town than in country; (c) that in indoor relief it is a considerable factor, accounting in urban areas for 2·52 of the inmates in the case of men and 3·16 in the case of women.

Statistics of epileptics among the school population.
Beach, Vol. I., p. 379, c. 2.
Report of Departmental Committee on Defective and Epileptic Children, 1898, C. 8746, p. 31.

871. The number of epileptics among school children was ascertained by Dr. Francis Warner, Physician to the London Hospital, to be 110 out of 100,000 children; that is, 110 were "epileptics and children with a history of fits during school life." This would give proportionately a total of 6,275 in the school population of England Wales—5,705,000 in August, 1900. The Departmental Committee on Defective and Epileptic Children apparently accepted this estimate and concluded that probably about one-sixth of these epileptic children were suffering from severe epilepsy, and, not being insane, were suitable for special boarding-schools.

Beach, Vol. I., p. 380, c. 1.

In London, Birmingham, and Bradford there have been counts of epileptic children among the school population. In London, there were found to be 350 epileptic children under the jurisdiction of the School Board, and of these only sixty, or 17 per cent., were fit to undergo the ordinary school curriculum. There are eighty-five now (1905) in attendance.

Pinsent, Vol. II., p. 456, c. 2.

In Birmingham, in 1903, 206 cases between the ages of seven and sixteen were reported, but "after careful inquiry and examination only twenty seemed to the Medical Superintendent and the Committee to require separate treatment in a boarding school." These children were, according to the definition of the Elementary Education (Defective and Epileptic Children) Act, 1899, "children whose epilepsy is so frequent, so severe, and so disturbing to other children as to prevent them attending day schools."

Garbutt, Vol. II., p. 125, c. 1.

At Bradford, in 1905, the number of "known epileptic children of school age" was eighty—forty-two boys and thirty-eight girls. Of these thirteen were insane, eight mentally deficient, one blind, and fifty-eight sane. Of the fifty-eight "sane" children, twelve were unsuitable for school life, and forty-six had most of them (thirty-eight) fits very infrequently, and never or only extremely rarely at school.

872. These statements may be summed up thus:—

County or City.	Total children of school age.	Number of epileptics of school age.	Number suitable for ordinary school curriculum.	Number suitable for boarding schools.
1.	2.	3.	4.	5.
London chiefly (Dr. Francis Warner's examination) -	100,000	110	—	18[1]
London (1903) - - -	757,032[2]	350	60	—
Birmingham (1903) - -	93,896[3]	206	186	20
Bradford (1903) - - -	50,878[4]	80	46	—

[1] That is, one-sixth of the epileptic children of school age, according to the estimate submitted by the Departmental Committee.
[2] Number given by London County Council.
[3] Number given by Birmingham Education Committee.
[4] Number given by Bradford Education Committee.

Poor Law Statistics, Downes, Vol. I., 1811, 1841.

873. In regard to the Poor Law there are the following statements, in some degree supplementing the figures of our medical investigators.

See Return in Vol. I., p. 678a.

In the Metropolis, in 1893, the number of epileptics in workhouses, who were not certified as being of unsound mind, was returned as 626—267 males and 359 females. There were eleven male children under sixteen years of age and eleven female; 436 persons were between sixteen and sixty, 189 of them being male and 247 females; 168 were over sixty—67 males and 101 females. They were found to be of nearly every class of occupation; the largest entries were: 105, labourers; 65, domestic servants; 64, needlewomen or charing house work; 10, costermongers; 13, carpenters; and so on. One hundred and seventy were entered as having "no occupation." In the Poor Law schools in London, with 9,831 children, Dr. Warner found only five who were epileptic. From these returns, it would appear that the number of epileptic children in Poor Law institutions are few; that the number of female epileptics considerably exceeds the number of male epileptics; and that many of those who come on the Poor Law have had good trades, while a large number have either passed into the state of "no occupation," or have probably been employed in such casual and unskilled work as their malady allowed of their undertaking.

cf. Gaskell, Vol. II. p. 314, c. 2.

Beach, Vol. I., p. 380, c. 1.

Poor Law Statistics—*contd.*

As to the country at large, from a return made by the Local Government Board on September 1st, 1894, it appears that in the workhouses and infirmaries of 175 unions outside the Metropolis there were fifty-five boys and thirty-eight girls, total 93, who were epileptic only, and fifty-two boys and forty-six girls, total 98, who were both imbecile and epileptic. In the remaining unions, 443 in number, the returns "showed that there were no such children in the workhouses." This would give a percentage of 1·94 on the 9,833 children in receipt of indoor relief in England and Wales on July 1st, 1894, in the 175 unions. The return that there were no cases of epilepsy in 443 workhouses seems hardly credible, and throws some doubt on the return as a whole.

Curtis, Vol. II., p. 442, c. 2.

Among the recipients of indoor relief at King's Norton, Aston and Birmingham, the epileptics, not classed as insane, were returned at 141 (including six children not more than sixteen years of age). Of these, seventy-one were classed as improvable, fifty-one being under the age of forty-five.

Fleming, Vol. I., p. 678 (*b*).

We have, also, a return in regard to Hants with the Isle of Wight, Wilts and Dorset, and the Farnham Union which Mr. Baldwyn Fleming, General Inspector of the Local Government Board, submitted to us. The return showed that in this area there were 889 epileptic, idiots, and insane persons who were in receipt of indoor or outdoor relief. The number of sane epileptics included in the 889 persons was 193, of whom 102 were males and 91 females. The number of insane epileptics was 135—66 males and 69 females. Of the sane epileptics, 58 males and 50 females were in receipt of indoor relief; and 44 males and 41 females in receipt of outdoor relief. Of the insane epileptics the corresponding figures are: indoor, 49 males and 42 females; outdoor, 17 males and 27 females.

874. Particulars taken from these returns are set out in the following table:—

Unions.	No. in receipt of indoor relief, less lunatics.			No. of sane epileptics.			Percentage of col. 7 on col. 4.	Remarks.
	M.	F.	Total.	M.	F.	Total.		
1.	2.	3.	4.	5.	6.	7.		
	Adults.							
1. Metropolis (1893).	17,437	17,452	34,889	267	359	626	1·79	These are epileptics not certified as being of unsound mind. (Vol. I., p. 678a).
	Children.							
2. 175 Unions outside the Metropolis (1894).			9,833	55	38	93	·90	55 Boys and 38 girls were epileptic only. 52 boys and 46 girls were imbecile and epileptic. Including the latter, the percentage would be 1·94.
443 Unions outside the Metropolis (1894).	—	—	27,197	Nil.	Nil.	Nil.	—	Half-Yearly Return of Pauperism (England and Wales), July 1st, 1894.
3. King's Norton, Aston and Birmingham (1905).	Total and Children.	Adults	5,498	57	78	135	2·46	All these are sane epileptics. Of them 66 "might improve," it was considered: and 69 "would probably not improve." There were also 5 children who "might improve," and 1 child who "would probably not improve." The percentage, including the children, is 2·56.
4. Hampshire, Isle of Wight, Wilts (excepting Cricklade, and Wootton Bassett, and Swindon), Dorset, and the Farnham Union in Surrey, indoor and out (54 Unions).	Adults and Children (indoor and out)		37,911	102	91	193	·51	These 193 are sane epileptics. Under 20 there are 18: over 20 there are 88 males and 87 females. There are 135 insane epileptics. If we include both sane and insane epileptics, the percentage is ·86.

Poor Law Statistics—*contd.*

875. The figures suggest that the number of sane epileptics in urban districts in receipt of relief from the Poor Law is much larger than in rural districts. Probably in the latter case, however, a larger number remain with their relations. The large number found in rural districts under the headings "Known to general practitioners" and "Other sources" suggests this view.

876. To the reports of two of our medical investigators in regard to epileptics we will refer at greater length. They contain statistics with comments and conclusions.

Statistics of epileptic children Manchester, Chorlton and Prestwich. Vol. VI., p. 147.

In regard to his investigation of elementary schools in the Manchester, Chorlton, and Prestwich area, Dr. Melland has submitted to us the following results :—

Children on the School Register—Males.	Epileptics.		Children on the School Register—Females.	Epileptics.		Percentage of sane on total.	
	Sane.	Other.		Sane.	Other.	M.	F.
61,115	42	38	58,819	37	39	·07	·06

"Of these children," he says, "thirty were attending in the ordinary schools and were profiting by the instruction there. Twenty-two were attending the ordinary schools but did not get on satisfactorily, being more or less backward, though none to a degree that would justify their inclusion amongst the defective children. Eleven are away from school, five having passed the ordinary school age, the others mainly because the fits interfered materially with their getting to school. Sixteen are in the special school at the David Lewis Epileptic Colony." This statement shows generally what may be expected to be the distribution of sane epileptics in the schools of a large urban area. It suggests the necessity of a change in the school system in many cases.

Statistics and condition of epileptics in the workhouse, and at large, Manchester, Chorlton and Prestwich : Vol. VI., p. 149.

877. Our next figures refer to epileptics in the same area outside the schools. They explain the position of the epileptics in the workhouses and in receipt of outdoor relief, and indicate their distribution in the population generally.

	Population in Poor Law institutions less lunatics.	Epileptics.				Total sane epilep-tics.	Per-centage.
		Sane.		Other.			
		M.	F.	M.	F.		
Manchester, Chorlton and Prestwich.	7,510 (In workhouses, 6,139 ; in schools, 1,371).	43	49	31	37	92	1·23
	6,901 in receipt of outdoor relief	8	13	9	8	21	·30
	Sanitary authorities - -	—	—	4	—	—	—
	Medical charities - - -	19	28	5	7	47	—
Vol. VI., p. 63, c. 15.	Known to general practitioners	37	33	8	3	70	—
Vol. VI., pp. 173–175.	Other sources - - -	10	7	10	7	17	—

Dr. Melland writes : "There were *ninety-one persons in the workhouses whom I have included as sane epileptics—forty-two males, forty-nine females. Volume VI., p. 152. The great majority of these, all except thirteen, have been obliged to come to the workhouse as the result of the interference with their power of getting or retaining work which the fits entailed. Several had held fairly good positions or done distinctly skilled work before their affliction forced them to relinquish their work. Thus one man of fifty-five had been a book-keeper till two years ago, when his memory began to be affected ; another of forty-eight had been a lithographic printer for many years, another of sixty-one a skilled mechanic earning up to 30s. per week, another of forty-five had been a grocer, and so on."

"It is well recognised that many of those epileptics, who can only be classified as sane, exhibit certain minor mental defects which cannot, however, be looked upon as sufficient to remove them from this group. Many are perverse mentally.

* There was also one sane epileptic in the casual ward, Vol. VI., p. 154.

liable to fits of irritability and passion, or show varying degrees of failing memory, or loss of quickness of perception. Still, bearing these considerations in mind the whole of these ninety-one cases would be looked on, broadly speaking, as sane, and it is a defect in our present workhouse arrangements that they should be living in the same quarters with those epileptics who are obviously feeble-minded and with the insane. It is with pleasure, therefore, that one notes that the Manchester and Chorlton guardians have built and equipped a special colony at Langho, in the Ribble Valley, for the reception of the sane epileptics under their care."

Statistics and conditions of Epileptics in workhouses, and at large, Manchester, Chorlton and Prestwich—*contd.* Vol. VI., pp. 152—153.

878. In receipt of outdoor relief, Dr. Melland says, there were "twenty-one sane epileptics; three of them are children, eight are adults in whom the attacks are so severe as to preclude the possibility of their earning their own living, and three, while able to do a certain amount of work, cannot follow the more skilled trades to which they were brought up."

Melland, Vol. VI., p. 156.

879. Dr. Pearse, in the investigation of Wiltshire unions, found 105 sane epileptics, and seventy-three others. Of the former, twenty-five were known to general practitioners, and forty-six were noted "from other sources." There were only nineteen in the schools, and only fifteen in receipt of Poor Law relief—six being in receipt of outdoor relief. Of the children—sane epileptics, seven in number, who were not found in school—he says: "In two cases, the fits are of slight severity; in the remainder, they are of sufficient severity to render attendance at school quite impossible, and the result will in all likelihood be marked mental enfeeblement." "The majority of the adults are able to continue to work. Eight women, however, and eleven men were so handicapped as to be unable to follow any vocation; it is almost a certainty that all these cases and a certain number of the former will sooner or later degenerate into feeble-minded epileptics." These cases he describes, and he says: "It has been a sad experience in making the inquiry to see so many otherwise healthy individuals drifting towards complete mental enfeeblement, and to realise that nothing can at present be done to arrest this. A contrary experience has been the visit paid to a small cottage home for epileptic women near Chippenham; here I found nine women, all feeble-minded and all afflicted with severe epilepsy; but the records of the home showed a very marked diminution in the frequency of the attacks after admission, and the inmates were able to work at basket making, book-binding, etc., thus relieving the monotony of their lives and contributing towards their maintenance." This represents the position of epileptics in a rural district. These facts combined with this contrast are sufficient, and they require no comment; and Dr. Melland's report in regard to the epileptics in an urban district is equally explicit.

Statistics and condition of epileptics. Wiltshire: Vol. VI. Pearse, pp. 253, 257 and 265

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880. We will now consider epilepsy in relation to the Poor Law, the schools, prisons, and lunatic asylums; and we will describe the chief voluntary institutions for their benefit and the proposals made for their care.

The Poor Law and Epileptics.

881. When dealing, in Chapter V., Part I. above, with combinations of guardians for joint workhouses, we alluded to the Langho Colony for Epileptics not classed as insane. The colony was inaugurated by the Chorlton and Manchester Guardians in 1906. It is situated at Langho, about five miles from Blackburn. The buildings are sixteen in number, and occupy only a small proportion of the estate of 166 acres, which affords ample space for future expansion of the colony. These buildings provide accommodation for 272 patients, and the necessary officers and staff.

The Langho Colony for Epileptics. *See* para. 177 above.

There is an administration block, an assembly hall, 110 feet by 50 feet, with fine open timbered roof and a large stage, a hospital and mortuary block, a laundry block, a kitchen and store block, a medical superintendent's house, and a range of workshops for brushmakers, upholsterers, carpenters, tailors, shoemakers, and plumbers. The patients are housed in separate "Homes," each providing accommodation for forty sane epileptic patients, and of two storeys. On the ground floor is a central hall, approached through a vestibule from an entrance verandah. This central hall gives access to the principal

The Langho Colony for Epileptics—*contd.*

rooms on the floor, comprising a well-lighted day room, 34 feet by 20 feet, with bay window, a small room for patients seized with a fit or requiring temporary seclusion, a boot and cloak room, a dining room, 25 feet by 20 feet, with bay window, a scullery, with arrangements for keeping warm and serving the food delivered from the general kitchen, and having a crockery store and larder attached, a lavatory, with double bath-room adjoining, two store rooms, and a range of w.c.'s placed in a separate annexe. From the central hall a staircase leads up to the first floor, on which are provided two dormitories, each 49 feet by 20 feet, and containing eighteen beds, three single bedrooms, a lavatory and bathroom, and sanitary accommodation in a separated annexe.

Each home has a special warming apparatus installed in a room in the basement, with hot water circulation to radiators placed in the principal apartments, which are also provided with open fire-places and ample means of ventilation. In addition to the main staircase, two subsidiary ones are also arranged for the escape of patients from the upper floors in case of fire.

Apart from the cost of the land, which amounted to £13,267, an expenditure of £75,500 has been authorised on the buildings, but the administrative block has been erected on a scale sufficient for the needs of a much larger colony than that at present existing.

The resident medical officer in his report (July 31st, 1907), stated :—

> "The patients exhibit certain mental symptoms during the intervals between their fits, which are as much a part of the disease as the fits themselves, a fact that must be recognised in their treatment. The chief symptom is an irritability of disposition with a certain loss of self-control, which often asserts itself in attacks of temper and an unpleasant peevish disposition, it being no unusual occurence for patients to get up from their devotions and immediately give way to the most violent outbursts of temper and profanity. Many constantly ask and demand attention in the most persistent and offensive way, while others are very obstinate in minor matters. All exhibit a greater or lesser degree of mental weakness, and when excited often exhibit unpleasant symptoms. Some have attacks of mental disorder before or after their fits, while others have attacks of acute mental disorder in the intervals between their fits."

Workhouses unsuitable for epileptics.

882. In regard to the Poor Law, there appears to be but one opinion, that epileptics, especially sane epileptics, should not remain in workhouses. Mr. Jenner-Fust, General Inspector of the Local Government Board, recommends that epileptics not classed as insane should be removed from the care of the guardians, since many, perhaps the majority, are to a certain extent of unsound mind, and some are dangerous when their fits occur; and he argues "that expert opinion advises that they can be properly treated in an asylum on the colony system apart from the lunatic or imbecile patients; and that guardians could not provide satisfactorily for them except in combination (to adopt which method for any purpose they have shown great unwillingness) and even then only for paupers." Dr. Downes, Senior Medical Inspector for Poor Law purposes of the Local Government Board, takes up the latter point and concludes that there should be a central authority, and that to avoid the difficulty of one authority, the Poor Law, dealing with pauper, and another authority dealing with non-pauper epileptics, a single authority should deal with all. Miss Fry points out how much sane epileptics now cost to the rates, even though they are living under conditions unsuitable to them:—"In one union in Somerset (population 24,250) there are two sane epileptics costing £13 each per annum in the workhouse, and five in receipt of out-relief, averaging 3s. 6d. per head per week, and eight insane epileptics in asylums, of whom seven cost £23 11s. 5½d. each per annum, and one costs £27 7s. 6d. per annum."

Jenner-Fust, Vol. I., p. 139, c. 2. Dendy, Vol. I., 886, 905.

Downes, Vol. I., 1813.

Cf. also Dendy, Vol. I., 884-886. Wills, Vol. II., 14877. Brooks, Vol. II., p. 61, c. 2. Fry, Vol. II., p. 227, c. 1.

Gaskell, Vol. II., 16491, p. 313.

Mr. Gaskell, Secretary of the National Society for the Employment of Epileptics, said:—"In the absence of any special provision for persons thus afflicted, it is not surprising that in a large proportion of cases where they have no relations to maintain them they drift into the Poor Law infirmaries and workhouses. Here no arrangements are made for their occupation; the disease grows upon them; they deteriorate morally and mentally till at last a worse fate befalls them, and they end their days in the lunatic wards of the workhouse or in an asylum."

Beach, Vol. I., 7136.

Dr. Fletcher Beach, who gave evidence on behalf of the Royal College of Physicians, considered that workhouses were unsuitable for sane epileptics, and in support of this view quoted a sentence of Dr. Alexander's :—

> "They spend their time in workhouses, fighting and quarrelling and passing a miserable existence till they die."

Miss Wemyss, in her evidence regarding epileptics, stated :—"They need plenty of fresh air, and a variety in food, and a certain amount of liberty and variety in their lives, also to have their interest in their work cultivated, and to be treated with respect, not as paupers, and this increases their own self-respect, and raises and improves them in every way. From long and intimate personal knowledge of workhouse inmates one cannot help feeling that all these things, so necessary for the improvement of human character, are wanting in the generality of workhouses." Wemyss, Vol. II., 18505, .p 430, c. 2.

'urtis, Vol. I., 18762, . 440, cols. and 2. Recommendation XC.

It would seem, therefore, that, as in the case of the mentally defective, it would be better that epileptics should be dealt with apart from the Poor Law and placed under the care of the Board of Control and the Committees for the care of the mentally defective. Rhodes, Vol. I., 9436, 9442. Townsend, Vol. II., 18324, p. 418, c. 1.

Elementary Education and Epileptics.

883. Next in regard to the children, the only legislation which deals directly with epileptics is the Elementary Education (Defective and Epileptic Children) Act, 1899, with its amending Act, dated 1903. The Elementary Education (Defective and Epileptic Children) Act, 1899, was the outcome of the Report of the Departmental Committee on Defective and Epileptic Children (C. 8746). In regard to epileptics, that Committee recommended that epileptic children of normal intellect who suffered only from a slight form of epilepsy should be educated in ordinary schools; that those who suffered from this form of epilepsy, and were feeble-minded, should be educated, like other defective children, in special classes or special schools; and that for epileptics who suffered from severe epilepsy, but were not insane or imbecile, special provision might be made. This provision took the form of special residential schools for epileptic children of from seven to sixteen years of age. By the Act, it was required that no school of this kind should contain more than sixty children, and no building attached to the school for the residence of children should house more than fifteen. The Act of 1903, permitted a modification of this limitation. By a minute of the Board of Education, "thirty" was substituted for "fifteen." The Elementary Education (Defective and Epileptic Children) Act, 1899. Report of Departmental Committee on Defective and Epileptic Children, 1898, c. 8746. Sec. 2 (6) Board of Education Minute, May 13th, 1904, p. 201, c. 1.

884. The Board of Education Minute (May 13th, 1904), appears to indicate that the Board expected to provide education in these schools for children, who were of normal intellect or merely somewhat backward. They write—"School instruction should as nearly as possible resemble that given in an ordinary elementary school." In the same minute, in reference to boarding schools for defective children, however, they say that the—"Instruction must be given in accordance with the rules prescribed by the Education Department for day schools and classes for defective children." Board of Education Minute, May 13th, 1904. Appendix, Vol. V., p. 201, c. 2. Appendix, Vol. V., p. 198, c. 1.

It is thus clear that the intention of the Act, and of the regulations drawn up by the Board of Education for its administration, was that these epileptic schools should be adapted for the reception and education of epileptic children, who suffer from severe epilepsy but who are not so mentally defective as to require to be educated as mentally defective children.

The Elementary Education (Defective and Epileptic Children), Act, 1899, Sec. 2 (2) and (3), and Sec. 9.

885. The Act of 1899, contains four provisions for dealing with epileptic children. It empowers education authorities (1) to enquire as to the number of children in their districts—"who, not being idiots or imbeciles, are unfit by reason of severe epilepsy to attend ordinary public elementary schools," and (2) to establish and maintain boarding schools for them, or (3) to acquire, maintain, or contribute to certified schools established by other agencies; and (4) it enables boards of guardians to contribute to certified schools in respect of scholars, who are either resident in a workhouse or in an institution to which they have been sent by the guardians. The Elementary Education (Defective and Epileptic Children) Act, 1899, Sec. I., (1) (b).

Under the first of these provisions, the inquiries were made in London, Birmingham and Bradford, the results of which are stated in para. 871 above.

Chance Vol. II. p 169, c., I. Fry, Vol. II, pp. 226, 227, c. 1.

886. The second provision of the Act which enables education authorities to establish residential schools has not yet been adopted, though schemes for their establishment have been discussed by the authorities in London, Bradford, Surrey, and Bristol. Residential schools. Kerr, I., p. 437, c. Garbutt, Vol. II. p. 125, c. 1 and 2.

Power to contribute to schools.

887. The third provision of the Act enables education authorities to contribute to certified epileptic schools established by other agencies. This has been acted upon to a limited extent. There are, at present, four certified epileptic schools in England with certified accommodation for 222 epileptic children, and they contained eighty-two children who were paid for by the education authorities.

888. The four schools are :—

Appendix, Vol. V., p. 188.

The School and Home for Epileptics at Lingfield, Surrey.—This was established and is maintained by the Christian Social Service Union. It is certified for 100 boarders, but at present houses 103, of whom twenty-nine are paid for by the education authorities, sixty-five by boards of guardians, and nine privately. It, like the Starnthwaite Colony, represents a very interesting and useful experiment. The schools are placed in large grounds. The cost of maintenance and schooling per child is 12s. 6d. a week. If half-a-crown a week were added it would earn per child the interest on the invested capital. The cost per bed, including cost of the site, redemption of capital, etc., has been £170.

Brooks, Vol. II., p. 63, c. 2, 12044–12061.

Appendix Vol. V. page 188.

The School and Home for Epileptics at Starnthwaite.—This was also established by the Christian Social Service Union. It is managed by a local committee. It is certified for thirty boarders, and has twenty-eight in residence, who are paid for by the education authorities and by boards of guardians.

Information supplied by the St. Elizabeth School Authorities.

The St. Elizabeth School for Epileptics at Much Hadham.—This was established and is maintained as a charity of the Roman Catholic Church. It is certified for fifty-six boarders, and has in residence twenty-one, of whom four are paid for by education authorities and fourteen by boards of guardians, and three were private cases.

Information supplied by the David Lewis Trust.

The School of the David Lewis Manchester Epileptic Colony was established by the trustees of the David Lewis bequest. It is licensed for thirty-six boarders, but forty-two are in residence. Of these thirty-eight are paid for by education authorities and four by boards of guardians.

Subscriptions by Poor Law Guardians to certified epileptic schools.

889. The fourth provision of the Act enables boards of guardians to subscribe to certified epileptic schools. Of this, advantage has been taken, as the evidence shows. In the four certified schools there would appear to be ninety-nine epileptic pauper children who are paid for by boards of guardians.

Classification of epileptics in certified schools.

890. In order to ascertain what classes of epileptics were cared for in these schools, some members of the Commission visited three of them. Returns were also obtained of the mental condition and the severity of the epilepsy in each case. An abstract of the returns is shown in the table below. "Severity of epilepsy" is severity as estimated by the superintendents. Cases entered as having no fits are cases in which the patients have had no fits since their admission or for a prolonged period, such as a year or so.

Severity of Epilepsy.	Total.	Mentally Defective.	Imbecile.	Normal.
1.	2.	3.	4.	5.
		Maintained by Education Authorities.		
Severe - - -	56	33	8	15
Mild - - -	13	9	1	3
No fits - - -	13	6	0	7
		Maintained by Boards of Guardians.		
Severe - - -	60	50	3	7
Mild - - -	33	25	0	8
No fits - - -	6	1	1	4
Total - -	181	124	13	44

This table shows that the number of epileptics who are dealt with by education authorities and boards of guardians in certified epileptic boarding schools is very small, and that of this small number, probably, many are epileptics who do not come under the definitions of the Act. Only 22 out of the 181 cases strictly satisfied the terms of the Act, severe epilepsy and normal intelligence..

891. So large is the number of mentally defective and imbecile children in these schools that it is reasonable to infer that they have become custodial homes, rather than boarding schools for children capable of education which "as nearly as possible resembles that given in an ordinary elementary school."

Classification of epileptics in certified schools—*contd.* p. 201, c. 2. Appendix, Vol. V.,

892. On this point, the evidence of Dr. Basden and Mr. Brooks of the Lingfield School and Home throws further light. Dr. Basden suggests that the epileptic children should remain under the care of the education authorities until the age of nineteen instead of sixteen, and that the boards of guardians should then provide for them till the age of twenty-one, but he argues, in favour of what is really a more complete measure, that it would be of great advantage to the country to keep as many epileptics as possible permanently in colony life, on the ground that "certainly in the majority of the cases the existence of the disease is due to inherited tendency, either to epilepsy, or to some allied neurosis." And for children too, he says, that they "have found the colony system to be the ideal one." He urges that there might be a second colony or section of a colony for the children of the age of fifteen or sixteen, from which they might be "transferred to yet another colony provided for those adults who required permanent supervision." Whether child or adult the same rule applies, which he applies to the children, the rule of employment. "We have," he says, "at the Lingfield Colony been much impressed with the importance of giving the children constant employment, and providing for them as many interests as possible. Our experience is that loafing means increase of fits, whereas suitable occupation, organised play, and healthy amusements, mean diminution of fits." And as to staff he says, that "as epileptics are naturally inclined to idleness and self absorption, a considerable staff of intelligent workers is required if a large colony is to be worked on satisfactory lines, and this will be increasingly so the more carefully the children are graded."

The School and the Colony. Basden, Vol. II., p. 57, c. 1, and p. 58, c. 2. *Cf.* also Brooks, Vol. II., p. 62, c. 1.

Basden, Vol. II., p. 57, c. 2.

Cf. Alexander, Vol. II., p. 331, c. 1.

The suggestion here is that the school system, as in the case of mental defectives, must be supplemented by a colony system for the permanent members of this class. In fact, by this argument, the present educational provision under the Act of 1899 is set aside and a new method proposed. The school is itself transferred to the colony and becomes part of it. Next, as in the case of the mentally defective, a manual and industrial education to a large extent supersedes the normal curriculum, though "the better class children might be taught as ordinary scholars with, of course, more industrial training."

Brooks, Vol. II., p. 64. Brooks, Vol. II 12091.

893. Dr. Basden brings to light another question. He shows to how very small an extent is the population of children in the epileptic school permanent. In fifteen months in a school of 120 children "pretty well half have changed." A certain number have reached the age limit and have left, and a certain number have been sent away as being hopeless. "We got an exceedingly poor class of children to begin with till within the last year." Some "were practically imbeciles, practically unteachable. They have gone. They are in most cases in the workhouses in the imbecile wards. There should be a section of the colony set aside for them." Dr. Alexander, the Honorary Consultant of Maghull Home for Epileptics, says :—"These hopeless imbeciles should be separated from the others and placed in institutions where they are to be fed, clothed, kept clean, and interested as far as possible. Their removal from home is a necessity for the peace and general welfare of the families to which they belong. But elder children who are not of this type, when they leave the colony, "return in some cases to the workhouse, in others they take up a wandering life with the practical certainty of becoming vicious or criminal, and probably both." Their "colony training is thus wasted" and they become "a nuisance to society and their children keep up the supply of defectives and degenerates." And this intervention should be pushed further, it is said: "The children of the poor who are epileptics cannot be treated at home, and no serious attempt is ever made to save them from drifting into the hopeless condition of epileptic insanity." "Prejudice, ignorance and poverty of many parents render treatment at home futile. Most of them only have medical aid for a month or two, or even less

Change of population in schools. Basden, Vol. II., 11913–11917.

11921–11924. Alexander, Vol. II., p. 331. c. I.

McCullum, Vol. II., p. 75.

Change of population in school.—*contd.*

time than this, unless improvement is obvious ; others have no treatment at all after the first convulsion and fright is over, as they are firm in their faith that the child will grow out of the disease, whereas the fact is they grow into it."

Provision for epileptic children must include provision for "after care."

894. There is thus in the case of epileptic children, as in the case of the mentally defective, no sufficient accommodation, no link with other establishments, a congestion of children for whom little can be effected, and ultimately, after a sojourn in school, a dispersion of children under most unsatisfactory conditions. The remedy would seem to lie in an endeavour to organise assistance in view of the nature and character of the disease, considered in reference to the life of the patients as a whole. The number of epileptic children, who are otherwise "normal," appears to be small.

The case of children of school age who suffer from epilepsy in combination with other defects has been considered by us in Chapter XVIII. above.

The Commencement of Epilepsy in Relation to its Treatment.

Statistics of commencement of epilepsy. Bond, Vol. I., p. 470.

895. Several investigators have submitted to us figures showing the age at which the disease usually commences. Dr. Bond put before us statistics of 300 consecutive admissions into the Ewell Epileptic Colony—making no distinction between those with and without congenital weak-mindedness. These are his figures with, parallel to them, the corresponding statistics collected by Dr. Aldren Turner in 366 cases at the colony of Chalfont St. Giles's :—

The epilepsy showed itself before 5 years of age in 23 per cent.		
Do., between infancy and 14, in 53 per cent.	54·6	Corresponding percentages from the Chalfont Colony statistics.
Do., between 15 and 20, in 15 per cent.	17·4	
Do., between 20 and 25, in 9 per cent.	8·1	
Do., after 25 years of age, in 23 per cent.	19·7	

Bond, Vol. I., p. 470, c. 2.

Bond, Vol. I., p. 467, c. 2.

896. These figures show that 53 or 54 per cent. of the epilepsy occurs before the age of fourteen ; that the next period of strain comes with adolescence. Lastly, there is the epilepsy of later age which Dr. Bond says is due in nearly all cases over the age of thirty-five or forty directly to alcoholic excess or syphilis, or to both of these two causes.

Alexander, Vol. II., p. 331, c. 1.

897. With these statistics may be compared statistics compiled by Dr. Alexander at the Maghull Home, and by Mr. Gaskell at Chalfont Epileptic Colony. Dr. Alexander's table shows that the ages at which the disease commences is as follows :

	Cases.	
At birth or under one year	63	
During the first ten years of life, including the above sixty-three	171	
During the second ten years of life	159	= 394
During the third ten years of life	46	
During the fourth ten years of life	18	

Alexander, Vol. II., p. 331, c. 1.

These figures, though differently classified, support the conclusions which were drawn from the previous table as to the period of the incidence of the disease. In Dr. Alexander's opinion, "Nearly half of the epileptics, 171 out of 394 or 43 per cent. would require to be educated in an epileptic school. The remainder would be fairly educated before the onset of the disease." Accepting this opinion, we may conclude that about 40 to 50 per cent. of epileptic persons of the epileptic population of mixed ages, would require special schooling of one kind or another, for Dr. Alexander makes no allowance for children who might remain in the ordinary classes, even though they suffered from epilepsy.

Gaskell, Vol. II., p. 310, c. 2.

898. Mr. Gaskell's figures which are given in the following paragraph confirm the statistics we have just quoted, though, in this return again, the classification of the figures is different.

"From an examination of the case-papers of 250 male and 250 female epileptics, applicants for admission to the Chalfont Colony, I find that the age at onset, stated in age periods, was as follows :— Statistics of commencement of epilepsy.—*contd.* Gaskell, Vol. II., p. 310 c. 2.—*contd.*

Age at Onset.	Males.	Females.	Total.
0–5	55	54	109
6–10	30	34	64
11–15	62	74	136
16–20	51	52	103
21–25	24	12	36
26–30	12	8	20
31–35	9	7	16
36–40	4	4	8
41–45	–	3	3
46–50	1	1	2
51–55	1	1	2
56–60	–	–	–
63	1	–	1
	250	250	500

"The average age at onset was : males 15, females 13, all persons, 14."

It appears from these figures that in half of the cases the epilepsy declared itself before the age of fifteen, and that the next marked incidence of the disease is—though at a much smaller percentage—between the sixteenth and twentieth year

899. With these statistics, we have to compare other figures which show the period of life at which patients are admitted to the regular treatment of the home or colony. Dr. Alexander noted that "in 455 cases at Maghull only twenty-three came to the Home within a year from the onset of the disease ; 100 had been ill from two to six years ; 115 from six to ten years ; 90 from ten to fifteen years ; 54 from fifteen to twenty years ; 33 from twenty to twenty-five years ; 22 from twenty-five to thirty years, and eighteen for thirty years and upwards." Duration of disease on admission to home or colony treatment. Alexander, Vol. II., p. 331, c. 1. *Cf.* Gaskell, Vol. II., p. 313, c. 2.

Mr. Gaskell's corresponding table is as follows :— Gaskell, Vol. II., p. 314, c. 2.

	Males.	Females.	Both Sexes.
Average age at application	24	26	25
„ „ onset (as previously stated)	15	13	14
Average duration of disease at time of application	9	13	11

From the date of application until admission there is, generally speaking, an interval of somewhat over a year, owing to the lack of sufficient accommodation to meet the demand.

These returns, if compared with the tables, show that there is no relation between the commencement of the disease, and, so far as the Home is concerned, the commencement of specific and permanent treatment ; and as Dr. Alexander says, in considering results under our present arrangements we must make allowance for "the length of time that the patients have been idle and unemployed, and during which, both mind and body have had time to become disorganised." Alexander, Vol. II., p. 313, c. 1.

900. As to the great utility of early and immediate treatment there is no marked difference of opinion. Dr. Bond says :— Results of colony treatment. Bond, Vol. I., p. 469, c. 2.

"Neither the congenitally mentally deficient nor epileptics *need* become lunatics ; and he has no doubt whatever that, by the adoption of more enlightened means of dealing with them when young, a considerably less number than at present would ultimately need asylum care, and thus also a certain amount of relief would be afforded to the present pressed accommodation of most asylums."

And Dr. McCallum, Physician to the Starnthwaite Epileptic Colony, says :— McCallum, Vol. II., p. 75, cols. 1 and 2.

"Timely intervention of the State has a splendid chance of saving the epileptic from the doom awaiting him by early removal to a colony, where suitable surroundings and medical treatment will, in over 60 per cent. of all cases, check the convulsions and so cure the disease before gross irreparable damage is done to the brain."

And in the case of adults also very good results may be anticipated, especially if the treatment follows closely upon the manifestation of the disease. "In 1903" Dr. Alexander wrote "we found that in the case of 246 patients who had been with us for some time, twenty had ceased to have attacks for periods of from three to four years. In 185 cases the attacks were reduced considerably and in sixty-one cases the attacks had increased. . . There is no doubt that between 7 and 10 per cent. derive so much benefit from the home as to be Alexander, Vol. II. p. 331, c. 2.

Results of colony treatment—*contd.* Gaskell, Vol. II., p. 314, c. 1.

considered practically cured." Mr. Gaskell submitted to us a return of 159 cases prepared by Dr. Aldren Turner on the same subject. It is as follows :—

Frequency of Fits.	Total Number of Cases.	Percentages.
Daily (one or more)	18	11·3
Weekly (one or two)	72	45·3
Monthly (one or two)	35	22·0
Quarterly (one or two)	7	4·4
Yearly (one or two)	8	5·0
In series	13	8·2
Arrested cases	6	3·8
Total	159	100·0

"When a colonist has been free from fits for two or two and a half years he is usually discharged; but the results have been somewhat disappointing, as in a number of cases there has afterwards been a relapse necessitating re-admission. On the other hand there have been a certain number of cases where patients have been taken away by their friends as cured, after an immunity of only six or nine months, but where nevertheless we have heard long afterwards that the immunity has continued. So much, of course, depends upon the circumstances in which the patient is placed after discharge from the colony. If the circumstances are likely to be unfavourable, two years immunity at the colony affords little security against recurrence; while in the contrary case a much shorter period of immunity may justify removal where the friends desire it."

Provision for children and adults in colonies desirable.

Recommendation XC.

901. We may conclude, then, that, taking into account the nature and character of the disease, treatment in a colony should be provided both for child and adult; that to meet the demands of the disease treatment subject to the necessary safeguards, should be available for patients of all ages, if proper provision is not forthcoming at the patients' homes; that the present accommodation is not only insufficient, but that it is not yet in any measure co-ordinated so as to meet the needs either of children or adults in such a way as to ensure that the treatment will follow closely on the early manifestation of the disease; and that any effectual administration for the care of epileptics must be founded on this principle.

Sane Epileptics in Prisons.

Sane Epileptics in Local Prisons.

902. Judging from the returns of our medical investigators, the number of sane epileptics in the local prisons are but few, and would make practically no difference in any count or estimate of the number of sane epileptics in the country.

Insane Epileptics in Asylums and Workhouses.

Epilepsy and Insanity.

903. Our medical investigators found in the selected areas in England and Wales 700 epileptics who were not certified, but were other than sane, in a population of 2,362,222, say three in 10,000 of the population. These were epileptics living either in institutions or among the general population.

Needham, Vol. IV., 26985.

In the county and borough asylums Dr. Needham stated that 12·4 of the lunatics suffered from epilepsy. This would indicate that among the inmates of these asylums, 89,342, there may be as many as 11,078 epileptics. But except in so far as they are not now employed upon the land and might be so employed according to the plan adopted at the Ewell Labour Colony, it does not seem that any special recommendation in regard to them is necessary.

60th Report of the Commissioners in Lunacy, p. 2.

Of the number of insane epileptics certified as insane but allowed to remain in workhouses under Sec. 24 of the Lunacy Act, we have no precise information.

The question is indeed one of minor importance, for as mentally defective persons, all these cases are already certified and would come under one general scheme of care and supervision.

Epileptics who are Idiots and Imbeciles.

Beach, Vol. I, 380, c. 1.
Crichton-Browne, Vol. I., 332, c. 1.
Dendy, Vol. I., 861.

904. In asylums for idiots it is the rule to exclude epileptic patients. Nevertheless, in three asylums seventy-eight epileptics were found. Sir James Crichton-Browne pointed out that epileptic imbeciles in affluent circumstances are freely admitted to these asylums; and the seventy-eight epileptics may belong chiefly to this class. In regard to these institutions, also, as the epileptics are also mentally defective, the question of their actual number is a matter of less importance, unless the fact that they suffer from epilepsy leads to some difference in their institutional treatment. As suggestive of a more suitable treatment of insane epileptics we describe the Colony at Ewell in a few words.

905. The London County Council have established a special colony asylum for the treatment of insane epileptics, the Ewell Epileptic Colony. It consists of 127 acres of land, of central buildings for administration, recreation, etc., and a number of detached one-storey villas and some workshops. It has accommodation for 266 men and fifty-eight women. As far as possible the inmates are employed. Most of them work on the land, but those who are unfit for that work are employed in workshops or in domestic duties. The patients are epileptics who have symptoms of insanity. They are described, many of them, as not very insane, whilst many of them, at times, show no symptoms of insanity at all. Judging both from the evidence which we have received and from our personal observation, we are satisfied that the treatment of epileptics who are subject to minor degrees of insanity is very much better in a colony asylum of this description than it is in an ordinary closed asylum. The more suitable surroundings, the greater liberty, the more wholesome work, and the separation from the more degraded of patients are all advantageous to the epileptics and tend to alleviate their misfortune. This institution is called a labour colony, but it might equally well be called an asylum built on the "villa" principle, like the asylums at Purdysburn near Belfast, at Kingseat and Bangour in Scotland, and in Holland, Germany, and America, where the treatment is similar. The cost of the land and buildings amounted to £282 per bed, and the cost of maintenance is nearly 16s. 4d. per inmate per week, which is 5s. more than the average cost of all patients in London County Council asylums, and 6s. more than the average cost of all asylum patients in county and county borough asylums. If the method of treatment in "colonies" is to receive, as we hope, a wider application, it must, it is obvious, be adopted under much more economical conditions in its future development.

The Ewell Colony for Insane Epileptics.

Bond, Vol. I., 8322, p. 468, c. 2.

Bond, Vol. I., 8312.

Bond, Vol. I., 8182.

Gaskell, Vol. II., p. 318, c. 1.

16th Report of L.C.C. Asylum Committee, for year ended 31st March, 1905, p. 201.

60th Report Commissioners in Lunacy, p. 19.

See paragraphs 702–704 below.

Voluntary Institutions.

906. In discussing the question of schemes for the combination of unions (Paragraphs 184 to 189) we have described the institutions proposed to be built by the Birmingham, Aston and King's Norton Boards both for mentally defective and for epileptic persons in receipt of poor relief. In Paragraph 881, we described the Langho Colony for Epileptics inaugurated by the Manchester and Chorlton Guardians in 1906. We have now therefore to refer to the voluntary institutions only.

Curtis, Vol. II., p. 441, c. 2.

Sayer, Vol. II., p. 452, c. 1.

907. Of these the Maghull Home for Epileptics is the oldest. It was founded in 1888. It is situated near Liverpool and has accommodation for over 200 epileptics. The cost per patient per week is 12s. 8d., or including payment for rent and mortgage 8¼d., 13s. 4¼d. There are eighty acres under cultivation. On the last year's working there was a loss of £62; but in the three previous years there had been a gain of £50, £191, £61. Six acres of the land are in kitchen and market gardens or orchard. The farm is only seven miles from the Liverpool markets and Mr. Grisewood says: "We could develop even more than we have done in the direction of market gardening. We could use more land for that purpose. Without adding to the land we could put 100 more upon it, that is, fifty males and fifty females." The general profits on the farm "seem to show that a farm colony can be carried on with a small margin of profit by utilising the labour of the patients and even making a small weekly allowance to a certain number of them. The sum of £107 allowed under that head in 1905 was equal to the wages of two healthy labourers." The Home, it is evident, has been very carefully and economically developed. It is not licensed either as a lunatic asylum, or as an idiot asylum, or as a special school for epileptics. The patients in it are divided into four classes according to the scale of payment made for them, a scale ranging from 7s. 6d. per week to £2 2s. per week and upwards. All, with eleven exceptions, are over school age. Of the 208 patients in the home, nine are reported by the medical officer to be imbecile, and seventy-seven to be weak-minded, with memories much impaired and powers of conversation limited; 122 he does not consider defective, though "some impairment of the memory and of control over actions is evident." A local medical practitioner attends the home daily; and the acting consulting medical officer, Dr. Alexander, attends weekly. Otherwise it is under the charge of a lady superintendent, who is a trained hospital nurse; and the patients are nursed and watched by a large staff of attendants, and are encouraged to do wholesome and useful work. There is about one attendant to eight patients. Of the male patients, about one-third work on the farm or in the garden, while

The Maghull Home for Epileptics.

Beach, Vol. I., p. 379, c. 1.

Alexander, Vol. II., 1601.

Grisewood, Vol. II., p. 336, c. 1, and p. 337, c. 1.

Grisewood, Vol. II., 16854, 16855.

Grisewood, Vol. II., p. 337, c. 1.

Grisewood, Vol. II., p. 335, c. 1.

Grisewood, Vol. II., p. 337, c. 2.

Alexander, Vol. II., p. 332, c. 1.

Alexander, Vol. II., p. 330, c. 1 and 2.

Grisewood, Vol. II., p. 327, c. 1.

The Maghull Home for Epileptics—*contd.*
Grisewood, Vol. II., 16815.

the remaining two-thirds are found to be unfit for any but the very lightest and simplest work. Most of the female patients are employed in domestic duties; a few are engaged in basket-making. About two thirds of the inmates attend evening classes conducted in the institution; these classes are recognised by the Board of Education as a continuation school, and the managers of the institution earn a Government grant amounting to over £60 per year. The nature of the instruction given is indicated by a report of the head teacher, which is quoted by Mr. Grisewood in evidence, and which states:—"The difficulties entailed in teaching epileptics are chiefly due to lack of self-control and of mental power. . . . In some cases we find it difficult to make the work educational. Many look bright and happy after an hour's hard work, but, when asked at the next lesson to learn something new, become at once listless and dull. Epileptics are all capable of study and useful work, provided it is not a strain on either body or mind."

Grisewood, Vol. II., p. 337, c. 2.

Grisewood, Vol. II, p. 33 c. 2.

Many of the inmates in the institution are paid for by boards of guardians, and two or three are paid for by education authorities.

The Meath Home of Comfort.
Annual Report, 1905.

908. Five years after the establishment of the Maghull Colony, in 1893, Lady Meath founded a home for epileptic girls and women, which is known as the Meath Home of Comfort. The institution is situated near Godalming in Surrey, and it has subsidiary homes at Hayling Island. It has accommodation for ninety-seven patients. Patients are received from all parts of England, at payments ranging from 8s. per week for children under twelve years of age to £2 2s. per week for ladies. Boards of guardians pay for many cases. According to the last annual report as many as forty-seven boards were paying for patients. Epileptic girls and women who are likely to derive benefit from a residence in the home and are able to engage in some occupation such as needlework, beadwork, basket-making, or laundry are considered suitable for admission. Patients who are "violent, hysterical, imbecile or lunacy cases" are, under the rules, excluded. Many of the children admitted are of school age, but the institution is not certified by the Board of Education, nor does it receive any education grant. The class of case at the home is similar to that at Maghull. Most of the inmates have symptoms of mental defect, slight in some but marked in others.

The Chalfont Epileptic Colony.
Beach, Vol. I., 381, col. 1. Gaskell, Vol. II., 16491.

909. The Chalfont Epileptic Colony was founded by the National Society for the Employment of Epileptics in 1894 for the assistance of sane epileptics. It was the first colony opened in England for sane epileptics. It consists of a farm of 210 acres, nine residential houses, an administrative block and workshops. It has accommodation for 198 colonists, of whom 134 are males and sixty-four females. Among the males eleven are under sixteen years of age, among the females none are under that age. Cases for admission are carefully selected, and epileptics who have a marked mental or moral deficiency or are liable to attacks of insanity are excluded, as are also those who by reason of awkwardness, irritability or physical defect are not suited for life in the colony.

Gaskell, Vol. II., p. 312, c. 2.

Vol. IV., p. 313, c. 2.

Vol. IV., p. 312, c. 2.

There are no educational facilities in the colony; two of the houses were built as a residential certified epileptic school, but owing to the restrictions imposed by the Elementary Education (Defective and Epileptic) Children Act, 1899, limiting to fifteen the number of children to be provided for in any one building, the project was abandoned, and the houses are now used for other purposes.

Vol, IV., p. 314, c. 2.

The majority of the male colonists are employed in farm and garden work; others are employed in carpentering, plumbing, painting, brick-laying, smith's work, tailoring, boot repairing, and domestic duties. Formerly basket-making was used as an employment for men, but it has been abandoned. It was found to be too sedentary. Of the female colonists, about one-half are employed in the laundry, and the remainder in dressmaking, needlework, and housework. The labour of the inmates produces a considerable profit. The farm and garden account shows a profit of £300 and the building and works account a profit of £127, in all £427, or about £2 per inmate per year. In addition, the labour of the inmates reduces the cost of maintenance, which now stands at 10s. 8d. per patient per week. Although patients are excluded whose mental deficiency is marked, there are many who are to some extent mentally defective; this was noticed by members of the Commission, and it is supported by Mr. Gaskell's statement that "probably one-third of them would seem reasonably capable of managing their own affairs."

Vol. IV., p. 316, c. 1.

Vol. IV., p. 317, c. 2.

Gaskell, Vol. II., 16576-16577.

askell, Vol. V., p. 315, 1 and 2.

The houses and homes in the colony are under the charge of a lady superintendent who is a trained hospital nurse, and, as at Maghull, a local medical practitioner visits twice a week and as often as required, and there is an honorary visiting physician. The Chalfont Epileptic Colony.—*contd.*

910. The David Lewis Colony for sane epileptics was opened at Sandlebridge, near Manchester, in 1904; it was founded by the trustees of the David Lewis bequest, and provides accommodation for 200 colonists in all, but this includes the accommodation required for the certified epileptic school referred to above which is not available for the ordinary purposes of the colony. The buildings consist of a large central administrative block with the kitchen, laundry, etc., and a number of detached residential villas. The estate consists of about 115 acres, and with some workshops it provides work for the more able-bodied class of patients, a class similar to that admitted to Chalfont. In the greater number of the cases, signs of mental defect may be noticed: in some, they are well marked. The payments for patients vary from 14s. a week to 50s. Children may be admitted. This colony differs from the institutions at Maghull, Chalfont, and Meath in that it is under the superintendence of a resident medical officer. The David Lewis Colony. Report David Lewis Colony, November, 1905.

911. There is one other institution—St. Luke's Home, at Bournemouth. From the Annual Report for 1904, it would appear that it provides accommodation for twenty epileptic women and girls, members of the Church of England, who require nursing. The payment is 12s. 6d. a week. St. Luke's Home, Bournemouth.

912. Two at least of these institutions represent a type of colony or colony home which might, we think, be generally adopted in any future arrangements for the care of so-called sane epileptics. They are dependent on voluntary support and, probably, partly for that reason have been economically built and are thriftily managed; and those who support them desire that they should retain their voluntary character, while their usefulness, as they hope, will be largely extended.

The Development of Industrial Colonies for Epileptics.

913. "To my mind," Mr. Gaskell said, "it is highly important to draw a distinction between colonies such as ours"—that at Chalfont—"which are for voluntary patients, and colonies where you have to detain people. . . . I think it would spoil the colony for those who are contented and amenable, if they were mixed up with a set of people who needed compulsion and detention." But apart from this distinction, whether it be desirable to maintain it or not, there is on the part of the managers of these institutions a general wish to preserve their voluntary nature. Dr. Basden, referring to the Lingfield School and Home, said: "We are hampered in the sense that we are hampered for money. We like it being a voluntary thing, because we get people interested who are interested in it for its own sake; but we feel the need of more funds." And Mr. Gaskell said that he did not think that any of these institutions would be so well managed by public authorities as they would be by voluntary management:— Gaskell, Vol. II., 16614, 16616. Grisewood, Vol. II., 16895. Basden, Vol. II., 11946. Gaskell, Vol. II., 16639, 16640.

> "There is a considerable amount of flexibility now in the management which I think you could never get with public management. The tendency is for public management to become a matter rather of hard and fast rule, and that is fatal in an epileptic colony. I think the fact that you get in the voluntary charity such a large number of people interested in it from one source and another is a great advantage, as all that tends to add to the variety of an epileptic colony. With a committee such as ours, some of the members take an interest in it from one point of view and some from another, and similarly with our subscribers and other helpers. All this variety of interests is of the greatest value. It saves us from the monotony of institutionalism, and adds immensely to the zest and variety of the lives of the colonists. With public management you would not get this kind of thing to the same extent."

So Dr. Alexander, of the Maghull Home for Epileptics says:—

> "I think the home should be always voluntary. If you have it under a public authority there is a danger of too much red tape. You require a certain amount of freedom in managing institutions of that sort. The patient cannot be brought to any distinct rule; you have to manage as well as you can." Alexander, Vol. II., 16707.

914. Yet the demand for accommodation is so great that the present homes and colonies are not able to meet it, and desire to extend. Hence suggestions for help from the State in some form, on the understanding that whether entirely voluntary, from the point of view of finance, or in some degree subsidised, Grisewood, Vol. II., p. 338, c. 1. Brooks, Vol. II., 12139 and 12140.

The development of industrial colonies for epileptics—*contd.*

the institution, should be certified and inspected. Two or three questions thus arise. One question is the difficulty of meeting any general demands from public authorities which entail extension, without some guarantee that the outlay required will be justified by the continuance of the use of the institution by these authorities. Thus Mr. Brooks, of the Epileptic Homes at Lingfield and Starnthwaite said :—

> "Our difficulties are these. We have children from the boards of education and children from the guardians just paying maintenance. I would rather charge a larger maintenance and find our own capital, sinking fund, and building, as we required, and be independent. Speaking for myself, I should not like to be trammelled by outside authorities ; I can do my work much better as I am doing it. If capital can be found by increased maintenance it would be the best way of finding it, by voluntary bodies. We have at this moment many children applying that we cannot take. That does not contradict what I said a little while ago, for there is a county asking us to take ninety, another asking us to take twenty. We cannot do with them. But if the capital outlay could be met by an increased charge for maintenance, we could continue to meet the demand so far as it is made upon Lingfield, and I would rather meet it in that way than any other. . . . Our difficulty is a guarantee. If we took from a county council say twenty children without any guarantee and then we built for those children and they withdrew them, there would be our difficulty. We say we must have maintenance, and a guarantee from someone. We cannot put up buildings and afterwards have them empty. . . . There is a desire to give a guarantee, yet they do not want to hamper their successors. There should be some method whereby they could come so that there should not be children waiting admission that cannot be taken" Vol. II., 12139. Vol. II., 12140. Vol. II., 12141.

Vol. II., 12142. They could raise funds to meet the cost by borrowing, Mr. Brooks believed.

Assistance might be given from public funds to voluntary associations.

915. To enable voluntary associations, therefore, to extend so as to meet public needs there must be some fixity of custom, which will enable them to meet the demand without undue speculation. If the institution in its charge for weekly maintenance in the individual case included a proportional amount of all its expenditure, it would be able by degrees to repay any loan that it may have to raise ; and as its accounts would be open to official inspection, the public authority would have all the information necessary to prevent any undue expenditure being incurred and charged either to the maintenance or the establishment accounts. We think that under these conditions voluntary homes would be so sufficiently supervised as to allow of their receiving public assistance by way of loans.

Grisewood, Vol. II., p. 335, c. 2, and p. 336, c. 1, 16899.

916. Another question is raised by Mr. Grisewood. The managers of the Maghull Home have raised £31,048 by voluntary contributions and loans on mortgages ; and as he says in referring to the managers :—

> "We have come to a point where we have spent a considerable amount of capital which we have been obliged to raise either from voluntary contributions or else on mortgage of the property, and that means a certain liability upon the committee, and it is difficult to go on with the extension which we feel to be desirable. We should like to provide better for the children than they are provided for now."

Vol. II., p. 338, c. 1. Accordingly he suggests that "the capital sum required for land building and equipment might be advanced on terms that would repay the amount in say thirty to fifty years." In fact he urges that a recognised voluntary institution might, subject to the usual safeguards, receive a loan on the lines adopted in the case of loans granted to public authorities. As we have seen, the Cheshire County Council have already made a loan for the Home for the mentally defective at Sandlebridge ; and Dr. Alexander stated to us his belief that "if the buildings and laundry were founded for the institution, they could be made self-supporting ; but if the people paid who could, and if the guardians paid for those who could not pay, the institution would be self-supporting ; that," he added, "is our experience at Maghull." Mr. Gaskell took a similar line. He suggested that conditional grants might be made to voluntary institutions. He said :—

Dendy, Vol. I., 1000.

See ante paragraph 341.*

Alexander, Vol. II., 16749

> "I think that to some extent such institutions might be aided as to the establishment cost by grants from county councils or other bodies in the event of new legislation making it the duty of the county council to provide institutions for epileptics and the feeble-minded. . . . I do not think it would be advisable that the whole should be provided from public sources, because if you once provide the whole from public sources you get a very great difficulty as to any security for the permanent carrying on of the institution under voluntary management."

Gaskell, Vol. II. 16630, 16631.

Gaskell, Vol. II. 16632–16634. He thought that grants from the State might, in principle, be fixed on some scheme by which a proportionate amount of the total required might be raised voluntarily ; and that the colony might otherwise be supported, in part by the

payments made to it for patients who were admitted to it on the account of local authorities, and in part by voluntary contributions; but he said:— Assistance might be given from public funds to voluntary associations—*contd.*

Gaskell, Vol. II., 16635.

> "I think it is eminently desirable that voluntary associations should provide some part of the cost by subscriptions, because I do not think voluntary management would ever be really effective unless there were some financial responsibility thrown upon the management of that voluntary association. It appears to me that the burden of collecting funds is one of the conditions absolutely necessary for keeping up the efficiency of voluntary bodies."

These suggestions for the extension of voluntary institutions are, we think, worthy of serious consideration. We are very strongly of opinion that in this branch of work, official intervention should not be used in such a way as to exterminate or even to weaken voluntary effort. On the contrary, we think that in the interest both of economy and of efficiency voluntary effort should be turned to the utmost account by the Board of Control and by the Committees for the care of the mentally defective under the safeguards that we have proposed. Recommendations XLII., XC.

917. To sum up; the accommodation for sane or uncertified epileptics is altogether insufficient; all our witnesses on that point are unanimous. There are, it is estimated, 30,000 epileptics in England and Wales "many of whom must be sane epileptics," but whether this be so or not, and whether many of these are, or are not, mentally defective in some degree, as well as epileptic, the accommodation now available is obviously insufficient. Apart from the workhouses and the institutions established for the Chorlton and Manchester Guardians, and the Birmingham, Aston and Kings Norton Guardians, it provides for about 951 persons, adults and children. Existing accommodation for sane epileptics insufficient. Beach, Vol. I., p. 379, c. 2. Paragraphs 888, 907–911.

918. Almost all our witnesses are agreed that the further provision that is necessary should take the form of farm and employment colonies like the Chalfont and the David Lewis Colonies. There is some difference of opinion in regard to the extent to which a colony which is used in part for mentally defective epileptics should be used for sane epileptics also. As we have seen, many who are classed as sane epileptics are but little removed from the mentally defective, so that probably during their life as workers and patients they may have to be transferred from one colony or institution to another as the epilepsy passes into mental defect and eventually becomes the lesser malady. Yet it would seem best at the outset, and as long as is desirable, that the sane epileptics should be either in a separate industrial colony or in a separate section of such a colony. The same colony, provided there is sufficient space and suitable organisation, might serve, we think, both for children and for adults. The evidence which we have received on all sides in favour of the treatment of sane epileptics in an industrial colony we accept as decisive. The industrial colony and sane epileptics. Coward, Vol. II., p. 92, c. 1 and 2. McCallum, Vol. II., 12196, p. 75, c. 1 and 2. Ferrier, Vol. I., 6889. Rhodes, Vol. I., p. 551, c. 2. Leiching, Vol. II., 19661. Bevan Lewis, Vol. II., p. 16, c. 1 and 2. Helby, Vol. I., 5264–5266. Raw, Vol. II., p. 399, c. 2, and 18029. Jackson, Vol. II. p. 414, c. 2. Beach, Vol. I., p. 379, c. 2.

Some Miscellaneous Questions and Conclusions.

919. There remain for our consideration the opinions of witnesses on three or four important questions of administration. One is that, as children, unless they are seriously affected, sane epileptics should be taught in the ordinary classes with other children. Another is that teaching and training at an early age in an industrial colony is the best method of staying the disease of epilepsy, and, as far as it may be, of curing it, and hence the sane epileptics should at an early age be admitted to a colony. Another is that marriage with an epileptic is usually bad for the offspring. And lastly, epilepsy, it is said, is so closely allied to mental defect that any public organisation that deals with the one must take cognizance of the other. Coward, Vol. II., p. 92, c. 1. Kerr, Vol. I., 7991. Macdonald, Vol. II., 19527-19530. Basden, Vol. II., p. 57, c. 1. Brooks, Vol. II., p. 62, c. 1 and 2. Bond, Vol. I., p. 465, c. 1 and 2. Bond, Vol. I, p. 470, c. 2.

920. In regard to the two opinions first mentioned, the evidence would seem to show that, in the case of children, very good results follow from life and treatment in a colony. But we have received no evidence on the question whether in families which are not in affluent circumstances there may not be equally good results, if the child is carefully trained, bodily, as well as mentally, at home and at school. Where this training is not forthcoming the malady, it appears, grows rapidly worse. As a matter of fact, it is stated that "the children of the poor cannot be treated at home, and no serious attempt is ever made to save them from drifting into the hopeless condition of epileptic insanity. . . Removal to a colony, where there are suitable Education and care of sane epileptic children. McCallum, Vol. II., p. 75, c. 1 and 2.

Education and care of sane epileptic children—*contd.*
Beach, Vol. I., p. 381, c. 2.

surroundings and medical treatment will, in over 60 per cent. of all cases, check the convulsions, and so cure the disease before gross irreparable damage is done to the brain." "Experience has shown," Dr. Beach says, "that young epileptic cases are those in which the best results are gained by the colony system of treatment. The children learn to muster up and exercise their distracted faculties, to master themselves, to be punctual and obedient, and above all things—a matter in which the epileptic is often wanting—to find pleasure in regular activity, and to regain the confidence which he has often lost in his own power of performance"; the "fits are fewer" and "with proper training and a sufficient staff of teachers, great progress is made mentally and physically." This is the experience of the Institution for epileptics at Zurich; it is equally the experience at Chalfont—in the case of twenty-four boys who were admitted to it at fourteen years of age. Our conclusion is that it would be better in cases in which the epilepsy is likely to be permanently checked or remedied, if a colony were made the place of education and employment alike. This would imply that not merely children suffering from serious epilepsy would be admitted to the colonies but others also, if it were to their benefit. If, however, it were considered best that a child should remain in the ordinary school, as some prefer, there would be nothing to prevent it. We would urge only that the physical condition of these children should be considered from time to time, so that further measures may be taken for their care, if they are necessary.

See Paragraph 871 above.

921. According to the estimate which has been submitted to us there are probably 1,000 epileptic children for whom provision would have to be made on the ground of the severity of the disease, but some of these children it seems probable would also have a claim upon the community on the ground of mental defect.

Epileptics and marriage.
Bond, Vol. I., p. 465, c. 1.

922. As to the third point: in favour of the segregated life for epileptics Dr. Bond's evidence may be quoted:—"An epileptic family history is to be regarded as especially dangerous. In the case of a parent who is an epileptic, the disease may be regarded as practically always present, and, moreover, in the vast majority of cases will have developed either early in life, or at least prior to the birth of the next generation." . . . . "In a series of 300 epileptics certified as insane (excluding the congenital cases, only one of whom was married), of those in whom the epilepsy developed *before* the age of fourteen no less than 20 per cent. had become subsequently married."

Bond, Vol. I., p. 465, c. 2.

Notification of sane epileptics not suggested.

923. But we do not propose that cases of sane epilepsy should be notified. In the course of the medical inspection of schools, epileptics no doubt will come to light, and they should then be considered by the committees for the care of the mentally defective, with a view to their being treated as sane epileptics, if they are free from mental defect and require care and treatment, or as mentally defective, if they combine mental defect with epilepsy. For their future welfare the register of their cases while they are at school should prove very valuable. Sane epileptics, strictly so-called, would not be certifiable, though they might become resident in a colony for epileptics generally.

Recommendations as to epileptics.
Bond, Vol. I., p. 470 c. 2.
Tredgold, Vol. I., p. 398, c. 1, and p. 400, c. 2.

924. As regards the present provision for epileptics it may be stated that large numbers of them are dealt with in lunatic asylums, large numbers in workhouses in surroundings which are generally described as ill-adapted for their requirements, a small number in certified epileptic schools, a small number in idiot asylums, and a certain number, not very large, in philanthropic institutions. Some of them are relieved by county councils as lunacy authorities, some by guardians as "lunacy authorities," some by boards of guardians as Poor Law authorities, others by county councils as education authorities, others by guardians as "education authorities," and others by philanthropy. Some are in institutions inspected by the Board of Education, others in institutions inspected by the Lunacy Commission, others in institutions inspected by the Local Government Board, and others in institutions not subject to any Government inspection. In respect of some, Treasury money is paid on account of their lunacy, of others, on account of their education, and in respect of others, no Treasury grant is paid. As a

rule mental defect of a more or less marked degree is found to accompany epilepsy; and sane epilepsy is the exception. The relation between epilepsy and mental defect is so close that it is not possible to make provision for sane epilepsy separately and under a separate authority. We propose, therefore, that the Board of Control and the committees for the care of the mentally defective should provide for all cases of epilepsy—so far as it may be necessary.

Recommendations as to Epileptics—*contd.*

925. All cases of epilepsy combined with mental defect come under the recommendations which we have made for the care of the mentally defective. As to epileptics not provided for as mentally defective, we recommend that the Board of Control be empowered to register, inspect and report on all institutions or houses for the care of epileptics not provided for as mentally defective, and to regulate the same if they form part of an institution for the mentally defective, and that the committees be authorised to consider and deal with the cases of these epileptics and to provide for their accommodation, maintenance, care, treatment, education, training and control, and with regard to these epileptics shall have the powers referred to in Recommendations XXXII.–XXXIV. (inclusive), XXXVII.–XL. (inclusive), XLIV., XLVI. and XLVII., XLIX.–LI. (inclusive), and in Recommendations from LXXV.–LXXXVI. (inclusive), so far as may be necessary. In addition to these powers our general Recommendations as to the mentally defective are in the following instances specifically applied to the cases of epileptics not mentally defective, viz., Preamble (1), Recommendations XLI., XLII., LXXIII., XC., XCII., XCIII., and XCVI.

Recommendation XC.

RECOMMENDATIONS AS TO ENGLAND AND WALES.

PART XI.

CHAPTER XLIII.

PREAMBLE.

It has appeared to the Commissioners desirable that this short preamble should be prefixed to their Recommendations. The following are points which should be borne in mind in reference to the Recommendations as a whole:—

(1) It is not intended that the maintenance at public expense of the mentally defective, or of epileptics not mentally defective, should be extended to those who either at their own cost or at that of their relatives or friends can be otherwise suitably and sufficiently provided for.

(2) It is not intended to interfere in any way with the authority or powers of the Secretary of State for the Home Department as laid down in the Lunacy Act of 1890, though the procedure in regard to plans is somewhat altered under Recommendation XLIV.

(3) With the reservations mentioned below, the powers of the Lord Chancellor, whether under the prerogative or under the Lunacy Act of 1890, remain intact. The exceptions recommended are as follows:—

(i) The jurisdiction of the Judge and Masters in Lunacy is proposed to be transferred to the Chancery Division.

(ii) The duties of the Lord Chancellor's Visitors will be undertaken by the members of the proposed Board.

(4) It is understood that all the existing powers of the Lord Chancellor or the Secretary of State, whether by virtue of the prerogative or under Statute, relating to Lunatics, with the reservations mentioned above, are preserved and extended to all classes of mentally defective persons as defined in Recommendation IV.

(5) The words "Institution" or "Home" are used in these Recommendations in the widest sense to include all establishments in which mentally defective persons are maintained wholly or in part at the expense of the rates or taxes, or at the charges of charitable endowments or voluntary contributions, and not for private profit.

(6) A "House" in these Recommendations means a place in which two or more mentally defective persons are maintained for private profit.

(7) The three methods of oversight, certification, and detention are recommended as available for the mentally defective; they will be applied subject to statutory safeguards and at the advised discretion of a responsible Committee. According to the different classes, for some oversight will suffice, for others certification, and for others certification with an order for detention. The aim of the scheme is the application of particular methods suitable for the cases of different persons, not the general adoption of any one method exclusively. We have described these methods in our Report.

See paragraphs 372, 683–754, 763.

A.—THE CENTRAL AUTHORITY.

(Recommendations I. to XXVII.)

RECOMMENDATION I.

See paragraphs 190–192 597, 634–644, 765–808, above.

The single central authority.

That there be one central authority for the general protection and supervision of mentally defective persons and for the regulation of the provision made for their accommodation and maintenance, care, treatment, education, training and control.

RECOMMENDATION II.

See paragraphs 472–5, 528.

Act for the care and control of the mentally defective.

That, consistently with the above Recommendation and in view of the alterations in administration and procedure suggested below, the Lunacy Acts, 1890 and 1891, and the Idiots Act, 1886, be remodelled and that such of the provisions of these Acts as are consistent with the scheme suggested in these Recommendations, together with such new statutory provisions as may be required for bringing the complete scheme into operation, should be embodied in an Act for the care and control of the mentally defective.

RECOMMENDATION III.

See paragraph 530, and Chapter XXVIII.

Changes in nomenclature and definition of "mentally defective."

That the statutory use of the word "lunatic" be discontinued, that the term "Hospital" be substituted for the word "Asylum," and that the term "mentally defective" be defined in the proposed Act for the care and control of the mentally defective as comprising the classes of mentally defective persons set out in Recommendation IV.

RECOMMENDATION IV.

See Chapter XXVIII., and paragraphs 563 and 596.

Classes of persons supervised by the central authority.

That there be placed under the general protection and supervision of the central authority:

(1) "Persons of unsound mind," *i.e.*, persons who require care and control owing to disorder of the mind and are consequently incapable of managing themselves or their affairs, and are not included in classes (2), (3), (4), (5), (6), (7), (8), and (9), below.

NOTE.—The term "unsound mind" under this Recommendation might be said to stand as generally equivalent to the word lunatic.

NOTE.—Persons are detained at present as persons of unsound mind either in consequence of an inquisition (see Lunacy Act, 1890, Sec. 90, set out in note to Recommendation VIII.); or in ordinary cases (*i.e.* cases not under inquisition)—

(i.) Under an urgency order usually made by a relative on the certificate of one medical man, which is temporary only, or

(ii.) Under a reception order obtained on petition to a judicial authority, or

(iii.) Under a summary reception order made by a magistrate where the lunatic is wandering, a pauper, or neglected, or

(iv.) Under an order made by the Commissioners in Lunacy, or

(v.) Under an order made under the Criminal Lunatics Acts, or

(vi.) Under an order made under the Idiots Act.

The Statutory provisions governing (i.) to (iv.) above are under the Lunacy Act, 1890, Sec. 11 (see Recommendation LXXI.), Secs. 4 to 10 (see Recommendation LXVIII.), Secs. 13 to 27 (see Recommendation LXXI.). Those governing (vi.) are under the Idiots Act (see Recommendations LII.). Those governing (v.) are under the Criminal Lunatics Acts, viz.:

Criminal Lunatics Act, 1800, Sec. 2.

Lunatics Removal (India) Act, 1851, Secs. 1 and 2.

Trial of Lunatics Act, 1883, Sec. 2.

Criminal Lunatics Act, 1884, Sec. 2.

For practical purposes criminal lunatics may be divided into (a) King's Pleasure Lunatics and (b) Secretary of State's Lunatics. Both classes are in custody by virtue of an order of a court of law and cannot be discharged without a warrant signed by the Secretary of State.

(2) "Persons mentally infirm," *i.e.*, persons who, through mental infirmity, arising from age or from the decay of their faculties, are incapable of managing themselves or their affairs.

(3) "Idiots," *i.e.*, persons so deeply defective in mind from birth or from an early age that they are unable to guard themselves from common physical dangers, such as, in the case of young children, would prevent their parents from leaving them alone.

NOTE.—This definition was suggested in evidence before us by the Royal College of Physicians of London.

(4) "Imbeciles," *i.e.*, persons who are capable of guarding themselves against common physical dangers, but who are incapable of earning their own living by reason of mental defect existing from birth or from an early age.

NOTE.—This definition was suggested in evidence in the form before us by the Royal College of Physicians of London.

(5) "Feeble-minded," *i.e.*, persons who may be capable of earning a living under favourable circumstances, but are incapable from mental defect existing from birth or from an early age (a): of competing on equal terms with their normal fellows; or (b) of managing themselves and their affairs with ordinary prudence.

NOTE.—This definition is, with slight verbal alterations, in the form suggested in evidence by the Royal College of Physicians of London to us, assuming as we do that the "prodigal" and the "facile" are included within the term.

(6) "Moral Imbeciles," *i.e.*, persons who from an early age display some mental defect coupled with strong vicious or criminal propensities on which punishment has little or no deterrent effect.

NOTE.—This definition is as recommended by the Royal College of Physicians, with the deletion of the words in brackets and the substitution in their place of the words "some mental defect coupled with :"—"a person who displays from an early age [*and in spite of careful up-bringing*] strong vicious or criminal propensities on which punishment has little or no deterrent effect."

Part. X. ve.

(7) "Epileptics," *i.e.*, persons who, being epileptics, are also mentally defective.

Chapter I. above.

(8) "Inebriates," *i.e.*, persons who, being inebriates, are also mentally defective.

Chapter III. above.

(9) "Deaf and Dumb" or "Blind," *i.e.*, persons who, being deaf and dumb or blind, are also mentally defective.

RECOMMENDATION V.

para-phs -807.

That the central authority, which would deal with the whole class of mentally defective persons and the divisions of that class, be called "The Board of Control," and the members thereof be called Commissioners of the Board of Control.

Title of the central authority.

RECOMMENDATION VI.

para-phs -810.

That there be appointed to the post of Commissioner, according to the demands of the business of the Board of Control, persons who are specially qualified for that post, subject to these qualifications, (1) that a certain proportion of the number be qualified medical men who have expert knowledge in regard to the various classes of mental defect mentioned in Recommendation IV., and respecting institutional and other administration; (2) that a certain proportion of the number be legal members, being barristers-at-law qualified to deal with particular cases and points of law, including such questions as may arise out of the new conditions which the plan proposed by us must necessarily entail; (3) that the number of Commissioners be sufficiently large to dispense with the necessity of appointing deputy Commissioners in case of temporary absence through illness or other cause; (4) that the Commissioners be appointed at such salaries as with the concurrence of the Treasury may seem reasonable in view of the scale of salaries generally paid in Government departments; (5) that a paid Chairman be appointed on similar terms, due regard being had to the responsibilities of his office; (6) that Sections 158 (1) and the first paragraph of Section 165 of the Lunacy Act of 1890 be repealed provided that it be made a rule of the Board that no Commissioner should be deputed to visit a licensed place with which he has been connected within one year last preceding his appointment.

Constitution of the central authority.

NOTE.—The sections—158 and 165 of the Lunacy Act—which are referred to above, are as follows ; the parts proposed to be repealed being printed in *italics* and in [—].

158.—[(1.) *A person shall not be qualified to be a Commissioner or secretary or clerk of the Commissioners if he is, or within one year prior to his appointment has been, interested in a licensed house.*]

(2) If any Commissioner or the secretary or any clerk of the Commissioners becomes interested in a licensed house, he shall be disqualified to hold his office.

(3) Any disqualified person continuing to act shall be guilty of a misdemeanor.

165.—[*A person shall not be appointed a Chancery Visitor if he is or has been within the two years preceding his appointment directly or indirectly interested in any licensed house* ;] and if any person after his appointment becomes so interested, his appointment shall become void, and thereupon his salary shall cease.

RECOMMENDATION VII.

Transfer of the jurisdiction of the Judge and Masters in Lunacy to the Chancery Division.

That, subject to Recommendations VIII. and IX. below, the Lunacy Jurisdiction now exercised by the Judge and Masters in Lunacy be transferred to the Chancery Division of the High Court, and the jurisdiction of the Masters, as separate officials, be abolished.

See paragraph 789-804.

NOTE.—The jurisdiction which the Sovereign as *Parens Patriæ* exercises over insane persons is part of the Royal prerogative. Such jurisdiction was originally exercised by the Crown in its Court of Exchequer. It next passed to the Lord Chancellor ; then to the Court of Wards ; and on the abolition of that Court back again to the Lord Chancellor (*Pope on Lunacy*, 2nd Ed., p. 28). It is, moreover, either (1) Original or (2) Appellate. The original jurisdiction has again in practice been severed in modern times into (a) Judicial and (b) Ministerial. The *Judicial* portion of the original jurisdiction has ever since 1851 been possessed by the Lords Justices, each one of whom is usually entrusted with it by Royal Sign Manual. But so much of it as relates to holding of inquisitions is usually exercised under the direction of the Lords Justices by the Masters in Lunacy (Lunacy Act, 1890, Secs. 111–114), and by such other persons as may be specially appointed (see *ibid*, Sec. 113), but may be exercised by means of an issue directed to be tried in the High Court of Justice (see *ibid*, Secs. 94 and 334). The *Ministerial* portion of the Sovereign's jurisdiction over insane persons has of modern years, and ever since its first establishment, been exercised by the Lunacy Office, of which Office the Masters in Lunacy are the head.

The Sections of the Lunacy Act referred to above are reprinted below :—

Jurisdiction of judge in Lunacy.

108.—(1.) The jurisdiction of the Judge in Lunacy under this Act shall be exercised either by the Lord Chancellor for the time being entrusted by the Sign Manual of Her Majesty with the care and commitment of the custody of the persons and estates of lunatics, acting alone or jointly with any one or more of such Judges of the Supreme Court as may for the time being be entrusted as aforesaid, or by any one or more of such Judges as aforesaid.

(2.) The Judge in Lunacy may make orders for the custody of lunatics so found by inquisition and the management of their estates, and every such order shall take effect as to the custody of the person immediately, and as to the custody of the estate upon the Master's certificate of completion of the committee's security.

(3.) Where upon the inquisition it is specially found or certified that the person to whom the inquisition relates is of unsound mind so as to be incapable of managing his affairs, but that he is capable of managing himself, and is not dangerous to himself or to others, the Judge in Lunacy may make such orders as he thinks fit for the commitment of the estate of the lunatic and its management, including all proper provisions for the maintenance of the lunatic, but it shall not be necessary, unless in the discretion of the judge it appears proper to do so, to make any order as to the custody or commitment of the person of the lunatic.

(4.) Any order under this section may be made notwithstanding proceedings are pending for a traverse or new trial, and any person acting upon an order so made shall be indemnified as effectually as if there had been no right of traverse or new trial.

Masters in Lunacy.

111.—(1.) There shall continue to be Masters in Lunacy as heretofore, and they shall, subject to the provisions of this Act and the Rules in Lunacy, execute and perform the same powers and duties as heretofore, and shall perform such other duties for the benefit of lunatics and their estates as the Lord Chancellor may direct.

(2.) The powers and authorities of the Masters shall be joint and several, and they shall execute commissions and conduct inquiries connected with lunatics or their estates, and perform all other duties committed to them, either separately or together, and at such places, within such times, and in such manner as the Rules in Lunacy, and, subject thereto, as the Judge in Lunacy may by any special order direct.

(3.) A Master must be a barrister of not less than ten years standing, and shall be appointed by the Lord Chancellor.

(4.) A Master shall, before being capable of acting, make before the Lord Chancellor, in the manner now used, the declaration to be made by a Master set forth in the First Schedule.

(5.) The Masters shall have such clerks and officers as the Lord Chancellor may, with the concurrence of the Treasury as to number and salaries, determine.

(6.) The salaries of the Masters, their clerks and officers, and their expenses to the amount sanctioned by the Treasury, shall be paid out of moneys provided by Parliament.

Commission of Inquiry.

112. A general commission of inquiry, with such variations as may be expedient, may from time to time be issued in duplicate under the Great Seal, directed to the Masters by name, jointly and severally, who shall by virtue thereof proceed, in each case of alleged lunacy concerning which the Judge in Lunacy orders them to inquire, in like manner and with all the like powers and authorities (subject to the provisions in this Act contained) as heretofore.

Special Commission may issue.

113. The Lord Chancellor may issue a commission specially to any person or persons alone or in addition to the Masters, or one of them, if upon any occasion he thinks it proper to do so ; and the provisions of this Act so far as applicable shall extend to every commission so issued specially.

Power to summon witnesses.

114. The Masters may administer any oath and take any affidavit and may summon any person to give evidence before them, and every person so summoned shall be bound to attend as required by the summons.

Inquiries before a jury may be made by means of an issue in the High Court.

94.—(1.) Wherever the Judge in Lunacy orders an inquisition before a jury, he may by his order direct his issue to be tried in the High Court, and the question in such issue shall be, whether the alleged lunatic is of unsound mind and incapable of managing himself or his affairs ; and the provisions of this Act with respect to commissions of lunacy, and orders for inquisition to be tried by a jury, and the trial thereof, and the constitution of the jury, shall apply to any issue to be directed as aforesaid, and the trial thereof, and subject thereto and to the provisions of this Act, such issue and the trial thereof shall be regulated by the Rules of the Supreme Court for the time being in force relating to the trial of issues of fact by a jury, and the verdict upon any such issue finding the alleged lunatic to be of unsound mind and incapable of managing himself or his affairs shall have the same effect as an inquisition under this Act.

(2.) On the trial of every such issue the alleged lunatic shall, if he is within the jurisdiction, be examined before the evidence is taken, and at the close of the proceedings, before the jury consult as to their verdict, unless the Judge who tries the issue otherwise directs ; and such examinations shall take place either in open court or in private as such Judge directs.

Meaning of word commission in other Acts extended.

334. Where in any Act of Parliament, order or rule of court, or instrument, reference is made to a commission of lunacy, or the inquisition thereon, the general commission and the inquisition, or certificate operating as an inquisition, and the issue and verdict thereon respectively in this Act mentioned, shall be deemed to be included in the reference.

RECOMMENDATION VIII.

See paragraphs 781–804.

Ascertainment of mental defect by legal commissioner.

That where an issue is not directed in the High Court or a jury is not demanded or thought necessary, the inquiry in regard to the question whether or not a person who has property is suffering from mental defect as defined in Recommendation IV. above, and is incapable of the responsible control of himself and his affairs, be entrusted, under rules to be framed by the Rules Committee of the Supreme Court, to any one of the legal Commissioners, members of the proposed Board of Control (see Recommendation VI. above) who if necessary, shall be assisted by a medical Commissioner of the Board as assessor, and who shall have for the purposes of such inquiry and in relation thereto the same duties, jurisdiction, and powers as the Masters in Lunacy, and the practice and procedure of whose court shall be the same as that of the Masters in Lunacy.

NOTE.—Under the scheme the judge would direct the inquisition in ordinary cases before one of the legal Commissioners, but if a jury were demanded, or thought necessary, the issue would be tried in the High Court (*see* Sec. 94 of the Lunacy Act, 1890). At present the inquisition is as to whether the person is "of unsound mind and incapable of managing himself and his affairs" (*see ibid.*, Sec. 90 (1)), but it may be found that the person is "of unsound mind so as to be incapable of managing his affairs but that he is capable of managing himself, and is not dangerous to himself or others" (*see* Sec. 98 (2)). Under the recommendation it is proposed to extend the inquiry so as to include the other classes of mentally defective persons defined in Recommendation IV. The Sections of the Lunacy Act, 1890, bearing on these inquiries are reprinted below :—

Order for inquisition as to lunacy.

90.—(1.) The Judge in Lunacy may upon application by order direct an inquisition whether a person is of unsound mind and incapable of managing himself and his affairs.

(2.) Where the alleged lunatic is within the jurisdiction, he shall have notice of the application and shall be entitled to demand an inquiry before a jury.

(3.) Upon the hearing of the application, the alleged lunatic may withdraw any demand for a jury made by him.

Demand of a jury by alleged lunatic.

91. Where the alleged lunatic demands a jury, the Judge in Lunacy shall in his order for inquisition direct the return of a jury, unless he is satisfied, by personal examination of the alleged lunatic, that he is not mentally competent to form and express a wish for an inquisition before a jury; and the Judge may, where he deems it necessary, and for the purpose of personal examination, require the alleged lunatic to attend him at such convenient time and place as he may appoint.

Cases where a jury may be dispensed with.

92. Where the alleged lunatic does not demand a jury, or the Judge in Lunacy is satisfied by a personal examination that he is not mentally competent to form and express a wish in that behalf, and it appears to the Judge, upon consideration of the evidence, and of the circumstances of the case, to be unnecessary or inexpedient that the inquisition should be before a jury, and he accordingly does not in his order for inquisition direct the return of a jury, then the Masters shall, without a jury, personally examine the alleged lunatic, and take such evidence, upon oath or otherwise, and call for such information as they think fit or the Judge directs, in order to ascertain whether or not the alleged lunatic is of unsound mind, and shall certify their finding thereon.

Jury to be had, if Masters certify that it is expedient.

93. Where the Judge in Lunacy does not in his order for inquisition direct the return of a jury, but the Masters, upon consideration of the evidence, certify that in their opinion an inquisition before a jury is expedient, they shall, without further order, issue their precept to the sheriff, and shall proceed in like manner in all respects, and their proceedings shall be as valid and effectual as if the Judge had directed the return of a jury in the first instance.

Inquiries before a jury may be made by means of an issue in the High Court.

94.—(1.) Wherever the Judge in Lunacy orders an inquisition before a jury, he may by his order direct an issue to be tried in the High Court, and the question in such issue shall be, whether the alleged lunatic is of unsound mind and incapable of managing himself or his affairs; and the provisions of this Act with respect to commissions of lunacy, and orders for inquisition to be tried by a jury, and the trial thereof, and the constitution of the jury, shall apply to any issue to be directed as aforesaid, and the trial thereof, and subject thereto and to the provisions of this Act such issue and the trial thereof shall be regulated by the Rules of the Supreme Court for the time being in force relating to the trial of issues of fact by a jury, and the verdict upon any such issue finding the alleged lunatic to be of unsound mind and incapable of managing himself or his affairs shall have the same effect as an inquisition under this Act.

(2.) On the trial of every such issue the alleged lunatic shall, if he is within the jurisdiction, be examined before the evidence is taken, and at the close of the proceedings, before the jury consult as to their verdict, unless the Judge who tries the issue otherwise directs; and such examinations shall take place either in open court or in private as such Judge directs.

Certificate of Masters without a jury to have the force and effect of an inquisition.

95. Where the Masters certify that the alleged lunatic is of unsound mind, and incapable of managing himself or his affairs, or that he is of sound mind, and capable of managing his affairs, the certificate shall have the same effect as an inquisition taken upon the oath of a jury.

96. Where the alleged lunatic is not within the jurisdiction it shall not be necessary to give him notice of the application for inquisition, and the inquisition shall be before a jury.

Jury to be had if lunatic out of jurisdiction.

97. The Lord Chancellor may, by order, regulate the number of jurors to be sworn, but so that every inquisition upon the oath of a jury be found by the oaths of twelve men, at least.

Number of jury. Nature and limit of inquisitions.

98.—(1.) The inquisition shall be confined to the question whether or not the alleged lunatic is at the time of the inquisition of unsound mind, and incapable of managing himself or his affairs, and no evidence as to anything done or said by him, or as to his demeanour or state of mind at any time, being more than two years before the time of the inquisition, shall be receiveable in proof of insanity, or on the trial of any traverse of an inquisition, unless the person executing the inquisition otherwise directs.

(2.) If upon such inquisition it appears that the alleged lunatic is of unsound mind, so as to be incapable of managing his affairs, but that he is capable of managing himself, and is not dangerous to himself or to others, it may be so specially found and certified.

Power of person executing inquiry.

99. The person executing an inquisition with a jury shall, while so employed, have all the powers, authorities, and discretion of a Judge of the High Court.

Inquisition may be ordered on report of Commissioners.

100. Where the Commissioners report to the Lord Chancellor that they are of opinion that the property of any person detained or taken charge of as a lunatic, but not so found by inquisition, is not duly protected or that the income thereof is not duly applied for his benefit, or to the same effect, the report shall be filed with the Masters, and shall be deemed to be an application for inquisition supported by evidence, and the alleged lunatic shall have notice of the report from such person as the Judge in Lunacy directs, and the case shall proceed and be conducted as nearly as may be in all respects as is hereinbefore directed upon an application for inquisition.

RECOMMENDATION IX.

Management and administration of property of mentally defective persons.

That on the ascertainment of mental defect by a legal Commissioner of the Board of Control, or on an issue directed in the High Court, the management and administration of the property of the person affected be entrusted to the Chancery Division of the High Court of Justice.

See paragraphs 789–804.

RECOMMENDATION X.

Provisions of Lunacy Act 1890 as to management and administration of estates applied to all mentally defective persons.

That the powers and provisions of the Lunacy Act, 1890, relating to management and administration, shall apply to all mentally defective persons as defined in Recommendation IV.

See paragraphs 755–764.

RECOMMENDATION XI.

Registration and visitation of cases.

That all cases of mentally defective persons dealt with under any of these Recommendations be registered at the office of the Board of Control; that the work of the Board be so arranged as to allow of the frequent personal visitation of mentally defective persons, and that this visitation consist of not less than two visits a year paid to each such person, unless, in view of the circumstances of particular cases or classes of cases, the Board determines that in regard to them this frequent visitation is unnecessary.

See paragraphs 584, 660–662

NOTE.—*Visitation of persons of unsound mind.* Persons certified as lunatics at present are under visitation by the Lunacy Commission (Sec. 194, Lunacy Act, 1890). Persons found lunatic by inquisition are visited by the Lord Chancellor's Visitors. *All* patients in hospitals and licensed houses are, however, visited at present by the Lunacy Commissioners. Lunatics found by inquisition in such institutions are also visited by the Chancery Visitors, at considerable expense. Under the scheme, the visitation of all mentally defective persons would be by the Board of Control only, the Chancery Visitors as such ceasing to exist, special directions being given, where required, as to more frequent visitation in case of propertied lunatics under the care of the Chancery Division.

RECOMMENDATION XII.

Mentally defective persons, including single patients, in private families and charitable establishments.

That the provisions of the Lunacy Act, 1890, Section 206, be applicable to all persons who are mentally defective or alleged to be mentally defective, including single patients.

See paragraphs 649, 668, 713–714.

NOTE.—The Section of the Lunacy Act referred to above is reprinted below.

206.—(1.) If it comes to the knowledge of the Commissioners that any person appears to be without an order and certificates detained or treated as a lunatic or alleged lunatic by any person receiving no payment for the charge, or in any charitable, religious, or other establishment (not being an institution for lunatics), they may require the person by whom the patient is detained, or the superintendent or principal officer of the establishment, to send to them, within, or at such time or times as the Commissioners may appoint, a report or periodical reports by a medical practitioner of the mental and bodily condition of the patient, with all such other particulars as to him and his property as they think fit.

(2.) Any one or more of the Commissioners may at any time visit any such patient and report the result of the visit to the Commissioners, and may exercise, with respect to such patient, all the powers (except that of discharge) given to them as to persons confined in any institution for lunatics, or as single patients.

(3.) The Commissioners may, if they think fit, transmit any reports received by them, or may report the results of any inquiries made by them under this section, to the Lord Chancellor, who may thereupon make an order for the discharge of the patient from the custody in which he is detained or for his removal to an institution for lunatics, or to such other custody as he may think fit, and the expenses properly incurred of carrying any such order into effect and of maintaining the patient if so removed shall, if the order so directs, be paid by the guardians of the union in which the patient was found, until the authority legally liable for his maintenance has been ascertained; and such guardians shall have the same right to recover any such expenses paid by them against the lunatic and his estate, and the person or authority legally liable for his maintenance as in the case of orders for maintenance under this Act.

(4.) Where an order is made by the Lord Chancellor under this section for removal of a lunatic to an asylum, any justice of the county or borough in which the asylum is may exercise all the authorities conferred upon a justice by this Act, for the purpose of making the lunatic's property applicable to his maintenance and for maintaining him as a pauper.

(5.) All reports and particulars sent to the Commissioners under this section shall be kept by them, and shall be open to inspection only by the Commissioners and the Lord Chancellor, and by such persons as the Lord Chancellor directs.

RECOMMENDATION XIII.

See paragraphs 645–662.

That the Board of Control undertake the registration, supervision and inspection of all institutions or houses (as defined in the Preamble) in which mentally defective persons are maintained, and of all arrangements made for their care, and visit all such institutions or houses at least twice a year.

Registration, supervision and inspection of institutions or houses.

NOTE.—The visitation of workhouses in which there are or are alleged to be any "lunatics" is at present carried out by the Commissioners once a year in the Metropolitan district asylums and workhouses having special lunatic wards, but in the smaller workhouses having no separate accommodation, and where the imbeciles are distributed amongst the ordinary paupers, the inmates are only visited once in three years, unless the Commissioners have special reasons for going more frequently. Under the suggested scheme all institutions in which mentally defective persons are maintained must be registered and inspected by the Board of Control. Any "persons of unsound mind" hereafter in workhouses would be there only by arrangement made between the Committee for the care of the mentally defective and the guardians, and the Committee would only make such arrangements where suitable separate accommodation was available, and cases so provided for would be visited and inspected by the Committee and by the Board in the same manner as other persons of unsound mind.

RECOMMENDATION XIV.

See paragraphs 623, 635.

That all institutions and houses (as defined in the Preamble) for the care and maintenance of mentally defective persons, wherever situate in England and Wales, be licensed solely by the Board of Control and not by the licensing justices as under the Lunacy Act, 1890, and be registered at the office of the Board, and at the office of the Committee of the County Council or County Borough Council within the area of which they are chargeable for the payment of rates; and that, in view of the special class or classes of mentally defective persons which are to be maintained in the several institutions, the Board draw up such regulations as may be necessary in regard to the accommodation to be provided in such institutions, due regard being had to economy in outlay and in administration.

Licensing of institutions or houses for mentally defective persons.

NOTE.—With regard to Sec. 207 (6) of Lunacy Act, which limits the power of granting new licences in the case of houses for lunatics, no suggestion is here made as to the restriction of new licenses for any kind of institution. It is felt that this question can only be settled by decisions in regard to the fitness of particular institutions in respect to which a licence is desired. Sections 207 to 224 of the Lunacy Act of 1890, will have to be revised in view of this recommendation, but the Board of Control should be the sole licensing authority, to the exclusion of the "licensing justices" referred to therein.

RECOMMENDATION XV.

See paragraph 813.

That England and Wales be divided into at least eight districts suitable for purposes of supervision and visitation.

Division of England and Wales into districts.

RECOMMENDATION XVI.

See paragraph 813.

That an Assistant Commissioner be appointed to each district and that for special branches of work Assistant Commissioners may, if necessary, be appointed, provided always that the Assistant District Commissioners be qualified medical practitioners.

Appointment of Assistant Commissioners to each district, and, if necessary, for special branches of work.

RECOMMENDATION XVII.

That the duties of the Assistant Commissioners shall be such as the Board of Control may direct, and shall extend to all classes of persons under the supervision of the Commissioners. The District Commissioners shall make an annual report to the Commissioners in regard to their several districts, and such parts of their Reports as the Board shall deem to be of public interest or importance shall be published in the Annual Report of the Board.

Duties of Assistant Commissioners.

RECOMMENDATION XVIII.

Qualifications of Assistant District Commissioners.

That in any appointment of Assistant District Commissioners, special consideration be paid to the claims of persons who have expert knowledge in regard to the various classes of mental defect mentioned in Recommendation IV., or respecting institutional and other administration.

RECOMMENDATION XIX.

Honorary Commissioners.

That Honorary Commissioners be appointed for a term of years, but so that a proportion of the number retire in each year, and that in making such appointments, consideration be paid to the claims of persons who combine a general interest in the well-being of the mentally defective with special knowledge in regard to some branch of institutional or administrative work, or who have such other qualifications as are likely to be of special service to the Board of Control.

See paragraph 810.

RECOMMENDATION XX.

Board of Control o include one woman at least.

That inasmuch as women are very deeply concerned in questions relating to the care and control of the mentally defective, it is desirable that one at least of the members of the Board of Control should be a woman of special experience in the subject.

RECOMMENDATION XXI.

Civil Service rule of retirement to apply.

That the tenure of office for Commissioners and Assistant Commissioners be that of ordinary civil servants and that the ordinary Civil Service rule of retirement at the age of 65 shall apply to the salaried members of the Board of Control, to the Secretary, and to the Assistant Commissioners, but that in determining the amount of the pension, due consideration be paid to the comparatively short tenure of office which, in individual cases, might result in hardship owing to such retirement being enforced.

See paragraphs 610, 711, 77

RECOMMENDATION XXII.

Visitation by single member of the Board of Control.

That all duties respecting the visitation of institutions or houses for the care of the mentally defective, such as those required by Sections 187 and 191 of the Lunacy Act, 1890, for the visitation of asylums, hospitals and licensed houses, unless in the particular instance the Board of Control decide otherwise, may be undertaken by one Medical Commissioner, or by one other Commissioner, assisted by a Medical Commissioner or by an Assistant District Commissioner, and that, except where the Board of Control otherwise decide, a single member of the Board be authorised to inquire and report in regard to any scheme advanced or any educational, custodial or other arrangement, proposed by any local authority or public or voluntary agency for the aid, support, or benefit of mentally defective persons, and that the present powers and duties of the Honorary Commissioners under the Lunacy Act, 1890, with regard to lunatics, be extended to all mentally defective persons as defined in Recommendation IV.

See paragraph 661.

RECOMMENDATION XXIII.

See paragraphs 586, 715–716, 850–852.

Annual Report of the Board of Control.

That the Annual Report issued by the Board of Control should include particulars of methods of treatment for mental defect in England and Wales and elsewhere, accounts of new results of medical science and progress in regard to the proper care and supervision of the several classes of mentally defective persons, with the necessary statements of expenditure, plans, etc., etc., and that economy in construction and management of institutions should be a question considered and reported upon by the Board from year to year in their Annual Report.

TRANSITORY MEASURES.

RECOMMENDATION XXIV.

See paragraphs 635, 643, 805.

Amalgamation of office, etc., of Chancery Visitors with that of Lunacy Commissioners, and appointment of additional Medical Commissioners.

That for immediate purposes, and pending the establishment by the Legislature of the proposed central authority and local authorities, it is expedient that the Lord Chancellor, in pursuance of his powers under Section 337 of the Lunacy Act, 1890, should at once

See paragraphs 775–788.

See paragraphs 635, 643.

(1) Amalgamate the office of the Chancery Visitors and their duties and staff with the office, duties and staff of the Lunacy Commissioners; (2) appoint two additional Medical Commissioners to the amalgamated office, at such salaries as, with the concurrence of the Treasury, he may think reasonable.

NOTE.—Section 337 of the Lunacy Act, 1890, is as follows:—

Power to amalgamate the lunacy departments.

337.—(1.) The Lord Chancellor may, if it seems expedient to him so to do, by order under his hand, amalgamate the office of the Masters and their staff, and the office of the Chancery Visitors and their staff, and may amalgamate such offices, or either of them, with the office of the Commissioners, and may give such directions as he may think fit for the reconstitution of the Commissioners, and for the exercise and performance of the powers and duties of the Commissioners, and of the officers and staff amalgamated respectively under any order under this section.

(2.) In the event of any such amalgamation, the Lord Chancellor may, with the concurrence of the Treasury, fix the qualifications and salaries of the members of the amalgamated office and of the staff attached thereto, and may, with such concurrence, increase or diminish the number of such members and staff.

(3.) An order under this section shall not be made so as to prejudice the rights of the Masters, Visitors, and Commissioners respectively holding office at the passing of this Act.

(4.) The Lord Chancellor may by order direct that such proportion as he may consider reasonable of the expenses incurred in carrying any such amalgamation into effect, including the cost of providing office accommodation, shall be paid out of the percentage charged on the incomes of lunatics.

RECOMMENDATION XXV.

See paragraph 801.

Transfer of lunacy jurisdiction to Chancery Division to be brought into operation as rapidly as possible.

That in making fresh appointments and by the exercise of any of the powers and jurisdictions possessed by the Lord Chancellor, the coming into operation of Recommendation VII. be effected as rapidly as may be, and if possible be applied to the business at present transacted under the Lunacy Act, 1890.

RECOMMENDATION XXVI.

See paragraphs 610, 810.

Honorary Commissioners to be appointed to fill existing vacancies.

That it is expedient that in pursuance of his powers under Sections 150 and 151 and 337 of the Lunacy Act, 1890, the Lord Chancellor should appoint Honorary Commissioners to fill the existing vacancies on the Board of the Lunacy Commission, being, as far as may be, persons who combine a general interest in the well-being of the mentally

defective, with special knowledge in regard to some branch of institutional or administrative work, or who have such other qualifications as are likely to be of special service to the Commission.

Note.—Sections 150 and 151 of the Lunacy Act, 1890, are as follows :—

The Commissioners in Lunacy.

150.—(1.) There shall continue to be Commissioners in Lunacy, and such of them as are qualified for appointment by being medical practitioners or barristers shall be entitled to receive salaries.

(2.) The salaries of the paid Commissioners and the expenses of the Commissioners to the amount sanctioned by the Treasury shall be paid out of moneys provided by Parliament.

(3.) A Commissioner shall not, so long as he remains Commissioner and receives any salary in respect of his office, accept, hold, or carry on any other office or situation, or any profession or employment, from which any profit is derived.

Vacancies among the Commissioners may be filled.

151.—(1.) As often as a Commissioner dies, or is removed from his office, or is disqualified, or resigns, or refuses or becomes unable through illness or otherwise to act, the Lord Chancellor may appoint a person to be Commissioner in his place.

(2.) Every person appointed in the place of a medical practitioner shall be a medical practitioner, and every person appointed in the place of a barrister shall be a practising barrister of not less than five years standing, and every person appointed in the place of any other Commissioner shall be neither a medical practitioner nor a practising barrister. Provided that a medical or legal Commissioner may upon resigning his office be appointed to fill any vacancy among the unpaid Commissioners, and if so appointed he may, upon the request of any four of the Commissioners, perform any duty which he might have performed before his resignation. Provided also that the secretary for the time being of the Commissioners shall be eligible to be a Commissioner in the place of a barrister.

(3.) In case of the temporary illness or disability of a medical or legal Commissioner, the Lord Chancellor may, on the recommendation of the Commissioners, appoint a person qualified to be a medical or legal Commissioner to be his substitute so long as the illness or disability continues, and the substitute may exercise all the powers of the person for whom he acts.

(4) The Commissioners for the time being may act notwithstanding any vacancy in their body.

(5) Every Commissioner hereafter appointed shall, before he acts as Commissioner, make before the Lord Chancellor, or before any three Commissioners qualified to act, the declaration to be made by a Commissioner set forth in the First Schedule.

Recommendation XXVII.

Architect to be appointed to the Lunacy Commission.

That the Treasury sanction the engagement of an Architect to devote his whole time to the work of the Commission.

See paragraphs 616–617, 677–678.

B.—THE LOCAL AUTHORITIES.

(Recommendations XXVIII. to XLVIII.)

(a) CONSTITUTION AND DUTIES.

(Recommendations XXVIII. to XXXIV.)

Recommendation XXVIII.

Local Authority to make provision, etc., for mentally defective persons.

That the Council of each County and the Council of each County Borough be the local authority under the proposed Act, and be required by Statute to make suitable and sufficient provision for the care and control of the mentally defective in the County or County Borough, in institutions, homes, or houses, in observation or reception wards, or under family guardianship, or in any other way of which the Board of Control shall approve.

See paragraphs 193–195, 814 above.

Note.—The words of the recommendation, "make suitable and sufficient provision for the care and control of the mentally defective," would need to be substituted for "shall provide and maintain an asylum or asylums for the accommodation of pauper lunatics" in Sec. 238 of the Lunacy Act, 1890 (see below). Under the scheme, while the County Councils and County Borough Councils would be local authorities the other authorities named in Sec. 240 would be merged in them; the words "and the Council of each of the Boroughs specified in the Fourth Schedule, or in the case of the City of London the Common Council" would have to be deleted.

Lunacy Act, 1890.

Local authorities to provide asylums.

238.—(1.) Every local authority, as defined by this Act, shall provide and maintain an asylum or asylums for the accommodation of pauper lunatics.

(2.) Where the asylum accommodation of a local authority appears to the local authority to be insufficient, the local authority may supply the deficiency by exercising the powers by this Act conferred for providing asylum accommodation, or by rebuilding or enlarging any existing asylum.

(3.) For the purpose of providing asylum accommodation a local authority may purchase any licensed or other houses and land.

51 & 52 Vict. c. 41.

(4.) For the purpose of providing asylum accommodation a local authority not being a county council shall have the same powers as are by section sixty-five of the Local Government Act 1888, conferred upon a county council.

Note to Recommendation XXVIII.

Local Authority Defined.

Local Authority defined.

240. The council of every administrative county and county borough respectively constituted under the Local Government Act, 1888 [and the council of each of the boroughs specified in the Fourth Schedule, or in the case of the City of London the Common Council], shall be a local authority for the purposes of this Act.

Powers for Providing Asylums.

Power to provide asylums for pauper and private patients.

241. A local authority may provide asylum accommodation for pauper and private patients, together or in separate asylums, and may provide separate asylums for idiots or patients suffering from any particular class of mental disorder.

Power of Secretary of State to Enforce Act.

Default by county or borough in providing asylum.

247. If the Commissioners report to a Secretary of State that any local authority has failed to satisfy the requirements of this Act as regards asylum accommodation, the Secretary of State may require the local authority to provide such accommodation in such manner as he may direct, and the local authority shall forthwith carry the requisition into effect.

Recommendation XXIX.

Local authority to act through a Committee.

That the local authority shall exercise the powers proposed to be conferred on them under the proposed Act through a Statutory Committee.

Note.—The Statutory precedents for the course suggested are as follows:—Lunacy Act, 1890, Sections 169, 175, 239, and the Local Government Act, 1888, Section 82.

Visiting Committees of Asylums.

Constitution of Visiting Committee.

169.—(1.) For every asylum there shall be a Visiting Committee appointed annually by the local authority, consisting of not less than seven members.

(2.) The Visiting Committee of a district asylum shall be constituted of the number of members fixed by the agreement under which the asylum is provided.

(3.) Where there is more than one asylum, the local authority may appoint one committee for the management and control of all the asylums, and such committee shall appoint a sub-committee for each separate asylum, and may delegate to that sub-committee such powers and duties as the committee from time to time think fit.

(4.) Where a county borough has contributed towards the cost of any county asylum, the council of the borough may, if they so desire, appoint to be members of the Visiting Committee of the asylum such number of members of the council as may be agreed upon, or in default of agreement be determined by the Commissioners under the Local Government Act, 1888, or after they have ceased to hold office, by arbitration under that Act. Such appointment shall be in substitution for any appointment previously made on the part of the borough. 51 & 52 Vict. c. 41.

(5.) Where a borough, not being a county borough, has contributed towards the cost of any county asylum, and the representatives of the borough on the county council are not entitled to vote for the appointment by the council of visitors of the asylum, the council of the borough may appoint two persons to be members of the committee.

(6.) During the continuance of a contract for the reception of the pauper lunatics of a county borough or borough specified in the Fourth Schedule into a county asylum, the council of the borough shall appoint a Visiting Committee to visit the lunatics sent from such county borough or borough in the asylum.

Meetings of Visiting Committee.

175.—(1.) The provisions of section eighty-two of the Local Government Act, 1888, with respect to the proceedings of committees of county councils shall apply to the proceedings of every Visiting Committee appointed wholly or partly by a county council, and the chairman of such committee may be elected accordingly.

(2.) To other Visiting Committees the following provisions shall apply:—

(*a.*) The members of the committee shall within one month after their election meet at some convenient place, to be named in a notice in writing given by two or more of such members, or by the clerk of the outgoing committee by the direction of two or more of such members;

(*b.*) Notices of meetings shall be given to each member personally, or left at his place of abode, or sent by post seven days at least before the time appointed for the meeting;

(*c.*) The members shall at the first meeting elect one of their number to be chairman of the committee;

(*d.*) The chairman shall preside at all meetings at which he is present. In case of his absence from any meeting the members present shall elect one of their number to be chairman of the meeting;

(*e.*) Any meeting may be adjourned from time to time and from place to place;

(*f.*) The committee shall meet as often as they may think fit.

(*g.*) A meeting may be adjourned by two members; for all other purposes three members shall be a quorum;

(*h.*) Every question shall be decided by a majority of the votes of the members present, and in the event of an equality of votes the chairman shall have a second or casting vote;

(*i.*) The clerk of the committee shall, whenever required in writing by the chairman or any two members of the committee, or by the manager of the asylum, and the chairman may, whenever he thinks fit, summon a meeting of the committee;

Powers to be exercised by a Visiting Committee.

239.—A local authority shall exercise the powers conferred by this Act for providing asylum accommodation by a visiting committee, subject, if the local authority thinks fit, to their directions as to which of the methods of providing asylum accommodation authorised by this Act shall be adopted.

NOTE TO RECOMMENDATION XXIX.

Local Government Act, 1888, Section 82.

Proceedings of committees.

82.—(1.) A county council appointing under this Act any committee may from time to time make, vary, and revoke regulations respecting the quorum and proceedings of such committee, and as to the area (if any) within which it is to exercise its authority; and subject to such regulations the proceedings and quorum and the place of meeting, whether within or without the county, shall be such as the committee may from time to time direct, and the chairman at any meeting of the committee shall have a second or casting vote.

(2.) Every committee shall report its proceedings to the council by whom it was appointed, but to the extent to which the council so direct, the acts and proceedings of the committee shall not be required by the provisions of the Municipal Corporations Act, 1882, to be submitted to the council for their approval.

(3.) In the case of a joint committee the councils and courts appointing the joint committee shall jointly have the powers given by this section, and the provisions of this section shall apply accordingly.

RECOMMENDATION XXX.

Name of the Committee and transfer of duties of Visiting Committees.

That the Statutory Committee be called the Committee for the Care of the Mentally Defective and take over the duties of the Visiting Committee or Visiting Committees of the Council of the County or County Borough as the case may be.

NOTE.—The sections of the Lunacy Act, 1890, relating to the duties of the Visiting Committee are as follows:—

Visits by Visiting Committee.

188.—At least two members of the Visiting Committee shall together, once at least in every two months, inspect every part of the asylum, and see every patient therein, so as to give everyone, as far as possible, full opportunity of complaint, and examine the order and certificate or certificates for the admission of every lunatic admitted since the last visitation and the general books kept in the asylum; and shall enter in the Visitors book any remarks they think proper in regard to the condition and management of the asylum and the lunatics therein, and shall sign the book upon every visit.

Visits to lunatics received under a contract.

189.—(1.) During the continuance of a contract for the reception of the pauper lunatics of a county borough or other borough in a county asylum not less than two members of the Visiting Committee of the borough appointed for the purpose shall together, at least once in every six months, visit the asylum and see and examine the lunatics received under the contract, and shall report the result of their visit to the council of the borough.

(2.) The Visitors may, if they think fit, be accompanied by a medical practitioner who is not an officer of the asylum, and they may by order direct payment to such medical practitioner of such a sum as they think fit for his services, and such sum shall upon the production of the order be paid to the medical practitioner by the treasurer of the borough.

(3.) Every report under this section shall be entered among the records of the Council of the borough, and may be inspected by the Commissioners, and the Commissioners may, if they think fit, require the town clerk of the borough to transmit to them a copy of any such report.

Reports by Visiting Committee.

190.—(1.) The Visiting Committee of every asylum shall in every year lay before each local authority to which the asylum belongs, at their quarterly meeting in November, or at such other time as the local authority appoints, a report in writing of the state and condition of the asylum, and as to its sufficiency to provide the necessary accommodation, and as to its management and the conduct of the officers and servants, and the care of the patients therein.

(2.) The committee may in the report make such remarks in relation to any matters connected with the asylum as they think fit.

RECOMMENDATION XXXI.

Co-opted members of the Committee.

That the Committee for the care of the mentally defective be constituted so as to include within it by co-option additional members, of whom one at least shall be a woman, who have special experience or knowledge.

RECOMMENDATION XXXII.

Powers of local authority delegated to the Committee.

That all matters relating to the exercise by the Council of their powers (under the proposed Act for the care and control of the mentally defective), except the power of raising a rate or borrowing money, shall stand referred to the Committee for the care of the mentally defective, and the Council, before exercising such powers, shall, unless in their opinion the matter is urgent, receive and consider the report of the Committee for the care of the mentally defective with respect to the matter in question. The Council may also delegate to the Committee, with or without restrictions or conditions, as they think fit, any of their powers (under such an Act) except the power of raising a rate or borrowing money.

Recommendation XXXIII.

Duty of Committee to receive requests as to provision and to report to Board of Control in case of refusal of requests.

That it shall be the duty of the Committee for the Care of the Mentally Defective to receive from parents and others in charge of mentally defective persons requests for the provision of care and control of those mentally defective persons, and on the receipt of such requests it shall be the duty of the Committee, after making any necessary enquiries as to the requirements of the mentally defective persons referred to, to arrange for the admission of those mentally defective persons into suitable institutions or houses or into suitable private care, and in the event of the Committee failing to provide such care for any such case it shall be a duty of the Committee to report the fact that they have not acted on such request, and the reasons for not so acting, to the Board of Control.

Recommendation XXXIV.

See paragraphs 372, 383, 754, 763.

Discretion of Committee as to method of dealing with particular case.

That subject to the Regulations of the Board of Control it shall be at the discretion of the Committee to deal with mentally defective persons on whose behalf they deem that intervention on their part is necessary as they shall think best in the individual case, either registering the case only, or having it certified also, or taking steps for its certification and detention, or placing it in an Institution or Home or House or Colony or under private care or family guardianship, or leaving it to the care of its parents or guardians with or without the appointment of a Friendly Visitor, or taking any other measures that seem to them desirable.

(b) MEDICAL OFFICERS AND CERTIFYING MEDICAL PRACTITIONERS.

(Recommendations XXXV. to XXXVI.)

Recommendation XXXV.

Medical officer to be appointed by the local authority.

That on the recommendation of the Committee and subject to the approval of the Board of Control the Council of the County or County Borough appoint a specially qualified medical officer or officers to assist them in the care and control of the mentally defective in the county or county borough, on the understanding that the internal management of institutions should remain in the hands of the Superintendents in charge of them, subject to the supervision and authority of the Committee.

Recommendation XXXVI.

Appointment of certifying medical practitioners.

That in order that there may be a certifying medical practitioner at hand in different parts of the County or County Borough, the Committee divide the area of the County or County Borough into such districts as they may deem suitable, and that the Council of the County or County Borough, on the recommendation of the Committee and subject to the approval of the Board of Control, appoint in each of these districts one or more duly qualified medical men to act on behalf of the Committee as certifying medical practitioners; and that such certifying medical practitioner be paid by the Council by fee for each case examined by him, and his services shall be "a public duty" so as to secure for him the benefit of the Public Authorities Protection Act, 1893. The Board of Control shall make Rules to be observed in respect of the appointment, and amongst others as to the medical qualification and as to disqualifications from partnership or relationship or personal interest, and as to acting outside a district, and altering districts, and for the appointment of deputies.

(c) JOINT COMMITTEES AND MERGING OF CERTAIN BOROUGHS IN COUNTIES.

(Recommendations XXXVII. to XXXIX.)

RECOMMENDATION XXXVII.

Joint Committees of local authorities.

That with a view to promoting a common policy in the treatment and care of mentally defective persons in the administrative County and County Boroughs, and also for the supply of sufficient and suitable accommodation at the least expense, it is desirable that advantage should be taken of Section 81 of the Local Government Act, 1888, by these authorities, adequate powers being given by statute to Joint-Committees so appointed.

NOTE.—The Section referred to is as follows :—

Appointment of Joint Committees.

81.—(1) Any County Council or Councils, and any Court or Courts of Quarter Sessions, may from time to time join in appointing, out of their respective bodies, a joint committee for any purpose in respect of which they are jointly interested.

(7) This section shall apply to the Councils of County Boroughs in like manner as to Councils of administrative counties, and a standing joint committee may be appointed for two or more administrative counties, inclusive of County Boroughs, and the members of such joint committee shall be appointed by the several Quarter Sessions and Councils in such proportion and manner as they respectively may arrange, and in default of arrangement, as may be directed by a Secretary of State.

RECOMMENDATION XXXVIII.

Merger of certain boroughs in the county.

That the Boroughs which are local authorities for the purposes of the Lunacy Act of 1890 under Schedule 4, be merged for this purpose in the administrative County in which they are geographically situated, in accordance with the general policy of unification indicated in Section 246 of the Lunacy Act.

NOTE.—The Sections referred to above are reprinted below.

Lunacy Act, 1890, Section 240 :—

LOCAL AUTHORITY DEFINED.

Local authority defined.

240.—The council of every administrative county and county borough, respectively constituted under the Local Government Act, 1888, and the council of each of the boroughs specified in the Fourth Schedule, or in the case of the City of London the common council, shall be a local authority for the purposes of this Act.

NOTE.—The Boroughs mentioned in Schedule 4 referred to are as follows :—Barnstaple, Bedford, *Berwick-on-Tweed*, *Bridgwater*, Bury St. Edmunds, Cambridge, Colchester, Doncaster, *Dover*, *Grantham*, Gravesend, Guildford, Hereford, King's Lynn, London (City of), *Maidstone*, Newark, Newbury, Newcastle-under-Lyme, *New Sarum*, New Windsor, Penzance, *Poole*, Rochester, *Scarborough*, Shrewsbury, Tiverton, Warwick, Wenlock, *Winchester*.

Lunacy Act, 1890, Section 246 :—

Where borough contracts with county powers of borough to provide an asylum to cease on determination of contract.

246.—Where any borough specified in the Fourth Schedule has contracted for the reception of the lunatics of the borough in the asylum of the county in which the borough is situate, the borough shall, on the determination of the contract, cease to be a local authority under this Act, and subject to the enactments providing for an additional charge for the maintenance of lunatics in cases where no contribution has been made towards the cost of building and furnishing an asylum, shall be liable to contribute to the county rate of the county in respect of such lunatic asylum in like manner as the rest of the county.

The boroughs printed in Italics have been struck out of the Schedule by the Lunacy Act, 1891, Section 29 and Schedule, or have ceased to be Local Authorities under Section 246 above.

RECOMMENDATION XXXIX.

Agreements between local authorities to unite in providing accommodation.

That it is desirable that, in accordance with the principle of Section 242 of the Lunacy Act, 1890, Councils of Administrative Counties and County Boroughs, acting through their Committees for the care of the mentally defective, should associate in any way they may think best for the supply of accommodation for any class or classes of the mentally defective, subject to the approval of the Board of Control and, as to financial arrangements, subject to the approval of the Local Government Board.

NOTE.—The Section of the Lunacy Act, 1890, above referred to is printed below.

NOTE TO RECOMMENDATION XXXIX. Modes in which asylum may be provided.

242.—(1.) For the purpose of providing asylum accommodation, a local authority may do all or any of the following things:—

(*a.*) Provide and maintain an asylum alone;

(*b.*) Agree to unite in providing and maintaining a district asylum with any other local authority or local authorities;

(*c.*) Agree to unite with any other local authority or local authorities upon such terms as to payment and otherwise as may be thought proper for the joint use as a district asylum of any existing asylum, and, if they think fit, for the enlargement of the same.

(2.) Where an agreement to unite has been entered into, an agreement for further union may be entered into between all or any of the local authorities concerned, and for all the purposes of this Act an agreement for further union shall be deemed to be an agreement to unite.

(3.) An agreement to unite shall not be carried into effect without the approval of a Secretary of State.

(d) FINANCIAL ARRANGEMENTS.

(Recommendations XL to XLVII.)

RECOMMENDATION XL.

See Part VIII. above.

Discontinuance of 4s. grant.

That the transfers and payments now made by county and county borough councils pursuant to s. 24 (2), (e), (f) and (g) of the Local Government Act, 1888, out of the funds placed at their disposal by the Exchequer contribution under that Act from Local Taxation, Probate Duties, etc., consisting of:

(*a*) 4s. per week to the county fund liable to bear the expenses of pauper lunatics chargeable to the county in respect of each county lunatic;

(*b*) 4s. per week to boards of guardians in respect of each lunatic chargeable to guardians and maintained in an asylum, registered hospital or licensed house;

(*c*) 4s. per week to borough councils in respect of each lunatic chargeable to borough funds

shall be discontinued.

That the total cost of the maintenance, care and treatment, education, training and control of mentally defective persons and of the provision of suitable accommodation for them shall be borne by the county and county borough councils aided by new grants from the Exchequer.

Local Government Act, 1888, Section 24 (2) (*e*) (*f*) and (*g*):—

(2) In substitution for local grants, the council of each county shall from time to time as from the said day pay out of the county fund and charge to the Exchequer Contribution Account the following sums, that is to say—

(*e*) They shall transfer to that account of the county fund to which the maintenance of any pauper lunatic chargeable to the county is charged, a sum equal to four shillings a week for each such pauper lunatic, for whom the net charge upon the county council, after deducting any amount received by the county council for the maintenance of such lunatic from any source other than local rates, is equal to or exceeds four shillings a week throughout the period of maintenance for which the sum is so transferred;

(*f.*) They shall pay to the guardians of every poor law union wholly or partly in the county a sum equal to four shillings a week for each pauper lunatic chargeable to that union, and maintained in an asylum, registered hospital, or licensed house, for whom the net charge upon the guardians, after deducting any amount received by them for the maintenance of such lunatic from any source other than local rates, is equal to or exceeds four shillings a week throughout the period of maintenance for which the sum is so paid; and

(*g.*) They shall pay to the council of each borough to which the maintenance of any pauper lunatic is chargeable, a sum equal to four shillings a week for each such pauper lunatic for whom the net charge upon the council of the borough, after deducting any amount received by them for the maintenance of such lunatic from any source other than local rates, is equal to or exceeds four shillings a week throughout the period of maintenance for which the sum is so paid.

RECOMMENDATION XLI.

See Part VIII. above.

Exchequer grant payable to local authorities.

A.—That substantial financial assistance be granted from the Exchequer to a Council of the County or County Borough for the care and maintenance of mentally defective persons, and of epileptics not mentally defective, and that this assistance be granted by one or other of the following methods, either:—

(i) On them ethod of an annual block grant on the principle that the grant be greater or less according to the proportion of the local expenditure to an approved standard of proper and economical expenditure and also greater or less as the assessable value per head of the population of the district is smaller or larger; or

(ii) That in addition to the present Exchequer contributions there be paid by the Exchequer to the Councils of Counties and County Boroughs annually a grant based on the number of mentally defective persons, and epileptics not mentally defective, for whom provision is made beyond the numbers provided for on the 1st of January, 1908, and that such grant be the sum which the Board of Control certify to be equal to one-half of the cost properly incurred by such Councils in respect of such additional numbers.

B.—That this block grant or this maintenance grant be payable subject to the certificate of the Board of Control that the local authority has carried out its duties under Recommendation XXVIII. satisfactorily, and that in the event of the Board of Control refusing to give such a certificate an appeal shall lie to the Secretary of State, whose decision shall be final.

C.—That in addition to the above grant, whether it is a block grant or a maintenance grant, there be provided from the Exchequer annually for a term of years a grant in aid for the provision of necessary accommodation in the manner and in the locality advised by the Board of Control.

RECOMMENDATION XLII.

Use of grant by local authority, and power to contract with others to supply accommodation.

That, subject to the approval of the Board of Control, the Council of the County or County Borough acting through the Committee for the care of the mentally defective shall be authorised to use whatever grants may be made to them by the Exchequer in any way they may think best for the well-being of the mentally defective, and epileptics not mentally defective, and may contract with any Poor Law or other public authority, public or voluntary agency, or private person, under such conditions as they may deem advisable, for the care, education, training, or maintenance of mentally defective persons, or of epileptics not mentally defective.

RECOMMENDATION XLIII.

Architect to the Board of Control.

That an architect be appointed to assist the Board of Control by examining and reporting on plans, contracts, particulars and specifications submitted by Local Authorities to the Board, and in other ways, and that such architect receive a fixed salary, on the understanding that he is exclusively employed on the work of his department.

See paragraph 616–617. 677–678.

RECOMMENDATION XLIV.

Plans for buildings, and estimates.

1. That the staff at the Offices of the Local Government Board for surveying, engineering, building and sanitation be available for the Board of Control in regard to sites, plans, particulars, specifications and estimates for the provision of accommodation for mentally defective persons, and that in cases of applications involving loans the Board of Control be under obligation to apply for such assistance.

2. That a local authority proposing to establish, alter, restore, or enlarge buildings, or to purchase or lease any estate or house, for the accommodation of mentally defective persons, shall send to the Board of Control all necessary plans and particulars with estimates.

3. That the Board of Control on receiving these plans, particulars and estimates, give them a preliminary consideration and, with the advice of their Architect, decide from their expert point of view, whether they are primâ facie suitable for the purpose intended, and involve no unreasonable expenditure.

See paragraph 677–681.

4. That the Board of Control should next transmit them to the Local Government Board for report in regard to all questions as they arise connected with the survey of land, engineering, building and sanitation, for consideration and report in regard to the proposed cost, and for their opinion as to whether a loan to meet this cost would fall within the conditions of the Local Government Act of 1888, and the Municipal Corporations Act, 1882, and whether, subject to public inquiry, they are prepared to sanction the loan.

5. That on the receipt of the report of the Local Government Board, and of the information above mentioned, the whole matter be further considered by the Secretary of State, the Board of Control, and the representative of the Local Government Board, and, if desired, by representatives of the Local Authority.

6. That it be laid down clearly in the Act that plans, etc., shall not be approved which involve unreasonable expenditure.

7. That thereafter the approval of the plans, etc., be notified to the Local Authority by the Secretary of State, and the Local Authority then apply to the Local Government Board for a loan.

8. That the Secretary of State, on the report of the Board of Control, shall have power to prohibit the use of any parts of buildings for purposes other than those which were approved by him or which shall be deemed unsanitary or unsuitable.

Note.—The present statutory provisions as to "plans," etc., are as follows :—

Lunacy Act, 1890, Section 254 (2) :—

(2.) Plans and contracts agreed upon by a visiting committee shall not be carried into effect until approved by a Secretary of State.

Lunacy Act, 1891, Section 16 :—

16.—In sub-section two of section two hundred and fifty-four of the principal Act, there shall be added after the word "contracts" the words "for the purchase of lands and buildings and for the erection, restoration, and enlargement of buildings."

Lunacy Act, 1890, Section 272 :—

Approval of Secretary of State.

272.—For the purpose of procuring the approval of a Secretary of State to any agreement, contract, or plan requiring approval under this Act, the agreement, contract, or plan, with an estimate of the probable cost of carrying it into effect, shall be submitted to the Commissioners, and to the Secretary of State, and the Commissioners shall make such inquiries as they think fit, and shall report thereon to the Secretary of State, who may approve the agreement, contract, or plan, with or without modification, or may refuse his approval. Mode of obtaining approval of Secretary of State.

Lunacy Act, 1890, Section 274 :—

Borrowing Powers.

274.—(1.) For the purpose of paying any money payable under this Act, or for repaying any moneys borrowed under this Act or any former Act, authorising borrowing for purposes of asylum accommodation, the local authority may with the consent of the Local Government Board, and subject to the provisions of the Local Government Act, 1888, and the Municipal Corporations Act, 1882, according as the same respectively are applicable to the local authority, borrow on the security of the county or borough fund, and of any revenue of the local authority, or on either such fund or revenues or on any part of the revenues, such money as the local authority requires. Power to borrow. 51 & 52 Vict. c. 41. 45 & 46 Vict. c. 50.

(2.) The Public Works Loan Commissioners may, if they see fit, make any loan for the purposes of this Act to the local authority upon the security of any fund or revenues applicable to the purposes of this Act.

Recommendation XLV.

That the Board of Control have power to hold a public local inquiry in regard to any plan, scheme or proposal which has been submitted to them for the care of mentally defective persons. Public Local Inquiries by Board of Control.

Recommendation XLVI.

Settlement by counties.

That in view of the following considerations:

(1) that under Recommendations XXVIII. to XXXIV. the obligation of dealing with mentally defective persons is imposed on the Committee of the Council of the County or County Borough; *See* paragraphs 193–195, and 814 above.

(2) that the mentally defective persons dealt with hitherto as pauper lunatics will be no longer under the care of the Poor Law authorities; and

(3) that the charges for these persons are likely to be more or less heavy, as are at the present time the charges for persons dealt with as lunatics under the Lunacy Act of 1890,

it is desirable that a system of settlement based on residence by Counties and County Boroughs be introduced for the purpose of the administration now proposed.

Recommendation XLVII.

Time of residence in any institution, etc., for the mentally defective not to count for acquisition of settlement.

That residence in any institution, house, hospital, establishment or home licensed for the accommodation, maintenance, care, treatment, education training or control of any of the classes of mentally defective shall not count as part of the period of residence necessary to the acquisition of any settlement.

(e) ANNUAL REPORT.

(Recommendation XLVIII.)

Recommendation XLVIII.

Annual Report of Committees for the care of the mentally defective.

That the Committees for the Care of the Mentally Defective shall publish each year an annual report which shall be forwarded to the Board of Control, and the Board shall publish such of these reports or such extracts from these reports as they may deem to be of public interest or importance; and, in such a form as they may deem advisable, the Board shall require, and the Committees shall furnish, such statistical and other information as may be considered necessary in order to show the nature and extent of the work of the local authorities.

C.—GUARDIANSHIP AND SUPERVISION.

(Recommendations XLIX. to LIV.)

(a) PERSONS UNDER 21.

(Recommendations XLIX. to LII.)

Recommendation XLIX.

Cases under 21 not under suitable parental or other control, etc.

That in the case of persons under 21 years of age for whose care and control any Council is required to make suitable and sufficient provision, and who, in the opinion of the Committee, are not under suitable parental or other control, and are not receiving suitable training or are cruelly treated or otherwise neglected, and who in the opinion of the responsible Medical Officer of the Committee come within any of the classes (3) to (9) inclusive of Recommendation IV., the Committee may *See* paragraphs 345, 728–734.

Recommendation XLIX.—*cont.*

resolve that until the child reaches the age of 21 all the rights and powers of the parent or parents or other person who is the guardian of the child or is liable to maintain the child or has the custody of the child shall vest in the Committee until the child reaches the age of 21, and thereupon those rights and powers shall so vest. Provided (1) that the Committee may rescind the resolution if they think that it will be for the benefit of the child that it should be rescinded, or may permit the child to be either permanently or temporarily under the control of the parent or of any relative or of any friend or of any society or institution for the care of children; (2) that a Court of Summary Jurisdiction, if satisfied on complaint made by a parent, or if there is no parent, by the legal —or if there be no legal, then by the acting—guardian or the near relation of the child, that there was no ground for the resolution, or that it is for the benefit of the child that it should be permanently or temporarily under the control of its parent or guardian, or that the resolution of the Committee should be determined, may make an order accordingly, and the Committee shall comply with any such order; if the order determines the resolution, the resolution shall be thereby determined as from the date of the order, and the Committee shall cease to have the rights and powers of the parent as respects the child; (3) that an appeal from the Court of Summary Jurisdiction to the Quarter Sessions be allowed.

Note.—This recommendation proceeds on similar lines to the Poor Law Act, 1899, but with the addition of a right of appeal from the Court of Summary Jurisdiction to the Court of Quarter Sessions.

Poor Law Act, 1899, Section 1 :—

Control of guardians over orphans and children of persons unfit to have control of them.
52 & 53 Vict. c. 56.
61 & 62 Vict. c. 60.

1.—For sub-sections one, two, and four of section one of the Poor Law Act, 1889 (which sub-sections are hereby repealed), shall be substituted the following sub-sections :—

"(1.) Where a child is maintained by the guardians of a poor law union and—

"(i.) the child has been deserted by its parent ; or

"(ii.) the guardians are of opinion that by reason of mental deficiency, or of vicious habits or mode of life, a parent of the child is unfit to have the control of it ; or

"(iii.) a parent is unable to perform his or her parental duties by reason of being under sentence of penal servitude or of being detained under the Inebriates Act, 1898 ; or

"(iv.) a parent of the child has been sentenced to imprisonment in respect of any offence against any of his or her children ; or

"(v.) a parent of the child is permanently bedridden or disabled, and is the inmate of a workhouse, and consents to the resolution hereinafter mentioned ; or

"(vi.) both the parents, or in the case of an illegitimate child the mother of the child, are or is dead ;

"the guardians may at any time resolve that until the child reaches the age of eighteen years all the "rights and powers of such parent as aforesaid, or if both parents are dead of the parents, in respect "of the child shall, subject as in this Act mentioned, vest in the guardians, and thereupon those "rights and powers shall so vest accordingly, and shall continue so vested whether the child does "or does not continue to be maintained by the guardians.

"Provided that the guardians may rescind the resolution if they think that it will be for the "benefit of the child that it should be rescinded, or may permit the child to be, either permanently "or temporarily, under the control of the parent, or of any other relative, or of any friend, or of any "society or institution for the care of children.

"(2.) A court of summary jurisdiction, if satisfied on complaint made by a parent or if there is "no parent by the guardian of a child that there was no ground for the resolution, or that it is for "the benefit of the child that it should be either permanently or temporarily under the control of its "parents or guardian, or that the resolution of the guardians should be determined, may make an "order accordingly, and the guardians shall comply with any such order, and if the order determines "the resolution the resolution shall be thereby determined as from the date of the order, and the "guardians shall cease to have the rights and powers of the parent as respects the child."

Recommendation L.

Cases under wardship of Committee to be reported on at age of 21.

That in all cases of mentally defective persons who are under the wardship of the Committee under Recommendation XLIX., the Committee shall report to the Board of Control as to their condition when they reach the age of 21, and the Board shall decide what further steps shall be taken in view of the continuance of such persons under care and control.

RECOMMENDATION LI.

Cases under 21 under suitable parental or other control.

That in the case of persons under 21 years of age who, in the opinion of the Committee, are under suitable parental or other control, and are receiving suitable training, or are not cruelly treated or otherwise neglected, but in the judgment of the responsible Medical Officer of the Committee come within any of the classes (3) to (9), inclusive, of Recommendation IV., the Committee endeavour to make a voluntary agreement with the parent or guardian for the appointment of a Friendly Visitor who, with the Committee, shall be consulted as to any proposed removal of the person from his or her present residence or any change in regard to his or her education and training or any question of marriage, and generally in regard to any matter that may affect the well-being of the person at the time or in the future, so that the parent or guardian may have the benefit of the advice and co-operation of the Committee and of the Friendly Visitor.

See paragraph 345.

RECOMMENDATION LII.

Adaptation of Idiots Act procedure to other classes of mentally defective persons.

That, following the precedent of the Idiots Act, 1886, any person under 21 years of age who comes within any of the classes (3) to (9), inclusive, of Recommendation IV. may be placed by the parents or guardians or by any person undertaking and performing towards him the duty of a parent or guardian, or by the Committee, in any registered institution or house for the mentally defective, upon the certificate in writing of a qualified medical practitioner, without the intervention of a judicial authority; and on reaching the age of 21 may, with the consent of the Board of Control, be retained after he is of full age.

See paragraph 531.

NOTE.—The Sections of the Idiots Act specially referred to above are reprinted below:—

SECTION 4 OF THE IDIOTS ACT, 1886.

4. An idiot or imbecile from birth or from an early age may, if under age, be placed by his parents or guardians or by any person undertaking and performing towards him the duty of a parent or guardian, and may lawfully be received into, and until of full age detained in, any hospital, institution, or licensed house, registered under this Act for the care, education, and training of idiots or imbeciles upon the certificate in writing of a duly qualified medical practitioner in the Form One in the Schedule that the person to whom such certificate relates is an idiot or imbecile, capable of receiving benefit from such hospital, institution, or licensed house, accompanied by a Statement in the Form Two in the Schedule signed by the parent or guardian of the idiot or imbecile, or the person undertaking or performing towards him the duty of a parent or guardian.

FIRST PARAGRAPH OF SECTION 5 OF THE IDIOTS ACT, 1886.

5. Any idiot or imbecile who has while under age been received under this Act into any hospital, institution, or licensed house, registered under this Act, may, with the consent in writing of the Commissioners in Lunacy, be retained therein after he is of full age . . . . .

The SCHEDULE.

FORM 1.

Form of Medical Certificate.

I, the undersigned *A.B.*, a person registered under the Medical Act, 1858, and in the actual practice of the medical profession, certify that I have carefully examined *C.D.*, an infant [*or* of full age], now residing at , and that I am of opinion that the said *C.D.* is an idiot [*or* has been imbecile from birth, *or* for years past *or* from an early age], and is capable of receiving benefit from [the institution (describing it)], registered under the Idiots Act, 1886.

(Signed)
Dated (full postal address).

FORM 2.

Form of Statement to accompany Medical Certificate.

[If any particulars in this statement be not known, the fact to be so stated.]
Name of patient, with Christian name at length.
Sex and age.
When and where previously under care and treatment.
In any asylum or institution.
Whether subject to epilepsy.
Whether dangerous to others.
I certify that to the best of my knowledge the above particulars are correctly stated.
(Signed) Name and full postal address.
[To be signed by the parent or guardian of the idiot or imbecile or the person undertaking and performing towards him the duty of a parent or guardian.]

Note to Recommendation LII.—*contd.*

(b) PERSONS AFTER 21.

(Recommendations LIII. to LIV.)

RECOMMENDATION LIII.

That in the case of persons over 21 years of age for whose care and control any Council is required to make suitable and sufficient provision, who have not been under the wardship of the Committee or dealt with under Recommendation LI. above, and are alleged to be mentally defective as defined in Recommendation IV., the Committee shall deal with the case as they think fit with a view to the proper care, control, and safeguard of the mentally defective person, and may, if they deem it right by one of their officers, present a petition as next friend of the said person, under Sections 4 to 8 of the Lunacy Act, 1890, as modified in Recommendation LXVIII., or may make an urgency order or apply for a summary reception order under Sections 11 and 13 of the Lunacy Act, 1890, as modified in Recommendation LXXI.

Petition may be presented by the Committee as next friend in certain cases over 21.

RECOMMENDATION LIV.

That if in the opinion of the Committee and of their Medical Officer it is desirable that any person over 21 years of age who is mentally defective as defined in Recommendation IV., and who might otherwise be taken charge of by the Committee, should be retained under the care of a relation or friend, nothing in the proposed Act shall prevent this.

Power to allow relation or friend to retain mentally defective person.

D.—PROCEDURE IN REGARD TO MENTALLY DEFECTIVE PERSONS.

(Recommendations LV. to LXXI.)

(a) INQUIRY AS TO THE NUMBERS OF DEFECTIVE PERSONS AND NOTIFICATION.

(Recommendations LV. to LVIII.)

RECOMMENDATION LV.

See paragraphs 311–312, 584, 598.

That, with a view to facilitate the work of the Committee in the first instance, it shall be its duty in pursuance of regulations to be laid down by the Board of Control to ascertain as far as possible the number of mentally defective persons for whom the Council is liable to provide, either by the Medical Officer of the Committee or by a well qualified medical man appointed for the purpose, acting under the supervision of the Medical Officer.

Inquiry as to number of mentally defective persons.

Note to Recommendation LV.—*contd.*

Note.—The principle involved in such an inquiry has already received legislative sanction See Section 1 of the Elementary Education (Defective and Epileptic Children) Act, 1899, as follows:—

"1 (1) A school authority, as defined by the Elementary Education (Blind and Deaf Children) Act, 1893, may, with the approval of the Education Department, make such arrangements as they may think fit for ascertaining—

(*a*) What children in their district, not being imbecile, and not being merely dull or backward, are defective, that is to say, what children by reason of mental or physical defect are incapable of receiving proper benefit from the instruction in the ordinary public elementary schools, but are not incapable by reason of such defect of receiving benefit from instruction in such special classes or schools as are in this Act mentioned; and

(*b*) What children in their district are epileptic children, that is to say, what children, not being idiots or imbeciles, are unfit by reason of severe epilepsy to attend the ordinary public elementary schools.

(2) The school authority, in making their arrangements under this section, shall provide facilities for enabling any parent who is of opinion that his child ought to be dealt with under this Act to present such child to the school authority to be examined, although he may not have been required so to do by that authority; and any school authority failing to provide such facilities shall be deemed to have acted in contravention of this Act.

(3) For the purpose of ascertaining whether a child is defective or epileptic within the meaning of this section, a certificate to that effect by a duly qualified practitioner approved by the Education Department shall be required in each case. The certificate shall be in such form as may be prescribed by the Education Department.

(4) For the purpose of the exercise of the powers conferred by this section, it shall be the duty of the parent of any child who may be required by the school authority to be examined to cause the child to attend such examination, and any parent who fails to comply with such requirement shall be liable on summary conviction to a fine not exceeding five pounds."

Recommendation LVI.

Notification of mentally defective persons.

That it be the statutory duty of the Medical Officers of the Local Education Authorities, of the Guardians of the Poor, and of the Public Health Committees, the Relieving Officers of Boards of Guardians, the Medical Officers of Convict and Local Prisons, the Police, and the Managers of any Homes for Inebriates or any Charitable, Religious or Voluntary Institutions or Societies, or any Naval or Military Authorities, to notify to the Committee all cases of mental defect coming to their knowledge in the course of duty appearing to come within Recommendation IV. above, provided always that a Secretary of State may, on special grounds to be stated in the Annual Report of the Board of Control, by regulation exempt any particular authorities from the fulfilment of this duty.

Recommendation LVII.

Notification of Mentally Defective Patients received for Profit.

That anyone who for profit shall receive to reside as a patient or maintain any person appearing to come within any of the classes of mentally defective persons defined in Recommendation IV. shall within 7 days thereafter notify the same to the Board of Control.

See paragraphs 649. 713, 71

Recommendation LVIII.

Report as to recurrent cases of unsound mind.

That it shall be the duty of Medical Officers who are in charge of Institutions for persons of unsound mind, Receiving Houses, and Reception Wards, to report to the Committee for special consideration the cases of persons who are repeatedly certified and admitted and repeatedly discharged, or who are in such a mental condition as would be likely to occasion their relapse under the stress of life, with a view to care and control being exercised in regard to them, if desirable, in some other and more effectual manner; and in cases of doubt whether the patient should or should not be discharged there may be an appeal to the Board of Control on the question, and the decision of the Board shall be final.

See paragraph 668.

Note.—As to Receiving Houses and Reception Wards see Recommendations LXIV—LXVII.

(b) ADMISSION, CONTINUANCE ORDERS, TRANSFERS AND DISCHARGES.

(Recommendations LIX. to LXIII.)

Recommendation LIX.

Medical Officer, honorary or paid, for every institution or house.

That as a condition of its licence, every institution or house for the care of the mentally defective shall through its Committee of Management appoint an honorary or paid Medical Officer who shall give such attendance as may be directed by the Board of Control.

Recommendation LX.

Annual revision of mentally defective cases dealt with by the Committee.

See paragraph 534.

(1) That at least once in every year there be a revision by the Committee of all cases of mentally defective persons who are being dealt with by them, and (2) that any changes made be reported to the Board of Control; and that the certificate of the Medical Officer of the institution shall, under regulations to be made by the Board of Control and subject to the approval of the Committee and the Board, suffice for the continuance of residence of the mentally defective person in the institution.

Recommendation LXI.

Transfer from one institution or house to another or private care or *vice versa*.

That in the case of mentally defective persons dealt with by the Committee no transfer (except as mentioned in the proviso below) shall take place from one institution or house to another or from an institution or house to private care or *vice versa* without the authority of the Committee and subject to their approval as to the selection of the institution or house or private care to which the mentally defective person is to be transferred, and the Board of Control shall make such regulations as may appear to them necessary in relation to the several classes of cases, for reports of transfers being made to them, and for the granting or withholding of their consent, provided always that the Board of Control may order the transfer of any particular case where it appears to the Board that such transfer is desirable.

Recommendation LXII.

Discharge of persons from institutions.

See paragraph 668.

That in the case of discharges of mentally defective persons from institutions into which persons coming under classes (2) to (9), inclusive, have been admitted, the discharge may, if the Committee think fit, be ordered by the Committee on the certificate of the Medical Officer of the institution; and, if the Medical Officer of the institution be of a contrary opinion to that of the Committee in regard to the discharge, there shall be an appeal to the Board of Control whose decision shall be final. The Regulations of the Board to be made under Recommendation LX. shall embody directions as to the principles on which discharges shall be ordered.

Recommendation LXIII.

Notification to the Committee and Board of Control of all admissions, transfers, etc.

That under regulations to be made by the Board of Control all admissions, transfers, continuance orders, discharges and deaths be at once reported to the Board of Control and to the Committee for the care of the Mentally Defective.

(c) RECEIVING HOUSES OR RECEPTION WARDS.

(Recommendations LXIV. to LXVII.)

Recommendation LXIV.

Receiving Houses or Reception Wards to be established.

That for the reception and observation and temporary treatment of cases of mental defect the Committee, under regulations to be made by the Board of Control, shall provide or contract with others to provide such Receiving Houses or Reception Wards in various parts of their area as may be necessary; and that such Receiving Houses or Reception Wards be exclusively used for that purpose and be licensed by the Board of Control and placed under the management of the Committee; and that they be available not only for poor persons but also, on payment, for persons who might be fully and sufficiently provided for otherwise at their own charges or at the charges of their relations or friends.

See paragraphs 706-716.

Recommendation LXV.

Statutory obligation on certain public authorities to provide accommodation for Receiving Houses or Wards on request of the Council of the County or County Borough.

That there be a statutory obligation imposed on public authorities within the area of the County or County Borough, such as Boards of Guardians and District and Borough Councils, on the request of the Council of the County or County Borough, if approved by the Board of Control, to provide the necessary accommodation for Receiving Houses or Wards on such terms as may be arranged between them; and that in case of a difference of opinion between the Council of the County or County Borough and the other authority in respect of the necessity for such provision or of the expediency of using any existing building for such purpose, there shall be an appeal to the Secretary of State; provided that in the case of any building provided, or to be provided under the authority of the Local Government Board, it shall be the duty of the Local Government Board, after inquiry, to determine if the building should be provided or used for the proposed purpose, and, if so, upon what terms; and the decision of the Local Government Board shall be final.

Recommendation LXVI.

Cases in receiving houses, etc., to be seen by a Medical Officer representing the Committee.

That in the case of all mentally defective persons taken to a Receiving House or Reception Ward it shall be necessary for the Medical Officer or one of the Medical Officers of the Committee, or a certifying medical practitioner, to attend at the Receiving House or Reception Ward, and act as one of the certifying medical officers.

Recommendation LXVII.

Application for Admission of Mentally Defective Persons to Receiving House or Reception Ward.

That, under any immediate certificate or order that the Board of Control under its regulations may require, any person alleged to be mentally defective, as defined in Recommendation IV., may be at once admitted to a Receiving House or Reception Ward on application made either by the person himself or on his behalf, subject to the approval and order of the Medical Officer in charge, and (except in cases of payment under Recommendation LXIV.) all necessary expenditure for the maintenance of such persons shall be borne by the Committee. And further, that the Medical Officer in charge of the Receiving House or Reception Ward shall at once on the admission of such person report the fact to the Medical Officer of the Committee with a view to such sufficient action being taken on their part as, in their opinion, the case requires.

See paragraph 713–714.

(d) MODIFICATIONS OF THE LUNACY ACT, 1890.

(Recommendations LXVIII. to LXXI.)

Recommendation LXVIII.

That Sections 4 to 8 of the Lunacy Act, 1890, be altered in the manner stated below:

See paragraphs 719–727.

[N.B. The following is a transcript of Sections 4–8 of the Lunacy Act, 1890, as proposed to be amended.

Reception orders on Petition applicable to mentally defective persons.

The principle of these alterations is to adopt the system in force under the Lunacy Acts and extend it to all classes of mentally defective persons as defined in Recommendation IV., without regard to the question whether they are "paupers" or not.

(1) The word "lunatic" is replaced by "mentally defective person" throughout, and the word "pauper" eliminated.

(2) The Committee may through its representative, present a petition as "next friend" of the mentally defective person where it thinks such petition ought to be presented, either at the request of the relatives or when the relatives or friends have failed to act (Sec. 5 (5)).

(3) The judicial authority may select a suitable institution or house or leave the selection to the Committee, in cases where the relations or friends of the mentally defective person have failed to select one (Sec. 6 (1)).

(4) The order of the judicial authority should state whether or not the patient has been personally examined by him (Sec. 6 (2)).

The alterations made in the sections of the Lunacy Act are designated as follows :—

Additions are made in *italic* print, and words deleted are printed within square brackets, *i.e.*, [ ]. As to the procedure in regard to persons under 21 coming under classes (3) to (9) of Recommendation IV. without the intervention of a "judicial authority," *see* Recommendation LII. above.]

PART I.

Reception of Lunatics.

Reception Orders on Petition.

Private patients not found mentally defective by inquisition to be received only unde order of judicial authority.

4.—(1.) Subject to the exceptions in this Act mentioned, a person, not being [a pauper or] a [lunatic] *mentally defective person* so found by inquisition, shall not be received and detained as a [lunatic] *mentally defective person* in an institution *or house* for [lunatics] *mentally defective persons* or as a single patient, unless under a reception order made by the judicial authority hereinafter mentioned. A relative of the person applying for an order under this section or of the [lunatic] *mentally defective person,* or of the husband or wife of the [lunatic] *mentally defective person,* shall not be capable of making such order.

(2.) The order shall be obtained upon a private application by petition accompanied by a statement of particulars and by two medical certificates on separate sheets of paper.

Petition for reception order.

5.—(1.) The petition shall be presented, if possible, by the husband or wife or by a relative of the alleged [lunatic] *mentally defective person.* If not so presented it shall contain a statement of the reasons why the petition is not so presented and of the connexion of the petitioner with the alleged [lunatic] *mentally defective person,* and the circumstances under which he presents the petition.

(2.) No person shall present a petition unless he is at least twenty-one years of age and has within fourteen days before the presentation of the petition personally seen the alleged [lunatic] *mentally defective person.*

(3.) The petitioner shall in the petition undertake that he will personally, or by someone specially appointed by him, visit the patient once at least in every six months; and the undertaking shall be recited in the order.

(4.) The petition shall be signed by the petitioner and the statement of particulars by the person making the statement.

(5.) *Notwithstanding anything contained in this section, the Committee of any Council of a County or County Borough for the care of the mentally defective, may authorise its Medical Officer or one of its Medical Officers to present a petition as next friend of the alleged mentally defective person in any case where the Committee deems it advisable so to do, either at the request of the relatives, or in consequence of any failure, for any reason, on the part of any husband, wife, or other relative of the alleged mentally defective person so to present a petition, and where the Committee is advised by its Medical Officer or one of its Medical Officers that such petition ought to be presented.*

Procedure upon petition for a reception order.

6.—(1.) Upon the presentation of the petition the judicial authority shall consider the allegations in the petition and statement of particulars and the evidence of [lunacy] *mental defect* appearing by the medical certificates, and whether it is necessary for him personally to see and examine the alleged [lunatic] *mentally defective person*; and, if he is satisfied that an order may properly be made forthwith, he may make the same accordingly *either directing the admission of the mentally defective person to a particular institution or house which the petitioner, his relative, or friend may desire, or failing that, which in his opinion, on the evidence submitted to him or his personal knowledge, is suitable for the admission of the said person or directing the admission of the mentally defective person to an institution or house*

RECOMMENDATION LXVIII.—(*cont.*)

suitable for his proper care and control, as may be decided by the Committee for the Care of the Mentally Defective; or if not so satisfied he shall appoint as early a time as practicable, not being more than seven days after the presentation of the petition, for the consideration thereof; and he may make such further or other inquiries of or concerning the alleged [lunatic] *mentally defective person* as he may think fit. Notice of the time and place appointed for the consideration of the petition (unless personally given to the petitioner) shall be sent to the petitioner by post in a prepaid registered letter addressed to him at his address as given in the petition.

(2.) The judicial authority if not satisfied with the evidence of [lunacy] *mental defect* appearing by the medical certificates, may, if he thinks it necessary so to do visit the alleged [lunatic] *mentally defective person* at the place where he may happen to be. *And the order shall contain a statement that the patient has or has not been personally examined by such judicial authority.*

(3.) The petition shall be considered in private, and no one except the petitioner, the alleged [lunatic] *mentally defective person* (unless the judicial authority shall in his discretion otherwise order), any one person appointed by the alleged [lunatic] *mentally defective person* for that purpose, and the persons signing the medical certificates accompanying the petition, shall, without the leave of the judicial authority, be present at the consideration thereof.

(4.) At the time appointed for consideration of the petition the judicial authority may make an order thereon or dismiss the same, or, if he thinks fit, may adjourn the same for any period not exceeding fourteen days for further evidence or information, and he may give notice to such persons as he thinks fit of the adjourned consideration, and summon any persons to attend before him.

(5.) Every judicial authority and all persons admitted to be present at the consideration of any petition for a reception order, or otherwise having official cognisance of the fact that a petition has been presented, except the alleged [lunatic] *mentally defective person* and the person appointed by the alleged [lunatic] *mentally defective person* as aforesaid shall be bound to keep secret all matters and documents which may come to his or their knowledge by reason thereof, except when required to divulge the same by lawful authority.

Dismissal of petition.

7.—(1.) If the petition is dismissed, the judicial authority shall deliver to the petitioner a statement in writing under his hand of his reasons for dismissing the same, and shall send a copy of such statement to the [Commissioners] *Board of Control,* and shall also, where the alleged [lunatic] *mentally defective person* is detained under an urgency order, send notice by post or otherwise to the person in whose charge the alleged [lunatic] *mentally defective person* is, that the petition has been dismissed.

(2.) Any judicial authority making or refusing a reception order, shall, if so required by the [Commissioners] *Board of Control,* give to them all such information as they may require as to the circumstances under which the order was made or refused.

(3.) The [Commissioners] *Board of Control* may communicate such information as they think proper, on the dismissal of the petition or the release of the alleged [lunatic] *mentally defective person,* to him or to any person who may satisfy them that he is a proper person to receive the information.

(4.) If after a petition has been dismissed another petition is presented as to the same alleged [lunatic] *mentally defective person,* the person presenting such other petition, so far as he has any knowledge or information with regard to the previous petition and its dismissal shall state the facts relating thereto in his petition, and shall obtain from the [Commissioners] *Board of Control,* at his own expense, and present with his petition, a copy of the statement sent to them of the reasons for dismissing the previous petition, and, if he wilfully omits to comply with this sub-section, he shall be guilty of a misdemeanor.

Right of [lunatic] *mentally defective person* to be examined by judicial authority.

8.—(1.) When a [lunatic] *mentally defective person* has been received as a private patient under an order of a judicial authority, without a statement in the order that the patient has been personally seen by such judicial authority, the patient shall have the right to be taken before or visited by a judicial authority, other than the judicial authority who made the order, unless the medical officer of the institution *or house,* or, in the case of a single patient his medical attendant, within twenty-four hours after reception, in a certificate signed and sent to the [Commissioners] *Board of Control,* states that the exercise of such right would be prejudicial to the patient.

(2.) Where no such certificate has been signed and sent, the manager of the institution *or house* in which the patient is, or the person having charge of him as a single patient, shall within twenty-four hours after reception, give to the patient a notice in writing of his right under this section, and shall ascertain whether he desires to exercise the right; and if he, within seven days after his reception, expresses his desire to exercise the right, such manager or person shall procure him to sign a notice of such desire, and shall forthwith transmit it by post in a prepaid registered letter to the judicial authority, who is to exercise the jurisdiction under this section, or to the justices clerk of the petty sessional division or borough, where the [lunatic] *mentally defective person,* is, to be by him transmitted to such judicial authority, and the judicial authority shall thereupon arrange, as soon as conveniently may be, either to visit the patient or to have the patient brought before him by the manager or person as the judicial authority may think fit.

RECOMMENDATION LXVIII.—(*cont.*)

(3.) The judicial authority shall be entitled, if he desires so to do, to see the medical certificates and any other documents, upon the consideration of which the reception order was made, and shall after personally seeing the patient send to the [Commissioners] *Board of Control* a report, and the [Commissioners] *Board of Control* shall take such steps as may be necessary to give effect to the report.

(4.) For the purposes of this section the jurisdiction shall be exercised by any judicial authority having authority to act in the place where the person received is, and not being the judicial authority who made the reception order; and arrangements shall for that purpose from time to time be made amongst themselves by the persons having such authority as aforesaid.

(5.) If any manager of an institution *or house* for [lunatics] *mentally defective persons* or any person having charge of a single patient, omits to perform any duty imposed upon him by this section, he shall be guilty of a misdemeanor.

NOTE.—The judicial authority referred to above is thus defined in the Act.

THE JUDICIAL AUTHORITY DEFINED.

Judicial authorities defined.

9.—(1.) The powers of the judicial authority under this Act shall be exercised by a justice of the peace specially appointed as herein-after provided, or a judge of county courts, or magistrate [having* respectively jurisdiction in the place where the lunatic is.]

(2.) Every judicial authority shall, in the exercise of the jurisdiction conferred by this Act, have the same jurisdiction and power as regards the summoning and examination of witnesses, the administration of oaths, and otherwise, as if he were acting in the exercise of his ordinary jurisdiction, and shall be assisted, if he so requires, by the same officers as if he were so acting, and their assistance under this Act shall be considered in fixing their remuneration.

(3.) A judge of county courts and magistrates shall not be required to exercise any powers under this Act so as to interfere with or delay the exercise of his ordinary jurisdiction.

Appointment of justices to make reception orders.

10.—(1.) The justices of every county and quarter sessions borough, shall annually appoint out of their own body as many fit and proper persons as they may deem necessary to exercise [within the* county and borough respectively], the powers conferred by this Act upon the judicial authority. In making such appointments the justices of every county shall have regard to the convenience of the inhabitants of each petty sessional division thereof.

(2.) The annual appointments under this section shall be made by justices of a county at their Michaelmas quarter sessions, and by justices of a borough at special sessions to be held in the month of October.

(3.) If in any year such appointments are not made, it shall be lawful for the Lord Chancellor by writing under his hand, to make the same; and if, on any representation made to him that the number of justices so appointed for any county or borough is at any time insufficient, the Lord Chancellor is satisfied that such representation is well founded, he shall have power to appoint, by writing under his hand, any other justices of such county or borough to act, until the next Michaelmas quarter or special sessions, with the justices so appointed.

(4.) If in the case of a borough or place not having a separate quarter sessions, representation is made to the Lord Chancellor that public inconvenience is likely to result, unless power is given to the justices of such borough or place to exercise [within the same]* the powers conferred by this Act upon the judicial authority, it shall be lawful for the Lord Chancellor, from time to time, with or without a fresh representation, to appoint, by writing under his hand, one or more of the justices of such borough or place to exercise [within the same]* during such time as the Lord Chancellor thinks fit the powers aforesaid, together with any other specially appointed justices acting therein.

(5.) In the case of the death, absence, inability, or refusal to act of any justice appointed under this section the justices of the county or borough, or the Lord Chancellor, as the case may be, may appoint a justice to act in his place. Such appointment may be made by justices of a county at any quarter sessions, and by justices of a borough at special sessions to be held at the same time as any quarter sessions.

(6.) All appointments of justices under this section shall be recorded by the clerk of the peace of the county or borough, or in the case of a borough or place not having a separate quarter sessions, by the clerk to the justices, and it shall be the duty of every such clerk to publish the names of the justices so appointed in each petty sessional division of the county and otherwise for the information of all persons interested. In the case of quarter sessions boroughs, the clerk to the justices making the appointment shall forthwith notify the same to the clerk of the peace of the borough.

RECOMMENDATION LXIX.

Form of order for reception on petition under Recommendation LXVIII.

That the following form be adopted as the form to be signed by the Judicial Authority, Judge of County Court, or Stipendiary Magistrate making an Order under Recommendation LXVIII.

FORM.

Order for the reception of a mentally defective person, to be made by the Judicial Authority appointed under the Act for the Care and Control of the Mentally Defective, Judge of County Court, or Stipendiary Magistrate.

I, the undersigned, E.F., being a Justice for , specially appointed under the Act for the Care and Control of the Mentally Defective, on the petition of C.D. of (1) in the matter of A.B., a mentally defective person accompanied by the medical certificates of G.H. and I.J. hereto annexed, and upon the undertaking that the said C.D. do visit the said A.B personally or by some one specially appointed by the said C.D. once at least in every six months, while under the care and control under this order (authorise you to receive the said A.B. as a patient into your Hospital, Institution, Registered House or Home) (2) or (authorise the Committee for the Care and Control of the Mentally Defective in the County of , or in the County Borough of to place the said A.B. as a patient in such Hospital, Institution, Registered House or Home, as they may think best in view of this order and the certificates that accompany it).

And I declare that I have (or have not) personally seen the said A.B. before making this order.

(*Signed*) E.F.,
A Justice appointed under the above-mentioned Act
(or the Judge of the County Court of
or a Stipendiary Magistrate).

To (3)

(1.) Address and description.

(2.) To be addressed to the medical superintendent or superintendent of such hospital, institution, or registered house or home selected; *or* to be addressed to the Committee for the Care and Control of the Mentally Defective for the county or county borough.

(3.) Here the name of the medical superintendent or superintendents; *or* the name and address of the committee of the county or county borough.

* The words in brackets [ ] in Sections 9 and 10 were repealed by the Lunacy Act, 1891, Schedule.

RECOMMENDATION LXX.

Form of certificate.

That the following form be adopted for the Certificates of a General Medical Practitioner, a Medical Officer of the Committee for the Care of the Mentally Defective, or a Certifying Medical Practitioner appointed under the Act for the Care and Control of the Mentally Defective.

See paragraph 727.

FORM.

Certificate of a Medical Officer of the Committee for the care of the Mentally Defective of the Council of the County or County Borough, or of a Certifying Medical Practitioner or of a General Medical Practitioner.

In the matter of A.B. (1) in the County or County Borough (2) of (3) a person alleged to be mentally defective.

I, the undersigned, C.D., do hereby certify as follows :

1. I am a person registered under the Medical Act, 1858, and I am (the Medical Officer of the said Committee) or (a Certifying Medical Practitioner appointed by the said Committee) or (in the actual practice of the Medical profession).

2. On day of , 19 , at (4) in the County or County Borough (5) of , (separately from any other practitioner) (6), I personally examined the said A.B., and came to the conclusion that he is mentally defective within the meaning of Section of the Act for the Care and Control of the Mentally Defective ; and that he requires care and control accordingly.

3. I formed this conclusion on the following grounds, namely :—

(*a*) Facts indicating mental defect ascertained by myself during (observation) (7) and examination (8) namely :—

(*b*) Facts communicated by others : (9)

(*If an urgency certificate is required it must be added here. See subjoined form.*)

4. In my opinion the said A.B. comes within the class of mental defect defined in subsection of Section of the Act for the Care and Control of the Mentally Defective (see back).

5. The said A.B. was (or was not) in my opinion, in a fit condition of bodily health to be admitted or removed to such a Hospital, Institution, Registered House or Home as is suitable for persons of mental defect coming under Clause of Section of the Act [10].

6. I give this certificate, having first read the sections of the Act of Parliament printed on the back.*

Dated (*Signed*) C.D., of [11]

* The schedule printed on the back would be as follows :

(1) Extract from Section 317 of the Lunacy Act, 1890, incorporated in the Acts for the Care and Control of the Mentally Defective.

Any person who makes a wilful misstatement of any material fact in any medical or other certificate or in any statement or report of bodily or mental condition under this Act, shall be guilty of a misdemeanor.

(2) Section of the Act for the Care and Control of the Mentally Defective containing the definitions of classes of mental defect (as defined in Recommendation IV.)

FORM.

Statement accompanying Urgency Order.

I certify that it is expedient for the welfare of the said A. B. (or for the public safety, *as the case may be*) that the said A. B. should be forthwith placed under care and control.

My reasons for this conclusion are as follows : (*State them.*)

(1.) Insert residence of patient.
(2.) County or county borough as the case may be.
(3.) Insert profession or occupation, if any.
(4.) Insert place of examination, giving name of street, with number or name of house, or should there be no number the Christian and surname of occupier.
(5.) County or county borough, as the case may be.
(6.) Omit this where only one certificate is required.
(7.) "Observations" include any observation of the patients at times other than the examination, for instance, at a Receiving House or Reception Ward.
(8.) If the same or other facts were observed previous to the time of the examination, the certifier is at liberty to subjoin them in a separate paragraph.
(9.) The names and Christian names (if known) of informants to be given, with their addresses and descriptions.
(10.) Strike out this clause in case of a private patient whose removal is not proposed.
(11) Insert full postal address.

RECOMMENDATION LXXI.

Urgency orders and summary reception orders applicable to mentally defective persons.

That Sections 11 to 23 of the Lunacy Act, 1890, be altered in the manner stated below :—

See paragraphs 719–727.

[N.B.—The following is a transcript of Section 11 to 23 of the Lunacy Act, 1890, as proposed to be amended. The principle of these alterations is to adopt the system in force under the Lunacy Act and extend it to all classes of mentally defective persons as defined in Recommendation IV., without regard to the question whether they are "paupers" or not.

(1) The word "lunatic" is replaced by "mentally defective person" throughout, and the word "pauper" eliminated. The latter change renders Sections 14 and 18 unnecessary, and they are accordingly printed in large square brackets.

(2) The word "workhouse" is deleted in the other sections which stand, and the words "Receiving House or Reception Ward" substituted. It will be noted that under Recommendations LXIV.–LXV. the Committee may contract with others, including Boards of Guardians, to provide the necessary accommodation for Receiving Houses or Reception Wards.

(3) The Committee may, through its representative, make an "urgency order" as "next friend" of the mentally defective person where it thinks such a course advisable, either at the request of the relatives or when the relatives of the mentally defective person have failed to act. (Sec. 11 (8)).

(4) The "Master in Lunacy" where referred to is eliminated, and "Legal Commissioner or a Judge of the High Court" substituted in accordance with Recommendations VII. and VIII. (Sec. 12).

RECOMMENDATION LXXI.—(*cont.*)

(5) The procedure on Summary Reception Orders is altered in the following ways:—

(a) The duty of informing a judicial authority as to mentally defective persons not under proper care and control, or cruelly treated or neglected, is imposed on medical officers of a Poor Law parish or union and on representatives of the Committee, in addition to constables, relieving officers, and overseers who at present have to give such information as to "lunatics" (Sec. 13 (1)).

(b) The judicial authority, on receiving information on oath of any person whomsoever as to such mentally defective person, must authorise the medical officer of the Committee or a certifying medical practitioner to examine the mentally defective person.

It will be noted that one medical representative of the Committee is substituted for the two medical practitioners who at present make the examination of "lunatics" under similar conditions (Sec. 13 (2)). Under Section 16 the Justices could at present make an order on one medical certificate in the case of a pauper alleged to be a lunatic or an alleged lunatic wandering at large. We propose to eliminate Section 14, relating to a pauper alleged to be a lunatic, but to extend the provisions of Sections 15 and 16 to all mentally defective persons wandering at large.

The effect of our alterations is to make it necessary—

(i.) In cases of mentally defective persons not under proper care and control, or cruelly treated or neglected, brought before a "judicial authority," to require a certificate from one medical representative of the Committee (Sec. 13 (2)).

(ii.) In cases of mentally defective persons wandering at large brought before a justice to require a certificate from any one medical practitioner (Sec. 16).

(c) The order of detention is, in the first instance, to be for not more than fourteen days to a Receiving House or Reception Ward, or other institution or house (Secs. 13 & 16), during which period the Committee will decide on a suitable institution or house (Secs. 13 (3) and 16).

(6) The procedure under Section 23, as to Reception Orders by any two or more Commissioners is extended to all mentally defective persons, and to epileptics whether mentally defective or alleged sane in registered institutions or houses for epileptics. The Commissioners will communicate with the Committee as to the admission of such cases into suitable institutions or houses.

The alterations made in the Lunacy Act are designated as follows:—

Additions are made in *italic* print, and words deleted are printed within square brackets.

As to the procedure with regard to Reception Orders on Petition, relating to mentally defective persons coming within any of the classes defined in Recommendation IV., *see* Recommendation LXVIII. above, and as to the procedure in regard to persons under 21 coming within classes (3) to (9) of Recommendation IV. without the intervention of a "judicial authority," *see* Recommendation LII. above.]

Lunacy Act, 1890, Section 11.—

Urgency orders.

URGENCY ORDERS.

11.—(1.) **In cases of urgency where it is expedient, either for the welfare of a person [not a pauper] alleged to be a [lunatic]** *mentally defective person*, **or for the public safety, that the alleged [lunatic]** *mentally defective person*, **should be forthwith placed under care and treatment, he may be received and detained in an institution** *or house* **for [lunatics]** *mentally defective persons, or in a receiving house or reception ward*, **or as a single patient upon an urgency order, made (if possible) by the husband or wife or by a relative of the alleged [lunatic]** *mentally defective person*, **accompanied by one medical certificate.**

(2.) An urgency order may be signed before or after the medical certificate.

(3.) If an urgency order is not signed by the husband or wife or by a relative of the alleged [lunatic] *mentally defective person*, **the order shall contain a statement of the reasons why the same is not so signed and of the connexion with the alleged [lunatic]** *mentally defective person*, **of the person signing the order, and the circumstances under which he signs the same.**

(4.) No person shall sign an urgency order unless he is at least twenty-one years of age and has within two days before the date of the order personally seen the alleged [lunatic] *mentally defective person.*

(5.) An urgency order may be made as well after as before a petition for a reception order has been presented. An urgency order, if made before a petition has been presented shall be referred to in the petition, and if made after the petition has been presented, a copy thereof shall forthwith be sent by the petitioner to the judicial authority to whom the petition has been presented.

(6.) An urgency order shall remain in force for seven days from its date; or if a petition for a reception order is pending, then until the petition is finally disposed of.

(7.) An urgency order shall have subjoined or annexed thereto a statement of particulars.

(8.) Notwithstanding anything contained in this section the Committee of any Council of a County or County Borough for the care of the mentally defective may authorise its medical officer or one of its medical officers to make an urgency order as next friend of the alleged mentally defective person in any case where it deems it advisable so to do, either at the request of the relatives or in consequence of any failure on the part of any husband, wife or other relative of the alleged mentally defective person so to make an urgency order and when the Committee is advised by its medical officer or one of its medical officers that such urgency order ought to be made.

RECOMMENDATION LXXI.—(*cont.*)

[Lunatics] *mentally defective persons* so found by inquisition.

Lunacy Act, 1890, Section 12 :—

RECEPTION AFTER INQUISITION.

12. A [lunatic] *mentally defective person* so found by inquisition may be received in an institution *or house* for [lunatics] *mentally defective persons* or as a single patient upon an order signed by the committee of the person of the [lunatic] *mentally defective person* and having annexed thereto an office copy of the order appointing the committee, or if no such committee has been appointed, upon an order signed by a [Master] *Legal Commissioner or a Judge of the High Court.*

Lunacy Act, 1890, Section 13 :—

SUMMARY RECEPTION ORDERS.

[Lunatics] *mentally defective persons* not under proper care and control or cruelly treated or neglected.

13.—(1.) Every constable, relieving officer, and overseer of a parish *or medical officer of a union or representative of the Committee of any Council of a County or County Borough for the care of the mentally defective* who has knowledge that any person within the district or parish of the constable, relieving officer, or overseer *or medical officer of a Poor Law parish or Union, or the Committee* who is [not a pauper and] not wandering at large, is deemed to be a [lunatic] *mentally defective person* and is not under proper care and control, or is cruelly treated or neglected by any relative or other person having the care or charge of him, shall within three days after obtaining such knowledge give information thereof upon oath to a justice being a judicial authority under this Act.

(2.) Any such justice, upon information on oath of any person whomsoever, that a person [*within the limits of his jurisdiction] [not a pauper and] not wandering at large, is deemed to be a [lunatic] *mentally defective person* and is not under proper care and control, or is cruelly treated or neglected as aforesaid, may himself visit the alleged [lunatic] *mentally defective person*, and shall, whether making such visit or not, direct and authorise [any two medical practitioners whom he thinks fit] *the Medical Officer, or one of the Medical Officers of the Committee of the Council of the County or County Borough for the care of the mentally defective, or a certifying medical practitioner*, to visit and examine the alleged [lunatic] *mentally defective person*, and to certify [their] *his* opinion as to his mental state, and the justice shall proceed in the same manner so far as possible, and have as to the alleged [lunatic] *mentally defective person* the same powers as if a petition for a reception order had been presented by the person by whom the information with regard to the alleged [lunatic] *mentally defective person* has been sworn.

(3.) If upon the certificate of the medical [practitioners] *practitioner* who [examine] *examines* the alleged [lunatic] *mentally defective person*, or after such other and further inquiry as the justice thinks necessary, he is satisfied that the alleged [lunatic] *mentally defective person* is a [lunatic] *mentally defective person*, and is not under proper care and control, or is cruelly treated or neglected by any relative or other person having the care or charge of him and that he is a proper person to be taken charge of and detained under care and treatment, the justice may, by order, direct the [lunatic] *mentally defective person* to be received and detained in any Institution [for lunatics] *Receiving House or Reception Ward, home or house for mentally defective persons* [to which, if a pauper, he might be sent under this Act], *for not more than fourteen days*, and the constable, relieving officer, or overseer *Medical Officer of a Union, or representative of the Committee* upon whose information the order has been made, or any constable whom the justice may require so to do, shall forthwith convey the [lunatic] *mentally defective person* to the Institution, *home or house or to the Receiving House or Ward* named in the order, *and the Medical Officer of the Committee of the County or County Borough for the care of the mentally defective shall, within the said fourteen days, ascertain to what Institution or house the mentally defective person may most suitably be admitted, and shall, with the approval of the Committee, have him admitted to that Institution or house.*

Lunacy Act, 1890, Section 14 :—

NOTE.—This is probably unnecessary in view of other alterations.

Notice to be given of pauper lunatic who ought to be sent to an asylum.

14.—(1.) Every medical officer of a union who has knowledge that a pauper resident within the district of the officer is or is deemed to be a lunatic and a proper person to be sent to an asylum, shall, within three days after obtaining such knowledge, give notice thereof in writing to the relieving officer of the district, or, if there is no such officer, to an overseer of the parish where the pauper resides.

(2.) Every relieving officer and every overseer of a parish of which there is no relieving officer, who respectively have knowledge, either by notice from a medical officer or otherwise, that any pauper resident within the district or parish of the relieving officer or overseer is deemed to be a lunatic, shall, within three days after obtaining such knowledge, give notice thereof to a justice having jurisdiction in the place where the pauper resides.

(3.) A justice, upon receiving such notice, shall by order require the relieving officer or overseer giving the notice, to bring the alleged lunatic before him or some other justice having jurisdiction in the place where the pauper resides at such time and place within three days from the time of the notice to the justice as shall be appointed by the order.

* Section 13, Subsection 2, from "within" to "jurisdiction" was repealed by the Lunacy Act, 1891, Schedule.

RECOMMENDATION LXXI.—(*cont.*)

Lunacy Act, 1890, Section 15 and 16.—

[Lunatic] *mentally defective person* wandering at large to be brought before a justice.

15.—(1.) Every constable and relieving officer and every overseer of a parish who has knowledge that any person [whether a pauper or not] wandering at large within the district or parish of the constable, relieving officer, or overseer is deemed to be a [lunatic] *mentally defective person*, shall immediately apprehend and take the alleged [lunatic] *mentally defective person*, or cause him to be apprehended and taken before a justice.

(2.) Any justice, upon the information upon oath of any person that a person wandering at large within the limits of his jurisdiction is deemed to be a [lunatic] *mentally defective person* may by order require a constable, relieving officer or overseer of the district or parish where the alleged [lunatic] *mentally defective person* is, to apprehend him, and bring him before the justice making the order, or any justice having jurisdiction where the alleged [lunatic] *mentally defective person* is.

[Lunatic] *mentally defective person wandering at large* brought before a justice may be sent to *Receiving House*, institution, *or house* for [lunatics] *mentally defective persons.*

16.—The justice before whom [a pauper alleged to be a lunatic or] an alleged [lunatic] *mentally defective person* wandering at large is brought under this Act shall call in a medical practitioner, and shall examine the alleged [lunatic], *mentally defective person* and make such inquiries as he thinks advisable, and if upon such examination or other proof the justice is satisfied [in the first mentioned case that the alleged lunatic is a lunatic and a proper person to be detained, and in the secondly-mentioned case], that the alleged [lunatic] *mentally defective person* is a [lunatic] *mentally defective person*, and was wandering at large, and is a proper person to be detained, and if [in each of the foregoing cases] the medical practitioner who has been called in signs a medical certificate with regard to the [lunatic] *mentally defective person* the justice may by order direct the [lunatic] *mentally defective person* to be received and detained in the *Receiving House or Reception Ward, or other* Institution *or House* for [lunatics] *mentally defective persons* named in the order, *for not more than fourteen days*, and the relieving officer, overseer or constable who brought the [lunatic] *mentally defective person* before the justice, or [in the case of a lunatic wandering at large], any constable who may by the justice be required so to do, shall forthwith convey the [lunatic] *mentally defective person* [to such Institution] *to such Receiving House or Reception Ward, or other Institution or House for mentally defective persons, and the Medical Officer of the Committee of the County or County Borough for the care of the mentally defective shall, within the said fourteen days, ascertain to what institution or house the mentally defective person may most suitably be admitted, and shall, with the approval of the Committee, have him admitted to that institution or house.*

Lunacy Act, 1890, Section 17:—

Power to examine alleged [lunatic] *mentally defective person* at his own abode or elsewhere.

17. Where, under this Act, notice has been given to, or an information upon oath laid before a justice [that a pauper resident within the limits of his jurisdiction is deemed to be a lunatic, and a proper person to be sent to an asylum, or] that a person [whether a pauper or not] wandering at large [within the limits aforesaid] *within the limit of his jurisdiction* is deemed to be a [lunatic] *mentally defective person*, such justice may examine the alleged [lunatic] *mentally defective person* at his own house or elsewhere, and may proceed in all respects as if the alleged [lunatic] *mentally defective person* had been brought before him.

Lunacy Act, 1890, Section 18:—

NOTE—This will probably be unnecessary owing to other alterations.

When lunatic may be treated as a pauper.

18. A justice shall not sign an order for the reception of a person as a pauper lunatic into an institution for lunatics, or workhouse, unless he is satisfied that the alleged pauper is either in receipt of relief, or in such circumstances as to require relief for his proper care. If it appears by the order that the justice is so satisfied, the lunatic shall be deemed to be a pauper chargeable to the union, county, or borough properly liable for his relief. A person who is visited by a medical officer of the union, at the expense of the union, is, for the purposes of this section, to be deemed in receipt of relief.

Lunacy Act, 1890, Section 19:—

Suspension of removal under reception order.

19.—(1.) A justice making an order for the reception of a [lunatic] *mentally defective person* otherwise than upon petition, in this Act called a "summary reception order," may suspend the execution of the order for such period not exceeding fourteen days as he thinks fit, and in the meantime may give such directions or make such arrangements for the proper care and control of the [lunatic] *mentally defective person* as he considers proper.

(2.) If a medical practitioner who examines a [lunatic] *mentally defective person* as to whom a summary reception order has been made, certifies in writing that the [lunatic] *mentally defective person* is not in a fit state to be removed, the removal shall be suspended until the same or some other medical practitioner certifies in writing that the [lunatic] *mentally defective person* is fit to be removed, and every medical practitioner who has certified that the [lunatic] *mentally defective person* is not in a fit state to be removed shall, as soon as in his judgment the [lunatic] *mentally defective person* is in a fit state to be removed, be bound to certify accordingly.

RECOMMENDATION LXXI—(*cont.*). Removal of [lunatic] *mentally defective person* to [workhouse] *Receiving House or Reception Ward* in urgent cases.

Lunacy Act, 1890, Section 20:—

20. If a constable, relieving officer, or overseer is satisfied that it is necessary for the public safety or the welfare of an alleged [lunatic] *mentally defective person* with regard to whom it is his duty to take any proceedings under this Act, that the alleged [lunatic] *mentally defective person* should, before any such proceedings can be taken, be placed under care and control, the constable, relieving officer or overseer may remove the alleged [lunatic] *mentally defective person* to the [workhouse of the union in which the alleged lunatic is] *receiving house or reception ward*, and the master of the [workhouse] *receiving house or reception ward* shall [unless there is no proper accommodation in the workhouse for the alleged lunatic] receive and relieve, and detain the alleged [lunatic] *mentally defective person* therein, but no person shall be so detained more than three days, and before the expiration of that time, the constable, relieving officer, or overseer shall take such proceedings with regard to the alleged [lunatic] *mentally defective person* as are required by this Act.

Temporary removal of [lunatic] *mentally defective person* to [workhouse] *Receiving House or Reception Ward* under order of justice.

Lunacy Act, 1890, Section 21:—

21.—(1.) In any case where a summary reception order might be made, any justice, if satisfied that it is expedient for the welfare of the [lunatic] *mentally defective person*, or for the public safety, that the [lunatic] *mentally defective person* should forthwith be placed under care and control, and if it appears to him that there is proper accommodation for the [lunatic] *mentally defective person* in the [workhouse] *receiving house or reception ward* [of the union in which the lunatic is], may make an order for taking the [lunatic] *mentally defective person* to and receiving him in that [workhouse] *receiving house or reception ward.*

(2.) In any case where a summary reception order has been made, an order under this section may be made to provide for the detention of the [lunatic] *mentally defective person* until he can be removed.

(3.) An order under this section shall not authorise the detention of a [lunatic] *mentally defective person* in a [workhouse] *receiving house or reception ward* for more than fourteen days, after which period such detention shall not be lawful, except in accordance with the provisions of this Act as to the detention of [lunatics] *mentally defective persons* in [workhouses] *receiving houses or reception wards.*

(4.) An order under this section may be made by any justice having jurisdiction in the place where the [lunatic] *mentally defective person* is.

Lunacy Act, 1899, Section 23:—

RECEPTION ORDER BY TWO COMMISSIONERS.

Commissioners may send [pauper] [lunatic] *mentally defective person* to an institution *or house* for [lunatics] *mentally defective persons.*

23.—(1.) [Any two or more Commissioners may visit a pauper lunatic or alleged lunatic not in an institution for lunatics, or workhouse, and may, if they think fit call in a medical practitioner.]

(1) "Any two or more Commissioners may visit a mentally defective person who is in a house or institution, not registered as an institution for the care and maintenance of such persons, or any mentally defective or alleged sane epileptic in a registered institution or house for epileptics, and may, if they think fit, call in a medical practitioner.

(2.) If the medical practitioner signs a medical certificate with regard to the [lunatic] *mentally defective person*, and the Commissioners are satisfied that the [pauper] *person* is a [lunatic] *mentally defective person*, and a proper person to be detained, they may by order direct the [lunatic] *mentally defective person* to be received in an institution *or house* for [lunatics] *mentally defective persons or a Receiving House or Reception Ward*, and the relieving officer of the district or any constable who may by them be required so to do shall forthwith convey the [lunatic] *mentally defective person* to such institution *or house for mentally defective persons or to a Receiving House or Reception Ward.*

(3.) The said Commissioners in such cases shall communicate with the Medical Officer of the Committee of the County or County Borough Council, or one of the Medical Officers of the Committee, or a certifying medical practitioner, and it shall be the duty of that officer to arrange for the reception of the mentally defective person in an Institution or house, or Receiving House, or Reception Ward, registered as suitable for the admission of such persons within the County or County Borough.

N.B.—Secs. 24 to 27. These sections, which apply to "workhouses," are unnecessary in view of other alterations.

E.—EDUCATION AND TRAINING.

(Recommendations LXXII. to LXXXVI.)

RECOMMENDATION LXXII.

Amendment of the Elementary Education (Defective and Epileptic Children) Act, 1899.

That the Elementary Education (Defective and Epileptic Children) Act 1899, be amended so that the provisions of that Act shall no longer apply to mentally defective children or to epileptic children so afflicted by severe epilepsy as to be unfit to attend ordinary Public Elementary Schools.

See paragraphs 31, 346, 367–[illegible] above.

RECOMMENDATION LXXIII.

Statutory provisions required for giving effect to Recommendations LXXII. to LXXXVI.

That the proposed new Act for the care and control of the mentally defective should contain the necessary provisions to give statutory effect to the suggestions contained in Recommendations LXXII. to LXXXVI., and to apply the same as far as may be necessary to cases coming under Recommendation XC.

RECOMMENDATION LXXIV.

See Chapter XVII. above.

That the County Council or County Borough Council, as the case may be, acting through its Committee for the care of the mentally defective, be under statutory obligation to provide for the manual and industrial and other training of all mentally defective children who come under Classes (3) to (9) inclusive, in Recommendation IV., except such children who have not otherwise been properly and suitably provided for.

The Committee for the care of the mentally defective to be responsible for training of mentally defective children.

RECOMMENDATION LXXV.

See paragraph 367.

That the Local Education Authorities place at the disposal of the Medical Officer of the Committee the register and roll of children who are of age to attend school, and notify to him any cases of children of that age who are thought to be mentally defective, as defined in Recommendation IV., and that the Medical Officer of the Committee, or one of the Medical Officers of the Committee, after consultation with the Medical Officer of the Local Education Authority, report all such cases to the Committee with a view to action being taken under Recommendations XLIX. or LI.

Local Education Authority to submit attendance register of children and notify mental defectives to Medical Officer of the Committee.

RECOMMENDATION LXXVI.

That the Committee, in making their arrangements under the above Recommendation, shall provide facilities for enabling any parent who is of opinion that his child ought to be dealt with under the proposed Act to present such child to the Medical Officer of the Committee, or one of the Medical Officers of the Committee, or a certifying Medical Practitioner, to be examined, although he may not have been required so to do by the Committee, and any Committee failing to provide such facilities shall be deemed to have acted in contravention of the proposed Act.

Examination of alleged mentally defective child by Medical Officer of Committee.

RECOMMENDATION LXXVII.

That the Medical Officer of the Committee, or one of the Medical Officers of the Committee, or a certifying Medical Practitioner, if he is of opinion that any such child is mentally defective as defined in Recommendation IV., shall report to the Committee to that effect.

Report of Medical Officer of the Committee.

RECOMMENDATION LXXVIII.

That it shall be the duty of the parent of any child who may be required by the Medical Officer of the Committee to attend for the purpose of examination, to cause such child to attend with that object, and any parent who fails to comply with such requirement shall be liable, on summary conviction, to a fine not exceeding five pounds.

Duty of parent to cause child to attend medical examination.

RECOMMENDATION LXXIX.

See paragraph 315.

That where a school authority has made provision for the education of mentally defective children under the Elementary Education (Defective and Epileptic Children) Act, 1899, by special classes in public elementary schools or by boarding out or by establishing schools:—

School Authority to be under statutory obligation to contract with the committee as to existing special schools or classes.

(1) the classes or schools or the arrangements for boarding out children shall pass under the control of the Board of Control and shall not remain under the control of the Board of Education.

(2) the school authority shall be under statutory obligation in the case of special schools or classes previously certified by the Board of Education to contract with the Committee for the education of such mentally defective children as the Committee may deem it advisable to educate in that manner.

RECOMMENDATION LXXIX.—(*cont.*)

(3) the school authority shall be under statutory obligation in the case of mentally defective children boarded-out subject to the regulations of the Board of Education, to transfer to the Committee any contracts that they may have entered into in regard to such children.

(4) the school authority shall be under statutory obligation in the case of schools established for mentally defective children and previously certified by the Board of Education, if the Committee so desire, to transfer such schools to the Committee at a price to be agreed upon, or failing that by arbitration, or to contract with the Committee for the education of mentally defective children in these schools, and to carry on the schools in order to fulfil the terms of the contract made with them.

RECOMMENDATION LXXX.

The committee to pay for children admitted as mentally defective in special schools or classes already established.

That in regard to special schools or classes now in existence under the Elementary Education (Defective and Epileptic Children) Act, 1899, the children admitted to those classes as mentally defective be paid for by the County Council or County Borough Council through the Committee for the care of the mentally defective.

RECOMMENDATION LXXXI.

Establishment of new special schools or classes, institutions or homes.

That, subject to the approval and regulations of the Board of Control, special schools or classes, and institutions or homes, residential or other, necessary for the education of the mentally defective may hereafter be established either by the Committee for the care of the mentally defective or by the Local Education Authority at the request of the said Committee, and the Committee shall have full power to transfer children from schools or classes to institutions or homes, or *vice versa*, as in the interests of the children they think necessary, or to board out children, if necessary, near a special school or class.

RECOMMENDATION LXXXII.

The committee to pay for children kept for observation purposes in existing or future special schools or classes, institutions or homes.

That children, in regard to whom it is a matter of uncertainty whether they are mentally defective or not, may be placed on a special probationary list and retained for such period as may be considered necessary in a special class, school, institution or home for the mentally defective for purposes of observation, until it is decided whether such children should be adjudged mentally defective or merely dull and backward; and that the cost of their maintenance while under probation in such class or school, institution or home, be paid for by the County Council or County Borough Council through the Committee for the care of the mentally defective.

See paragraphs 313 315 above.

RECOMMENDATION LXXXIII.

Periodical examination of children in special schools and classes.

That the Committee shall arrange for the frequent and periodic examination of the mentally defective children in special schools or classes, with a view to determining whether they should continue in such classes, or whether their education should be otherwise provided for.

Recommendation LXXXIV.

Transfer of a child no longer mentally defective from care of the Committee to the care of the Local Education Authority.

That in the case of any child of school age who has been dealt with by the Committee as mentally defective, it shall be the duty of the Medical Officer, at any time, if the child, in his opinion, is not mentally defective, to report the case to the Local Education Authority, on whom the education of the child will from that date *ipso facto* devolve.

Recommendation LXXXV.

Duty of parents to provide for education, instruction or training of mentally defective child.

That the duty of a parent under Section 4 of the Elementary Education Act, 1876, to provide elementary instruction for his child shall, in the case of any child coming within classes 3 to 9 of Recommendation IV., include the duty to cause the child to attend a class or school, or to reside in any home or institution for the instruction or training of the mentally defective, from and up to such age as in the interest of the child may, on the report of their Medical Officer or one of their Medical Officers, seem necessary to the Committee, whether this instruction or training be provided by the Local Education Authority in contract with the Committee or by the Committee itself; and a parent shall not be excused from this duty by reason that a guide or conveyance is necessary.

Recommendation LXXXVI.

Guides or conveyances may be provided.

That in the case of children who, in the opinion of the Committee, cannot be trained suitably except at a special school or class, the Committee shall provide guides or conveyances if, in the judgment of the Committee and its Medical Officer or one of its Medical Officers or of a certifying medical practitioner, the children without this provision would be unable to attend the school or class in question.

F.—CRIMINAL MENTALLY DEFECTIVE PERSONS.

(Recommendations LXXXVII.-LXXXIX.)

Recommendation LXXXVII.

See paragraphs 380, 397, 406, 457–468.

Cases tried in Court. Summary Jurisdiction.

I. That in cases which may be determined summarily, and in which a court of summary jurisdiction is of opinion that the person charged is mentally defective, the court may adopt any of the following courses:—

(1) The court may remand the person charged to a receiving house or reception ward or other institution maintained or controlled by the Committee, or to the custody of an officer of the Committee, or, if in the particular case it appears necessary, to prison,

See Recommendation LXXI.

(2) The court may adjourn the hearing of the charge, pending the report of a medical officer of the Committee, and it may subsequently adjourn the case *sine die*, if on the certificate of the medical officer it makes a summary reception order for the reception of the accused person in a suitable institution which is under the committee's control.

(3) After conviction any officer or representative of the Committee, may, on their behalf, become a surety for the offender, and in that case the court may bind him over to come up for judgment at some future time, or when called upon.

RECOMMENDATION LXXXVII.—(*cont*).

(4) After conviction, the court instead of sending the offender to prison, may on the report and certification of the medical officer, or one of the medical officers of the Committee, or a certifying medical practitioner order his reception under a summary reception order in any institution that the Committee may determine, being maintained by the Committee or under its control.

Recommendation LXXI.

(5) After conviction the court, instead of sending the offender to prison, may accept recognisances from a surety or sureties on his behalf, on condition that he remains under the control of the Committee until they discharge him.

Procedure on committal for trial.

II. That in cases triable by indictment justices if satisfied that the person charged is mentally defective shall have power when committing for trial to accept recognisances on behalf of the Committee from any officer or other representative of the Committee or to order the accused to the custody of the Committee, instead of to prison, until the trial takes place.

Cases tried at Assizes and Quarter Sessions.

III. That in cases tried at assizes and quarter sessions the court shall, in regard to mentally defective persons including persons of unsound mind, have the powers referred to above in I. (3), (4), (5).

IV. That in cases tried at assizes and quarter sessions the court should be empowered to direct that the accused be submitted to examination, and if necessary, certification, notwithstanding that he has been acquitted of the offence charged, if, in the opinion of the court, it is desirable that his mental condition should be ascertained with a view to provision being made for his care.

Duty of police in cases of apparent mental defect or recurrent short sentences.

V. That in cases of apparent mental defect or recurrent short sentences which are brought before the courts, the police should be under statutory obligation to apply to the Board of Control, and to the Committee for the care of the mentally defective, for any information they may have with regard to the person charged, and to lay the same before the court.

RECOMMENDATION LXXXVIII.

Mentally defective persons under sentence or order of detention

That subject to the approval of the Secretary of State, any officer having in custody any person under sentence, or order of detention, shall at any time during detention hand over such person if certified to be mentally defective to the care of the Committee responsible for him, and it shall be the duty of the Committee to maintain that mentally defective person in a suitable institution.

RECOMMENDATION LXXXIX.

Discharge from Institutions.

That the consent of the Secretary of State for the Home Department be necessary for the discharge from any institution maintained by or under the control of the Committee of any person dealt with in accordance with the procedure proposed in Recommendations LXXXVII. and LXXXVIII.

See paragraph 406.

G.—MISCELLANEOUS.

(RECOMMENDATIONS XC. TO XCVI.)

RECOMMENDATION XC.

See Part X. above. See also paragraph 37.

That the Board of Control be empowered to register, inspect and report on all institutions or houses for the care of epileptics not provided for as mentally defective, and to regulate the same, if they form part of an institution for the mentally defective, and that the Committees for the care of the mentally defective be authorised to consider and deal with the cases of these epileptics and to provide for their accommodation and maintenance, care, treatment, education, training and control, and with regard to these epileptics shall have the powers referred to in Recommendations XXXII—XXXIV. (inclusive), XXXVII.—XL. (inclusive), XLIV., XLVI. and XLVII., XLIX.—LI. (inclusive), and in Recommendations from LXXV. to LXXXVI. (inclusive) so far as may be necessary.

Epileptics not mentally defective.

RECOMMENDATION XCI.

See paragraphs 426–428.

That as it appears that mentally defective cases to a large extent are at present dealt with under the Inebriates Acts, it is desirable that those Acts should be amended so far as may be necessary to make it clear that the Committees shall be under the obligation of dealing with such Inebriates as are mentally defective.

The Inebriates Acts.

RECOMMENDATION XCII.

See paragraph 96 above.

That no person shall be deprived of any franchise, right or privilege or be subject to any disability or disqualification by reason of the receipt of any assistance derived from any rate, towards the accommodation and maintenance, care, treatment, education, training and control of any member of his family whether such member be mentally defective or epileptic though not mentally defective.

Avoidance of Disabilities. Elementary Education, Defective and Epileptic Children Act, 1899, Sec. 8.

RECOMMENDATION XCIII.

That where the Committee incur any expense in respect of any mentally defective person, the parent or guardian or other person who is liable to maintain or has the actual custody of such person shall be liable to contribute towards his expenses a weekly sum such as may be agreed upon between the Committee and the party or parties so liable, or in default of agreement, as may, on the application of the Committee or the party or parties so liable, be settled by a Court of Summary Jurisdiction, and any sum so agreed upon or settled may without prejudice to any other remedy, be recovered by the Committee as under Section 6 (2) of the Youthful Offenders Act, 1901 And that this Recommendation shall apply to any persons who are epileptic though not mentally defective.

Contributions by parents, etc. Elementary Education (Blind Deaf Children) Act 1893. Sec. 9. Elementary Education (Defective & Epileptic Children) Act 1899. Sec. 8. Industrial Schools Act 1866, Sec. 39. Youthful Offenders Act 1901, Sec. 6 (2).

NOTE.—The Youthful Offenders Act, 1901, Section 6, sub-sec. 2, provides that an Order may be enforced as an Order of affiliation. As to the enforcement of Orders of affiliation see section 4 of the Bastardy Laws Amendment Act, 1872, and section 54 of the Summary Jurisdiction Act, 1876. Sums due in pursuance of an Order may be recovered under warrant of distress and sale of the goods and chattels of the defaulter, and he may be ordered by the Court to be kept in safe custody until return can conveniently be made to the warrant of distress, unless he gives sufficient security for his appearance on the day for return of the distress. If no sufficient distress can be had, he may be imprisoned for not more than three months.

RECOMMENDATION XCIV.

See paragraph 351 above.

That the accounts of boroughs relating to the care and control of the mentally defective, including the accounts of asylums, should be audited by the Local Government Board auditor and that the specification for tenders and the contract prices, in all institutions for the mentally defective, should be examined by the Board of Control or be investigated by the Local Government Board auditor and form part of his report to the Local Government Board.

Borough Accounts relating to the Mentally Defective to be audited by Local Government Board.

RECOMMENDATION XCV.

Protection of Mentally Defective Persons under the existing law as to sexual crimes, etc.

That the Lord Chancellor and Secretary of State have their attention called to the Evidence before us on the subject of the protection of mentally defective persons against sexual crime and immorality, and be invited to consider whether the existing law provides adequate protection for such persons.

See paragraph 469 above.

RECOMMENDATION XCVI.

London.

That, notwithstanding any existing Statutes, the general Act for the care and control of the mentally defective should provide that in the case of the administrative County of London:—

(*a*) **The institutions of the Metropolitan Asylums Board for mentally defective persons should be transferred (on such terms, and subject to such arrangements as may be provided in the Act) to the London County Council for the use of its Statutory Committee for the care of the mentally defective, on whom the duty to make suitable and sufficient provision for the care and control of the mentally defective in the administrative County of London will, by the said Act, devolve; and that**

See paragraph 276 above.

(*b*) **All grants now payable to the Metropolitan Asylums Board and to Boards of Guardians from the Metropolitan Common Poor Fund and from the Exchequer for the maintenance of lunatics or imbeciles, and any sums in future payable from the Exchequer on account of mentally defective persons, or epileptics not mentally defective, should, after the passing of the proposed Act, be payable to the London County Council for the use of the Statutory Committee for the care of the mentally defective** (*see* **Recommendations XXVIII. to XXXIV. and XC.**)

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SCOTLAND.

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ROYAL COMMISSION ON THE CARE AND CONTROL OF THE FEEBLE-MINDED.

PART XII.

SCOTLAND.

CHAPTER XLIV.

The State of Mentally Defective Persons not Certified under the Lunacy Laws.

926. In the discussion of several questions which we have been considering we have referred more particularly to the difference in the methods which are pursued in Scotland from those which are in force in England and Wales; and in Chapter XXXI. (Paragraph 633) we submitted a statement of the differences in the methods of administration in lunacy in England and Scotland. We have now to ascertain as far as may be possible, what are "the existing methods of dealing with idiots and epileptics, and with imbecile, feeble-minded or defective persons not certified under the Lunacy Laws" in Scotland; and we have to consider the sufficiency of the provision made for these classes, and the desirability of amending the laws relating to them, or of proposing other measures. Incidentally we have also to consider the constitution, jurisdiction and working of the Board of Lunacy in Scotland in reference to the subject. We propose therefore to submit in the first place a summary of the position of "persons not certified under the Lunacy Laws" and then to treat in more detail the conditions under which they are or may be cared for, trained and controlled in connection with the Poor Law, the Education Acts, the administration of the criminal law, and the Board of Lunacy. The evidence falls into two parts; that which bears upon the conditions of the country at large; and that which relates to Glasgow, with which we will deal separately.

The number of the mentally defective in Glasgow, as returned by the Medical Investigators, was 1,614, or ·26 on the population. If this figure holds good in the case of Scotland as a whole, the total mentally defective population of Scotland, excluding certified lunatics, would be 11,627. But it is obvious that such an estimate must be accepted with great reserve. The percentage of mentally defective persons on the population of the investigated areas is as follows: England and Wales, in eleven typical areas, ·46; Scotland, Glasgow only, ·26; Ireland, in four typical areas, ·57. In England and Wales and in Ireland the percentages of the mentally defective in different areas, urban and other, show considerable variations. It is impossible, therefore, to conclude that a percentage that may apply to Glasgow should apply to the whole of Scotland; but for what it is worth the figure is given.

Vol. VI., pp. 34 and 52, and paragraphs 1024 and 1025 below.

927. Of many developments of the administration of lunacy in Scotland we have expressed our strong approval—the economy and adaptability of the boarding-out system, the adoption of villa asylums and of observation wards, the certification of incipient cases, and the great utility of the Judicial Factors Act of 1880 in protecting the property of mentally defective persons. All these points represent a very significant advance. At the same time if the evidence that we have taken be considered as a whole, it must be admitted, we think, that some important changes are necessary, and that generally the question of the care of the imbecile and feeble-minded in Scotland is in need of further attention.

I.—General State of the Feeble-minded or Imbecile.

928. The state of the feeble-minded or imbeciles in Scotland is indeed very far from satisfactory. It is admitted by some witnesses guardedly, by others fully and absolutely, that there is a large class of persons who require care and are not certifiable under the existing law. Mr. Spence, the Secretary of the General Board of Lunacy for Scotland said: "There are unquestionably many weak-minded or abnormally constituted persons, young and old, who would never appear as imbeciles or feeble-minded in the Census Returns. The difficulty is that the less mentally defective such persons are, the greater becomes the difficulty of dealing with them under the existing lunacy or other laws, and the greater becomes the likelihood of their being a danger to the community." . . . "There are a great number of them; there are hundreds in every city that might be certified, but they are not certified."

Uncertified imbecile, feeble-minded and defective persons. Spence, Vol. III., 21145, 21146.

Uncertified imbecile, feeble-minded and defective persons—*contd.* 21142, 21143. 21188, 21189.

The Scottish Lunacy Law was not sufficient, he thought, to deal with mentally defective persons who were not at present regarded as certifiable, though under the Lunacy Acts in Scotland certification was much more easily obtained than in England, alike in the case of insanity and in that of imbecility and other forms of mental unsoundness; a new Act was required to deal with the uncertifiable cases. 21135-40.

Dr. John Macpherson, one of the Commissioners in Lunacy, referring to children, considered that if two new institutions were erected, between "800 and 1,000 children of a more or less educable type would be provided for, and the present state of matters would be greatly ameliorated or perhaps wholly mitigated." He argued in favour of "a wider recognition of insane conduct as a sign of insanity and as a basis of certification," but "unfortunately," he said, "the medical profession as a whole did not take that view of it as yet, and they refused to certify many of these cases, moral imbeciles or defectives," who are perhaps the most dangerous of any of the defectives.

John Macpherson, Vol. III. p. 31, c. 1. Vol. III. 21384, 21388.

Dr. Carswell, Certifying Physician in Lunacy to the Glasgow Parish Council, said:—

Carswell, Vol. III. p. 61, c. 1.

"There exists a large class of feeble-minded persons who do not come within the scope of existing lunacy legislation, the character and degree of whose mental infirmity is not easily defined, and for whose proper control and care no satisfactory provision exists, although they are nevertheless a burden upon the community, being found in special schools, industrial schools, reformatories, poorhouses, prisons and similar institutions."

Clarkson, Vol. III. 22008-22009.

929. Dr. Clarkson, the Medical Officer of the Scottish National Institution for the Education of Imbecile Children at Larbert, said that he did not think that there were many idiots uncertified and unknown to the authorities, but there were a good many imbeciles, pretty low grade imbeciles.

Russell, Vol. III. p. 180, c. 1.

Sir James Alexander Russell, a member of the District Board of Lunacy in Edinburgh, said:—

"Unfortunately, a good many persons of unsound mind who would be the better for being certified, in their own interests and in that of the public, are in practice excluded from the benefits of the lunacy laws. This arises firstly from the existence of a restricted idea in the minds of the public and of ordinary medical practitioners as to the amount of unsoundness which justifies certification. It is common to hear an expression such as that so-and-so is insane, but not bad enough for certification: secondly, from a natural reluctance on the part of friends to formally admit the existence of insanity and so put a life-long stigma upon the patient, and thirdly from the danger of actions at law, which, although seldom successful, are always costly to the defendants.

Clouston, Vol. III. p. 201, c. 1.

Dr. Clouston, the Physician Superintendent of the Royal Edinburgh Asylum, says of the feeble-minded who have been sent to the asylum, especially the young women, as certified patients, that "through conversation with the patients themselves and through the inquiries by nurses and the information supplied by parents and relatives, and from bodily indications where they have had children, I have come to the conclusion that such persons in a large city are subject to overwhelming temptations and pressure towards sexual immorality."

"I am strongly of opinion that a proper care of feeble-minded girls would appreciably diminish the immorality, especially of our large cities, and would cut off one of the supplies of future imbeciles and criminals. During my long experience, I have now seen many cases of the grandchildren of imbeciles who were themselves insane or epileptics."

Allan, Vol. III. 25054.

930. Mr. R. S. Allan, the Chairman of the School Board for Glasgow, said he was "afraid that his evidence did not quite agree with some evidence that the Commission had received as to the actual danger. The girls, he believed, were exposed to the very greatest danger, and a great deal of care was necessary to prevent their going wrong."

Fyfe, Vol. III, p. 235, c. 2, 24725.

Mr. T. A. Fyfe, Sheriff-substitute of Lanarkshire, thought "that in the interest of the community as a whole, it was necessary that the liberty of the subject should be interfered with drastically, in the case of imbeciles, habitual inebriates, confirmed adult criminals, and the like. In the case of young persons of feeble-mind, the present state of the law was weak. I agree with those who think that feeble-mindedness even short of insanity should be certifiable, in the same way as scarlet fever or any other infectious disease, and then the local authority should have power to deal with the patient in the general interest if the patient is not able to be treated satisfactorily at home."

Sutherland, Vol. III, 24818, 24825.

931. Dr. Sutherland, Deputy Commissioner in Lunacy for Scotland, supported Dr. Clouston's general conclusion. He said: "The imbecile woman who is certified is perfectly well protected, but a great many feeble-minded women who are not certified are not protected"; and in support of this view he submitted statements regarding eight or nine parishes, giving the histories of certain feeble-minded women and their offspring.

Mr. Motion, the Inspector of Poor to the Parish of Glasgow, and Clerk and Treasurer to the Lunacy District Board, dealing with the question from the point of view of the Poor Law, laid stress on the large number of persons who went repeatedly into and out of the Poorhouse, who though "not directly certifiable as feeble-minded . . . should be compulsorily detained in poor-houses or labour colonies." "Some were habitual drunkards, a feeble-minded and most degraded part of the population"; in his judgment "they were 90 or 95 per cent. of them mentally defective." Uncertified imbecile, feeble-minded and defective persons. —*contd.* Motion, Vol. III. p. 52, c. 2., p. 54, c. 2, 21707-9.

Mr. Barclay, the General Superintendent of Poorhouses for the Local Government Board for Scotland, said that his experience led him to conclude that the class of women who came to the poorhouses with more than one illegitimate child were generally of feeble-mind. Barclay, Vol. III., p. 164, c. 1.

932. Of the constant recurrence of short sentences in the case of feeble-minded adults and young persons and its inutility much information was submitted to us.

933. These few notes and extracts suggest that in Scotland the general condition of imbecile, feeble-minded, and defective persons not certified under the Lunacy Laws is not materially different from that which prevails in England and Wales.

We have now to enter on the subject in more detail.

II.—The Poor Law and the Mentally Defective.

934. The relation of the Poor Law authorities to the Board of Lunacy in Scotland differs from that which exists between the corresponding bodies in England. Hence, before we discuss the question of the Poor Law, it is necessary to explain shortly what are the constitution and duties of the Board of Lunacy.

935. The General Board of Commissioners in Lunacy consists of a Chairman, who is unpaid, two unpaid legal Commissioners, and two paid medical Commissioners. There are also two medical Deputy-Commissioners who are not members of the Board. The medical Commissioners are required to visit all establishments for the insane twice in a year, and to report to the Board on them, and on the care and condition of the patients. The duties of the Deputy-Commissioners consist chiefly of visiting and reporting to the Board on all persons of unsound mind under private care who come for any reason under the notice or jurisdiction of the Board. The General Board of Lunacy. Spence, Vol. III. p. 8, c. 2.

936. There are Royal asylums, district asylums, private asylums and parochial asylums and licensed wards of poorhouses. Classes of Asylums. Spence, Vol. III., p. 9, c. 1.

The Royal asylums are primarily charitable foundations. "The Board of Lunacy have no power to make rules and regulations for their good order and management, except in relation to books, and minutes, and returns, and entries therefrom"; but the medical Commissioners visit, inspect, and report on them. There are seven of these "hospitals," as they would be called in the English Lunacy Acts, four of which receive pauper patients on payment.

937. The district asylums are erected or acquired and managed by district Boards of Lunacy. The General Board of Lunacy have power to make rules and regulations for them, subject to the approval of the Secretary for Scotland. These asylums, when they have spare accommodation, may with the sanction of the Board receive private patients. Such patients are to have the same accommodation in all respects as pauper lunatics. Sites, plans, specifications and estimates for these asylums and for all subsequent additions and alterations must receive the sanction of the Board; no other sanction is necessary. Vol. III., p. 9, c. 1. p. 13, c. 1

938. Private asylums correspond generally to licensed houses in England, There are three of them, of which two are very small.

939. Parochial asylums are "asylums erected and managed by parish councils." There are only three such asylums and the Board of Lunacy have no power to license any new establishment upon that footing. "They receive Vol. III., p. 9, c. 1.

Classes of Asylums.—*contd.*

patients labouring under all forms and degrees of insanity, and patients are admitted to them on the order of the Sheriff and under the same procedure as is followed in the case of other asylums." Thus these "parochial asylums" are also called "lunatic wards of poorhouses, with unrestricted licenses."

Spence, Vol. III., p. 10, c. 2, Lunacy (Scotland) Act 1862, 25 and 26 Vict. c. 54, Sec. 3.

940. Licensed lunatic wards of poorhouses are those wards or parts of a poorhouse which have been sanctioned by the Board for the reception and the detention of pauper lunatics. Thus these licensed wards are also called "lunatic wards of Poorhouses with restricted licences." Such patients must be certified as "of unsound mind" and "incapable of deriving benefit from treatment in an asylum," but not "dangerous"; and there are other conditions of certification.

941. Besides these asylums there are institutions for the care and training of imbecile children. These are charitable institutions licensed by the Board under the Lunacy Amendment Act of 1862.

Lunacy (Scotland) Act 1862, Secs. 1 & 3. Spence, Vol. III., p. 10, c. 2.

942. A pauper lunatic means and includes any lunatic towards the expenses of whose maintenance any allowance is given or made by any parish council.

"The licences for wards in poorhouses are given for the reception only of pauper lunatics who are not dangerous and do not require curative treatment in accordance with "Rules and Conditions" on which such wards are licensed, drawn up by the Board and approved of by the Secretary for Scotland. These conditions require that the accommodation for lunatics must be entirely separate and distinct from that occupied by ordinary paupers, and that separate grounds must be provided. They further deal with the medical supervision of such wards, the attendance required, the dietary of the inmates, and generally with all that concerns the good order and management of the establishment. The licence may be withdrawn if the requirements of the Board are not attended to. The wards are under the management of the Poorhouse Committee, and the governor of the poorhouse is in the position of superintendent. The Board do not require a resident medical officer unless the number for which the wards are licensed exceeds one hundred, which is the case at present only in two instances. The Board require that sufficient land be attached to the wards to secure healthy outdoor occupation. They require the same statutory and other forms of registers and books to be kept in such wards, and notices of entries in them to be transmitted to the Board, as in the case of other establishments for the insane."

943. There is thus provision for pauper lunatics to some extent in the Royal asylums, and to a large extent in the district asylums and in the licensed wards of poorhouses. Many are boarded out. The general distribution of these pauper lunatics is shown in a Return which has been forwarded to the Commission. On the 1st January, 1908, the pauper patients numbered in all 15,226; 1,703 were in Royal asylums, 9,186 in district asylums, 568 in parochial asylums, *i.e.*, lunatic wards of poorhouses with unrestricted licences, and 743 were in the "lunatic wards of poorhouses with restricted licences." Of the remainder, 2,780 were "boarded-out" in private dwellings, 246 were in training schools. The private patients who were lunatics numbered 2,632. In the criminal lunatic department of the Perth prison there were 49 patients. The total number of lunatics in Scotland was 17,907—8,735 males, and 9,172 females.

Appendix to Vol. III., p. 328d.

District Boards of Lunacy.

Lunacy Districts (Scotland) Act, 1887, 50 and 51, Vict. 39, and Lunacy (Scotland) Act, 1857, Secs. 49 to 53. Local Government (Scotland) Act, 1894, Sec. 22. Prisons (Scotland) Act, 1877, Secs. 61 and 62. Spence, Vol. III. p. 8, c. 2.

944. It is the chief duty of the District Boards of Lunacy, as we have said, to erect or acquire and maintain district asylums. In the principal towns a lunacy district consists of a single parish, and the parish council—a popularly elected body—is constituted the District Board of Lunacy, and "in that capacity performs functions entirely separate and in many respects of a different nature from those performed by the same body under the Poor Law." Elsewhere the area of the District Board consists of groups of counties or single counties, or parts of counties; and the board is "elected by the county council, or county councils of the county or group of counties comprising the district, and by the magistrates of burghs within such county or counties." Under Sec. 22 of the Local Government (Scotland) Act, 1894, the parish council exercises all the powers and duties which formerly devolved upon parochial boards. The first of these is the administration of the Poor Law Acts; the second the administration of the Lunacy Acts in so far as they relate to paupers. In the large towns therefore we have a single elected body which as a District Board provides and manages the necessary asylum accommodation and as a parish council maintains all persons who are certified as "lunatic," being lunatic or insane or idiot or of unsound mind, at district asylums or elsewhere or by boarding

ice, Vol. p. 12, c. 1, erland, III. 8, 24809.

out. On the other hand, when the parish council is a separate body from the District Board of Lunacy—that is, everywhere except in the large towns—the severance between the two bodies is complete. The parish councils in the district "find the patients and provide the maintenance" and settle who should be "boarded-out"; and the District Boards of Lunacy simply maintain and manage the district asylums without having any concern in those who are admitted or discharged. District Boards of Lunacy—*contd.*

945. For the admission of a patient to an asylum, two medical certificates are necessary, and the order of the sheriff, or rather of the sheriff-substitute, who "occupies a position corresponding more or less to that of a county court judge in England." Admission and reception in asylums, poorhouses, and private dwellings.

"Patients are admitted to lunatic wards of poorhouses upon papers in a prescribed form consisting of an application by the inspector of poor, a statement by the inspector of poor of facts similar to those given in the case of patients admitted to asylums, a statement by the medical officer of the parish, or establishment from which the patient has been removed, giving such particulars with regard to the patient's mental and bodily state, conduct, and habits, as throw light upon the question of his fitness for such wards, and a medical certificate which must certify that the patient is 'of unsound mind,' and, further, that he 'is not dangerous, is incapable of deriving benefit from treatment in an asylum, has no habits or infirmities which render care difficult, and is in a sufficiently good state of bodily health to be removed to the lunatic wards' named in the application. Spence, Vol. III. p. 8, c. 1, p. 9, c. 2, p. 11, c. 1. Lunacy (Scotland) Act 1862 25 and 26, Vict. c. 54, Secs. 3, 8, and 14. Section 5.

"If the Board are satisfied with the facts stated in the papers laid before them, sanction to the patient's reception is appended upon a simple form.

"If the patient, when removal to such wards is proposed, is not an already certified lunatic, a second medical certificate is required. The great majority of the patients received into such wards are, however, removed to them from asylums, or from private houses where they have been residing as certified patients under sanction of the Board."

To admit to the lunatic ward of a poorhouse, that is, a ward "with a restricted licence," no order of the sheriff is required.

946. The Board also sanctions the reception and detention of patients in private dwellings. Occupiers of houses may be licensed for the reception of patients not exceeding four in number; and "the Board, in the case of a lunatic who is a pauper, on the application of the inspector of the poor of the parish liable at the time for the maintenance or *interim* maintenance of such lunatic, or in any other case, on the application of anyone legally entitled to make the same, accompanied by medical certificates . . . may sanction the reception and detention of such lunatic in any house so specially licensed. . . ." Lunacy (Scotland) Act 1862, Sec. 5.

947. There are no Committees of District Lunacy Boards like the Visiting Committees of the councils of counties or county boroughs in England, though there is a power to appoint such Committees and in some degree the Boards perform similar duties. They erect and maintain asylums, and they supervise them generally; but they have no powers in regard to the admission or discharge of patients. The authority for the discharge of patients from asylums is thus stated by Mr. Spence, the Secretary to the General Board of Lunacy:— Discharges. Spence, Vol. III. 21179, 20917, etc,

"Persons in asylums, who have in the opinion of the medical officer recovered their sanity, are in the position of persons who are not lunatics, and they must accordingly be discharged on the authority of the Superintendent. There is, however, no distinct provision in the Scottish Lunacy Acts with regard to the discharge of recovered patients, as Section 17 of the Amendment Act of 1862 deals rather with the case of patients who, though 'so far recovered,' are still more or less insane. But the Order of the Sheriff committing insane persons to asylums as dangerous lunatics under Section 15 of the Amendment Act of 1862 states that they are to be detained only 'until cured,' or, if still insane, not to be discharged until certain prescribed formalities have been gone through. Spence, Vol. III. p. 10. c. 1. 25 & 26 Vict., c. 54, S. 17. 25 & 26 Vict., c. 54, S. 15.

"The ordinary authority for the discharge of an unrecovered private patient is the person at whose instance he is detained, or, in the absence of such person, his nearest known relative. This is not specially provided for in the Act, but may be inferred from the terms of certain provisions for their discharge other than at the instance of such persons, and for their transfer to other asylums. 20 & 21 Vic , c. 71, S. 92. 25 & 26 Vict., c. 54, S. 16–17.

"If the discharge is desired of a private patient not detained as a dangerous lunatic, but who is in the opinion of the Superintendent dangerous, the Superintendent must communicate the fact to the Procurator-Fiscal; but if the Procurator-Fiscal does not see cause to proceed against the patient as a dangerous lunatic, he must be discharged if otherwise entitled to discharge." 29 & 30 Vict., c. 51, S. 12.

Discharges—*contd.*

Spence, Vol. III. p. 10. c. 1 and c. 2, and p. 11. c. 2. Lunacy (Scotland) Act, 1866, Secs. 9 and 11.

The usual authority for the discharge of an unrecovered pauper patient is a minute of the parish council of the parish chargeable with his maintenance, but if, in the opinion of the superintendent, the patient is unfit to be discharged, he may appeal to the Board of Lunacy, who will then decide. Unrecovered patients are transferred from one asylum to another, or from an asylum to the lunacy ward of a poorhouse, or to the care of a guardian in a private dwelling by the order of the parish council of the parish by which they are maintained, subject to the approval of the Board; but without the order of the sheriff they cannot be transferred from a poorhouse ward to an asylum. Patients in private

Charles Macpherson, Vol. III. p. 45. c. 2.

dwellings, in addition to the inspection of the General Board, are under the supervision of the parish medical officer, who visits them once in every three months, and of the inspector of the poor, who visits them at least twice a year. The whole system for the care of lunatics is thus at the present time involved in the administration of the Poor Law of the country, and in the chief towns

Motion, Vol. III, p. 51. c. 1.

the parish councillors in one capacity or another, as administrators of poor relief, or as administrators of institutions for lunacy, provide for lunatics as an asylum authority, and pay for them as a parish council. It is under these principal conditions that we have to consider lunacy administration in Scotland in relation to the Poor Law.

Mentally Defective persons in poorhouses.

948. In Scotland on admission to a poorhouse an order from the inspector of poor is necessary, and a certificate of the medical officer. This certificate requires the medical officer to state whether "the applicant or any dependant is 'lunatic, insane, idiot or of unsound mind;'" "and it is pointed out on the

Barclay, Vol. III. p. 163. c. 1 and 2.

certificate that 'no person so described can be legally sent to or received in a poorhouse, unless it possesses lunatic wards, and then only with the sanction of the General Board of Lunacy.'" The relation of the Poor Law to the Board of Lunacy is in this way also very unlike the relation between the Poor Law and the Lunacy Commission in England. In England the ordinary admission to the workhouse entails no medical certificate and there is no express proviso in the orders of the Local Government Board that no lunatic, insane person or idiot, or person of unsound mind should be admitted, except to a separate and licensed ward. Yet, though the stipulation that such persons should be ex-

Cf. paragraph 104, p. 30.

Mackenzie, Vol. III. 23330, 23336, 23370, 23371.

cluded from the poorhouses is now insisted on in Scotland, there are, it would appear, many of them still in the ordinary wards of poorhouses. Also, "many of the inmates admitted to the poorhouses suffer from 'weakness or facility of mind' or become so during their residence therein."

Barclay, III. p. 16 c. 2.

949. Mr. Barclay, General Superintendent of Poorhouses under the Local Government Board, states that there are seventy poorhouses in Scotland, twenty-four of them parish, and forty-six "combination" poorhouses. They contained on May 15th, 1906, 13,187 inmates. Mr. Barclay thus describes these and other defective inmates in poorhouses other than those in the large cities:—

Barclay, III. p. 16 c. 1.

Twelfth Report of the Local Government Board for Scotland (Cd. 3470), 1907, p. xiv. Barclay, Vol. III. p. 163. c. 2.

"There are young people whose mental development has ceased at an early age, who cannot be classed as idiots, but who have been found incapable of receiving educational training. I may illustrate my meaning by the case of a lad of twenty-two who has been in a small poorhouse since a boy. He is a capital worker, can clean the brasses, sweep the rooms, wash the dishes, and set the dinner in the dining-hall, and understands and obeys any instruction given to him, but it would never occur to him to do anything of his own accord. He is cleanly in his habits, but cannot enter into conversation, and has no will power of his own."

"There are men in the prime of life, of good education, who are incapable of doing more than the drudgery of copying letters and invoices."

"There are women who have had several illegitimate children, and who are of low mental type and facile disposition. I may note a case where I had recently to examine a woman of this class. She is known to have had ten illegitimate children. She can neither read nor write. She could not tell me, counting on her fingers, how many children she had. In this same poorhouse there is a feeble-minded mute who has had seven illegitimate children. Another illegitimate woman has had ten illegitimate children; her eldest daughter is following in her footsteps, and two of the young children (twins) show signs of weakness. In another small poorhouse with nineteen female inmates, thirteen were infirm and sick, four were epileptics, and three weak-minded; one of the latter has had three illegitimate children, and all the three women are not allowed out as they are sent there for protection. In another small poorhouse there are five women. Two sisters, one weak-minded, have three illegitimate children each—one to a near relative. One woman is a deaf and dumb mute of low intelligence, and two are infirm. I may mention the case of a woman now in a small poorhouse suffering from venereal disease. She has an ungovernable temper, and is destitute of any feelings of modesty. Her husband is also in this poorhouse, a mental and physical nonentity. Her father put her out of the house one night for her bad conduct, when she was sixteen years of age, and this man, who was passing at the time, took her to his house and married her. She has had six children, and has been prosecuted for neglecting and ill-treating them."

"My experience leads me to say that the class of women who come to our poorhouses with more than one illegitimate child are generally of feeble mind." Mentally defective persons in poorhouses.—*contd.*

"We have also in our poorhouses many epileptics. They are a constant source of anxiety to the officials, and it is a marvel to me that we have not many serious accidents occurring among them. In the smaller poorhouses they are under no official supervision, but are looked after by other inmates. The medical officers as a rule endeavour to have the fits removed from day to night, which is a great safeguard." Barclay, Vol. III., p. 164, c. 1.

"There are also in our poorhouses many cases discharged from asylum as recovered, but so feeble-minded as to be unable to maintain themselves outside. These inmates sometimes lapse, and have to be sent back to the asylum. They have no special attention in the small poorhouses, and the monotony of their lives does not improve their mental condition. If young or middle-aged persons leave the asylum cured or improved, they are not, as a rule, sent to the poorhouse. The cases we have in poorhouses are mental and physical wrecks, often from their own previous bad conduct, and are not likely to be benefited by any ameliorative treatment. They are not of a class which could be boarded-out. No guardians would have them at a rate which the parish could afford to pay, and which it would be fair to the ratepayers to spend on them."

"There are also many senile cases. In the smaller poorhouses a large proportion of the inmates are over seventy years of age. In some cases they have been in the poorhouse for years, and have been preserved to senility by the good treatment they have received. In other cases they have been sent in as they were unfit to look after themselves and had no one to look after them."

"With reference to the 'Ins and Outs' I may say that there is scarcely one of the smaller poorhouses that has not at least one case of this kind, but I cannot say that those which have come under my notice are feeble-minded."

950. The feeble-minded persons to whom Mr. Barclay refers could not, he thinks, have been certified as insane and fit for treatment in an asylum by any medical man. Nor are they "fatuous cases" such as are sent to the lunacy ward of a poorhouse. "Very few of them land ultimately in the asylum." They could discharge themselves from the house, but they have no great strength of will and they can be persuaded to remain; and no person has a right to take a feeble-minded person out unless he be his or her guardian. Yet a young woman, for instance, could not be detained as against such a person, even if the object of removal was some pecuniary or immoral purpose. These women, Mr. Barclay said, were not allowed to go out on "liberty" day, once a week or once a fortnight, when other inmates went out. Yet, "if they demanded their discharge they could only be prevented from going out by putting them off from day to day." In Scotland then, as in England, there is no security against feeble-minded persons who cannot take care of themselves going out of the poorhouses. There is no method of certification that might be used in particular cases to prevent them. Yet the need of such a power is obvious. Feeble-minded paupers not properly certifiable under the Lunacy Acts. Barclay, Vol. III. 23456, 23461, 23491, 23507, 23510, 23513.

951. Mr. Barclay gives a return showing the mental condition of women in two of the smaller poorhouses who have had more than one illegitimate child. These women, twenty-two in number, had had eighty-eight illegitimate children. Of the mothers all were feeble-minded except five: and these were described as "low and coarse; father, weak-minded;" in two cases "normal;" "low type;" and "violent temper, syphilitic." The children of six mothers are entered as "normal," "fairly normal," and in four instances "as far as known, normal." The condition of the children in two cases is "unknown;" and in one case the two children died in infancy. In the remaining ten cases one or more of the children was feeble-minded, imbecile, or lunatic. Illegitimacy and feebleness of mind in poorhouses.

952. Dr. Sutherland, Deputy Commissioner in Lunacy in Scotland, said that he had communicated with a dozen inspectors of the poor—in parishes which he knew best, and in which a large part of the parish area was rural, with populations 10,000 to 20,000; and they had sent him notes of twenty cases of "that type of woman who is incapable of looking after herself and is taken advantage of by unscrupulous people." We quote one case and the statements of two of the inspectors:— Sutherland, Vol. III., 24819, 24824, 24825.

Case of Female E. W.

"This woman has had a family of six illegitimate children (two of whom are dead) to different fathers. Four of the children have been brought up by the parish of Maybole, viz.:—

"J. W. was boarded with a guardian at 7s. 6d. weekly. This aliment being paid on account of his being weak-minded. He absconded from his guardian on October 6th, 1902, and has ceased to be chargeable.

"W. W. was sent to Larbert Imbecile Institute when seven years of age on January 22nd, 1895, and remained there till May 13th, 1905.

"A. W. when three years of age was sent to board, on January 6th, 1896, at 3s.6d. weekly, and is still chargeable.

"G. W. when three years of age was sent to board, on October 2nd, 1899, at 3s. 6d. weekly, and is still chargeable.

Illegitimacy and feebleness of mind in poorhouses.—*contd.*

"This woman was a pauper belonging to the parish of G., and was chargeable to that parish up till August 29th, 1892, in the Combination Poorhouse. On leaving the poorhouse she got married to a man, D. M. who had been an inmate of the poorhouse and belonged to M. parish. After that date the chargeabilities continued to be in M. and have been more or less continuous since. The children Annie and George are legitimate.

"This case has also cost the M. parish a considerable outlay. The lad W.W. alone has incurred an expenditure of over £350, and it is even doubtful whether in the future he will ever be able to maintain himself.

"Parish of——

"Women with illegitimate children receiving relief, five; dependents, eleven; of whom three mothers are 'soft' or feeble-minded. These three have eight dependents. Four of the women have had children to putative fathers. One of the women was illegitimate herself. One of the children, perhaps two, are 'soft.'

"Parish of——

"1. M. R., 34, 'soft'; has two children to different fathers.

"2. J. K., about 30, nearly imbecile, has had one illegitimate boy who had to be sent to Baldovan Imbecile Institution.

"3. L. B., Illegitimate, 30; has one illegitimate child to a man at least fifteen years her senior and who is 'soft.'

"4. J. S., had two illegitimate children to different fathers—one imbecile.

"5. M. M., Illegitimate, about 50, suffers from lupus of face; illegitimate daughter Jessie—weak-minded, has had two children to different fathers.

"6. J. K., 60; has had four illegitimate children, four daughters and one son; son married has large family. One daughter has had a number of illegitimate children. Another daughter has had three illegitimate children. Another daughter, partially blind, has had one illegitimate child.

"7. A. S., In asylum; has one illegitimate boy, considered queer at times.

"8. A. T., 50; has had three illegitimate children, one daughter and two boys. Daughter has had two illegitimate children."

J. Macpherson, Vol. III., p. 33. c. 2. 21222.

953. Dr. John Macpherson, Commissioner in Lunacy, made a personal investigation of two poorhouses which he visited as being exceptional. In one he saw less than a hundred of the inmates, and "when going round picked out fourteen imbeciles, but there may have been others whom he did not see. The fourteen were all well-marked cases."

"Among them was one lad who had been trained at the Imbecile Institution, Larbert. He could converse very fairly and reasonably, but was evidently unfit to take care of himself. Another imbecile seen was a woman apparently about twenty-five years old; she was markedly defective, could neither count, read, spell, nor tell the time when shown a watch; this woman had been the mother of two children. She is an 'in-and-out' and when out makes a precarious living by prostitution. The medical officer stated that this woman ought to be permanently detained, but that in his opinion it would be cruel to certify her as a lunatic. Among other cases we saw were two epileptics, both somewhat feeble-mided, a defective blind boy, a deaf and dumb boy with periodic attacks of excitement, and a feeble-minded man whose wife and child were also in the house, all being imbecile, the wife very decidedly so."

Second Poorhouse.

"The second poorhouse had at the time of our visit 185 inmates. We were accompanied by the governor who showed us in all about 100 of the inmates. Of these only eight were apparently weak-minded.

"(1) Female, aged 30 years; had been seven years in the house; is an epileptic and speaks with an imperfect articulation; suffers from chronic hip-joint disease. She conversed intelligently.

"(2) Female, 50 years; has been thirty years in house. She is able to work in the kitchen, but is markedly defective and cannot talk intelligently. Has had an illegitimate daughter who is a lunatic, and a grand-daughter (daughter of the preceding) who is an idiot.

"(3) Male, aged 54; an 'in-and-out.' Found him working in a tailor's shop. He spoke intelligently; told us he had been in an asylum suffering from mental depression.

"(4) Male, aged 43; twice in asylums suffering from mental depression, the result of drink. An 'in-and-out.' Said he was a labourer, but confessed that he had never done much work.

"(5) Female, aged 40; subject to recurrent attacks of mania; has only been in house a few weeks. Is to be certified and removed to an asylum.

Macpher-

III.,
3, c. 2
p. 34,

"(6) Female, aged 21; was reared in poorhouse. As a child she was troublesome owing to her tendency to set things on fire. Was sent out to domestic service, but only remained a few weeks in any one place. Has had an illegitimate child. Afterwards married a man as weak-minded as herself. She does not know where her husband is. Illegitimacy and feebleness of mind in Poorhouses—*contd.*

"(7) Female, aged 58; discharged from an asylum. She is demented and apparently unable to take care of herself.

"(8) Female, aged 44. Has been thirty years in the house; cannot read or write; has had an illegitimate child. She is quite quiet and harmless.

"These cases illustrate the necessity for the permanent detention of the younger female imbeciles. It is a matter of comparative unimportance where they are detained, whether in poorhouses or along with the other classes whose detention has already been discussed. If one may judge from the comparatively small numbers dealt with in the preceding figures there are probably few feeble-minded persons among the ordinary inmates of Scottish poorhouses."

954. The last quotation raises two questions: What is the number of the feeble-minded in poorhouses, and whether it is a matter of comparative unimportance where they are maintained? As to the former, there is no count available except for Glasgow, to which we will refer later on, but the general impression made by the evidence of Mr. Barclay, Dr. Sutherland and Dr. John Macpherson is that the number of them is comparatively large, a number quite sufficiently large to require and to justify special consideration and special organisation. As to the latter, Mr. Barclay's evidence appears to be decisive, for he has a long and intimate knowledge of the condition of parish and combination poorhouses throughout Scotland. These feeble-minded persons, he says, "ought to be detained, not in any institution that we have at present," but in "something of the nature of a labour colony. That is what I have had in my mind for some years"; and speaking of the feeble-minded women, he said: "These women would be quite able for work, if they were only kept separate from the rest of the population." We think, therefore, that the better opinion is that the feeble-minded should not be retained in the poorhouses, but should be provided for and, so far as may be necessary in individual cases, be certified and detainable in institutions of the type of labour colonies. Other accommodation than that provided in poorhouses should be available. Barclay, Vol. III. p. 163. c 1. Sutherland, Vol. III. 24819. Barclay, Vol. III. 23461, 23464, 23468.

955. One more point. It is alleged that the parish councils are often very unwilling to provide for the feeble-minded. Dr. John Macpherson said that he had been informed by several medical men that parish councils bargained about imbeciles before acting on certificates or obtaining certificates for them. It had, however, never come under his official notice, because although the inspector of poor notified to the Board of Lunacy when a case was certified, it was not necessary for him to notify when he had seen a case with a view to certification and had not obtained a certificate. He thought that the refusal of the parish council to act upon intimation or the refusal to certify should be reported to the Board, more especially the former, with a statement of the reasons. The Board might then ask two independent medical men to examine the cases. Inactivity of parish councils in dealing with feeble-minded John Macpherson Vol. III. 21350–21355.

956. But there is further evidence of the inactivity of parish councils in these matters. Dr. Clarkson, the Medical Officer at Larbert, says:— Inactivity of parish councils in relation to treatment. Clarkson, Vol. III. p. 70. c. 1.

"If such a definition were accepted," *i.e.*, those who as children are unable to pass the fourth standard, "there would fall within it in the Burgh of Falkirk twenty-two persons. Twelve of these are females, ten males, and they are distributed throughout all ranks of society, as nearly as I can judge, in proportion to the numbers in each rank. Of the females seven are in the poorhouse, one in the asylum, and the rest live with their relatives. The majority of those in the poorhouse have come there by way of the streets, and several of them have borne illegitimate children, but not one of these children survives. Of those outside one lives with her mother and is known to have had two illegitimate children, and the other three are living with their parents, and are being looked after in a quite unsatisfactory, and indeed dangerous way."

"The existence of these cases is perfectly well-known to the parochial authorities; but they are not interfered with unless dangerous or troublesome, and if they become destitute or are unable to work on account of motherhood they are associated with the dregs of the population in the poorhouse, in spite of the law which provides that no 'person of unsound mind' shall be admitted to such a place."

Inactivity of parish councils in relation to treatment.—*contd.*
Clarkson, Vol. III., p. 70, c. 2.

"Of the ten males the majority are partially supporting themselves by unskilled labour, but three are difficult to control, and lead idle, useless, vicious lives on the streets, where they pick up a livelihood by hawking matches, running messages, and the like."

And of children he writes: "Besides these adults there are ten children of school age. Two of these are in well-to-do families, being quite satisfactorily taught at home, one is in the institution at Larbert, two go to a board school where they are allowed to sit with the crowd they know best and do nothing, while the remaining five are allowed to stay at home and do as they please. The school board ignores them, and as long as their parents can support them, the parish council will have nothing to do with them. Two of them at least would be greatly benefited by education in a special institution. . . . The school boards in the rest of the country," *i.e.*, outside Glasgow, where the education of defective children in special classes has been undertaken by the Board," "ignore such children, and the attendance officers wink at their absence from school as soon as it has been shown that they are incapable of benefiting from the instruction given there. They may be allowed to attend to keep them out of their parents' way, as in the two cases that I know of in the Falkirk schools, but they are generally allowed to stay away on such occasions as the visit of an inspector."

"As the parish councils also ignore the existence of such cases, unless they are very mischievous or troublesome, or so burdensome to the parents that they become chargeable to the rates, their detection and treatment is left to their parents, and these, as a rule, are poorly fitted for the task."

Bruce, Vol. III. 24126.

957. Dr. Bruce, a member of the General Medical Council for Scotland, drew attention to this evil even more definitely. Urged in examination to state that the parish people knew every imbecile child in the place, he insisted that neither they nor the medical men in the district know the cases.

24128.

"I could mention," he said, "a particular case told me by an inspector of poor lately, where a child was treated with the utmost cruelty, and they only discovered that when the poverty became so severe that the inspector of poor was called in. It was only then that they found out that this terrible state of things had been going on."

24130.

It was then put to him that it was "the duty of the inspector of poor, when he got word that there was a person of unsound mind in the parish requiring relief, to send a medical man and get a certificate and follow certain procedure": but here again he insisted that this practice was not carried out either in the case

24131. 24133.

of imbecile children or imbecile adults. The inspector was "quite content to be in the position of not knowing that a particular pauper was imbecile."

Inactivity of parish councils in relation to discharge and provision on discharge.
Sutherland, Vol. III. 24801, 24811.

958. And Dr. Sutherland, a Deputy Commissioner in Lunacy, discussed the question, as it arose at a further stage—when, on the possibility of the patient who had been sent to an asylum being boarded out, the parish council might again intervene. The superintendents of the asylums were not "keen to part with useful patients," he said, and "some of the inspectors were most unwilling to take the trouble to find guardians in suitable parts of the country." The consequence was that there was overcrowding at the asylum and a neglect of the interest of the patients. "If a superintendent has got fifty patients from one parish and he finds that ten of them are capital workers, then he does not

24802.

want to let them go." The superintendents contend that they should keep these workers in order to reduce the cost of management. "But," Dr. Sutherland continues, "my contention is this, that if they let out any men or women who were

24804.

good workers, then they could train others to take their places. If a superintendent has fifty capital workers he will not be so ready to trouble himself to train other fifty to take their place. Now, in justice to patients and parishes I think there should be a regular cycle going on. The result is that a parish having a number of good workers in an asylum who could be boarded out is mulcted in cost in order that another parish which has few or none of these may be proportion-

24805.

ately benefited. . . . You cannot employ them all because you do not have the employment. Many of the jobs are jobs for which they do not care. Those who are in the cook-house, laundry, and workshop like it because they get things to encourage them to work. My own idea is this, that if they let go these productive patients they would soon get others to take their place."

The committee of the asylum, have, under the Scottish system, nothing to do with the matter. One body, the district lunacy board, builds the asylums and equips them, while another, the parish council, finds the patients and provides the maintenance. The committee of the parish council by their minute settle who should be boarded out: they control the discharge of unrecovered patients. The interests of both should be, but are not, the same. "Whether representatives of parish councils on district lunacy boards would alter matters I do not know," Dr. Sutherland says. There is not, as in England, an asylum committee with authority to deal with these matters. And the continuing interest of the parish council in the patient is practically nil. "There are hundreds of inspectors of poor who see their patients once, convey them to the asylum, shake hands with them, and never see them again. Nothing, in many cases, is done until the General Board of Lunacy sends a Commissioner to make inquiry when an asylum gets overcrowded and to see if there are any patients fit to be boarded out."

Inactivity of parish councils in relation to discharge and provision on discharge —*cont.*

Sutherland, Vol. III., 24808.

Spence, Vol. III., 20919, 20925, 20934, 20935.

Sutherland, Vol. III., 24810.

And then the process is that in the presence of the inspector of poor a list is made out. "The inspector has got this list, and he is now going to set about and find guardians in suitable parts of the country. Of course it means a great deal of trouble to him, and some of the inspectors are most unwilling to take that trouble. That is specially so in the case of those inspectors whose sole duties are not confined to the parish work, but who have many other things to do and to whom this kind of work becomes a secondary consideration."

Sutherland, Vol. III., 24811.

959. We conclude that the parish councils and the inspectors of poor are inclined to overlook "those poor persons who," in the words of the preamble of the Poor Law Act of 1845, "from weakness or facility of mind . . . are unable or unfit to take charge of their own affairs;" that for those persons more suitable provision than that now generally available in the poorhouses should be forthcoming; and that, in so far as they are placed in asylums, there is a lack of endeavour on the part both of the superintendents of asylums and of the parish councils, to provide for them suitably on the recognised Scottish system of boarding-out, or what we have termed friendly guardianship in private dwellings. This raises the wider question of the sufficiency of the Scottish system to which we will refer later.

General conclusion as to the Poor Law in relation to the mentally defective.

III.—Mentally Defective Children and Young Persons.

960. The Education of Defective Children (Scotland) Act 1906 enables school boards, if they think fit, to make special provision for the education of children who, not being imbecile, and not being merely dull or backward, are by reason of mental defect incapable of receiving proper benefit from the instruction in the ordinary schools, and also for children who, not being idiots or imbeciles, are unfit by reason of severe epilepsy to attend the ordinary schools. There are eight special classes for such children in Glasgow and three in Govan. Elsewhere such education as they may receive is given them in the classes of the elementary schools or in their homes, or at two institutions for the education of imbecile children, those at Baldovan and Larbert.

Special Classes for "defective" children.

Information supplied by the Scotch Education Department.

961. It may be taken as proven that in the ordinary elementary schools feeble-minded children receive no proper attention or education. The two questions for settlement therefore are: whether the system of special classes should be extended throughout Scotland and, if so, under what conditions; and how far institutional education is necessary on the lines of the schools at Baldovan and Larbert or otherwise?

Leslie Mackenzie, Vol. III., 23311, 23391, and p. 154, c. 2.

962. Inquiry in Edinburgh showed that in 600 school children six were marked "defective" by the teacher and sixty-eight marked "dull." "In Dundee out of a 1,000 children inspected nine were found defective and eighty-seven dull." Of the six Edinburgh cases, Dr. Leslie Mackenzie, Medical Member of the Local Government Board for Scotland, says: "probably only two were in the strict sense defective or feeble-minded. In most of them the vision and hearing were abnormal." Of the nine Dundee cases, "specific disease was present in one or two." With these figures he compares the returns of schools in Zürich and Wiesbaden. In the former, out of 2,625 children were found "twenty-one cases of moderate mental weakness, thirteen of advanced mental weakness, four cretins, two imbeciles, and two of other forms of mental abnormality." In the latter of 1,043 children admitted, thirty-six were found suffering from some form of mental affection or epilepsy. Thus at Zürich the percentage of mental defect was 1·6, at Wiesbaden, 3·4; but Dr. Mackenzie does not consider that the amount of mental impairment in these

Proportion of defective children in elementary schools.

Leslie Mackenzie, III., p. 153, c. 2; III., p. 154, c. 1.

Proportion of defective children in elementary schools—*contd.*

towns is greater than with us, but that the examination is more thorough-going. If this be so, the results of the investigation above mentioned may be considered to indicate a more satisfactory state of things than really exists; and that the returns of the medical investigation in regard to children in the elementary schools of Birmingham (1·12), Manchester, Chorlton and Prestwich (1·24), Dublin (1·19), are not likely to be excessive. The English areas taken together showed a percentage of ·79 per cent. of mentally defective among the school children on the rolls. The number of school children on the rolls in Scotland for the year ended 31st August, 1907, was 813,695; and if this evidently moderate percentage were considered applicable to them, there would be 6,429 mentally defective children amongst the school population. The Scotch Education Department state that there are twelve schools where classes for defective children have been established, with a total of 746 children on the roll; one of these schools, however, viz., that at Dundee, is for cripple and invalid children. We might, on that basis therefore, anticipate that about 5,683 mentally defective children would require attention or provision.

Vol. VI., p. 59, col. 19, and p. 75, col.

Vol. VI., p. 59, col. 19.

Urquhart, Vol. III., 24494 to 24496.

963. At Perth Dr. Urquhart, Physician to the James Murray Royal Asylum, Perth, found that out of 3,759 children in elementary schools there were thirty-two or about 0·9 per cent. who were "either feeble-minded or very dull and backward and who were not properly placed in those elementary schools."

Mentally defective children and their education. Thomson, Vol. III., p. 209. c. 1.

964. Dr. Thomson, one of the physicians to the Royal Hospital for Sick Children in Edinburgh, approached the question from an entirely different point of view—that of the children as seen in out-patient visiting or at a dispensary. He met with a large number of mentally defective children, he said, and had been strongly impressed with the difficulty that the parents of such children generally had in getting assistance. "When a mentally defective child occurred in a family and required skilled instruction or removal to an institution for training or special care, the difficulties were in most cases practically insuperable." He had seen this in many instances. There are many mentally defective children among the respectable poor as among other classes, for whom no outside help was desirable, "but for a large number there was a crying need for outside help of some sort." This need was due, he had found, to reasons such as the following:

"(a) *On the Child's Account.*

1. *Unkindness at home*, as in the case of the illegitimate (or other) children of bad women.
2. *The impossibility of getting liberty* in their home surroundings for healthy occupations and exercise and fresh air.
3. *The impossibility of getting training* at home that will occupy their energies and turn them from mischievous into innocent and happy channels.
4. *Inadequate protection* from the injuries inflicted on them by unscrupulous persons.

(b) *On the Parent's Account.*

1. *Too exacting demands on their time and energy on* the part of an idiot child who causes an unjustifiable interference with their earning a livelihood and with the training of their other children.
2. *The constant anxiety caused to the parents* by a child's living in the home when circumstances make it impossible to keep him or her under safe control. (Mischief; injury to younger children; fire-raising; injury to child himself in a fit; dangers of immoral conduct, etc.)

I may illustrate what I mean by referring shortly to some classes of these cases that are often met with in practice."

Thomson, Vol. III. p. 209, c. 1 and 2.

965. In the case of young children "who are completely idiotic, who do not know their own mother's touch, who often take frequent fits, or scream continuously night and day when they are not asleep, . . . it is at present absolutely impossible" for the poor to obtain the admission of the child to any custodial institution. Equally in the case of "imbecile children, who are altogether unfit for ordinary school lessons, but were able to go about freely. At home they go steadily downwards, and learn all sorts of undesirable ways, besides interfering greatly with the work of the house. . . . Yet they could not be allowed to live on the streets without a certainty of rapid deterioration"; for them "institutional accommodation in Scotland is altogether inadequate." Their parents would seldom have the influence to secure their admission to Larbert by election, and if they tried to get admission through the parish council, great difficulties are often met with:

"Sometimes when the case is a dangerous one and the parents are destitute, the child is removed more or less promptly. If the parents are respectable working people, however, it is much more difficult, because the authorities generally demand so large a proportion of their entire income, that the proposal is regarded as prohibitive and the negotiations promptly brought to an end."

966. For epileptic children also there was no adequate provision. The elementary school could not provide education for them. They would have very greatly benefited by being sent to a colony or to some such institution. For "returned institution cases," there was also no provision. They "have been discharged from a training institution either because they have been there for the statutory five years" of residence allowed under the terms of the voting system, "or because they are past eighteen years old, and when they come home they often are found in a miserable state in their homes. During their absence their place in the home had been filled up; the other children were unused to their ways and were inconsiderate to them," and they miss the regulated institution life. Also the class of weak-minded girls passed puberty, who were healthy and more or less normal in appearance, required supervision. They could work, but could not be trusted to take care of themselves in society.

Mentally defective children and their education—*contd.*
Thomson, Vol. III., p. 210, c. 1.

967. The only institutions for mentally defective children are those of Larbert and Baldovan. They are licensed by the Board of Lunacy, under the Lunacy Acts, and are managed on the lines of idiot asylums in England. At Larbert about a fifth of the inmates are private pupils for whom their relatives pay £40 to £100 a year; a fourth are elected by the subscribers, and the rest are sent by the parish councils who have to pay £30 a year, exclusive of clothing, for each case. The elected children remain for five years unless they are re-elected for a second period on the ground that they are specially hopeful pupils. Other children remain so long as they are paid for, or until the age of eighteen. No statutory certificate is required. A single medical certificate is required by the school authority of the institution in private and election cases, to the effect that the patient is of unsound mind and is likely to benefit; and in parish cases two medical certificates are necessary and the consent of the Board of Lunacy to the child's admission.

The institutions for imbecile children.
Lunacy (Scotland) Act, 1862 Sec. 7.
Clarkson, Vol. III. p. 70. c. 2

968. The results are not satisfactory. Of 801 patients who had been discharged, "only forty-two were, in the opinion of the superintendent, able, partially or wholly, to maintain themselves on dismissal, and we know of only four that are certainly maintaining themselves without supervision." Fourteen of the forty-two are employed in the institution, and make themselves very useful, but they could not obtain employment outside. "The rest of the forty-two are doing useful work for small wages and so are partially maintaining themselves."

Clarkson, Vol. III., p. 71. c. 1.

Dr. Clarkson, Medical Officer of the Scottish National Institution for the Education of Imbecile Children at Larbert, Stirlingshire, was not satisfied as to the condition of 517 patients who had been handed over to relatives. It seemed to him very undesirable that they should live henceforward without any other supervision. It was difficult to trace them; but he knew that a good many were either dead or in asylums. They knew of three girls who had had illegitimate children. Sixty-five of them were under the charge of parish councils, and were entrusted to their parents simply to save expense. The conclusion which he submitted to us was, that the applications for special teaching or care should not be left entirely to the parents:—

Clarkson, Vol. III. p. 71, c. 1.

"If the parents do not act, and if the child is not so mischievous as to be dangerous to others, or so helpless as to overburden its mother, and make her apply for relief from the rates, no steps are obliged to be taken for its education or subsequent care. In consequence of this the educational institutions are filled by large numbers of ineducable cases. These require only to be kept clean and warm and to be fed, and this could be done much more cheaply in some such additions to asylums as the Glasgow Parish Council have at present at Woodilee, or perhaps even better in one or two large establishments specially erected for the purpose."

If the two institutions for imbecile children were freed from the encumbrance of having to maintain and teach a large number of ineducable children, they would probably between them be able to provide all the accommodation required for the educable imbeciles in Scotland.

Clarkson, Vol. III. p. 71, c. 1 and c. 2.

969. Dr. Sutherland's experience of 100 cases of children educated for five or six years in these institutions coincided with this opinion. "In most of the cases the institution did no more, perhaps less, than capable parents, if they were kept at home, or a good Scotch housewife would have done, if they were boarded-out, at half the cost. It was not the fault of the two institutions; they were not suitable cases for them."

Sutherland, Vol. III., p. 239. c. 1.
Bruce, Vol. III., 24097.

Many imbeciles not suitable for stay in Lunatic Asylums and poorhouses.

Ireland, Vol. III., 24033, 24037.

970. Nor as the children grow up are they suitable for permanent care in lunatic asylums or poorhouses. Dr. Ireland, who was for some years Medical Superintendent of the Larbert Institution, said that, in order to be a proper place for an imbecile, the poorhouse would require to be a very small house and the matron a very benevolent person. "I have seen imbeciles in poorhouses: they were clothed and fed and perhaps kept clean enough, but they were neglected and nothing was done to amuse or employ them." "There was no special treatment at all"; and the sane inmates would have a right to complain at their being associated with them. As to their suitability for admission to lunatic asylums, Dr. Ireland said: in them "the more intelligent learn all manner of tricks; as for the helpless ones, they are apt to be cuffed and beaten and pushed about. I have seen very peaceable imbeciles who have been trained in establishments, and when they were in lunatic asylums they became like wild beasts in a year or so."

24028.

Difference of views as to continuous supervision and after-care.

971. At this point we come to a marked difference of opinion on the part of the witnesses. As we have seen, a large number of imbecile or feeble-minded children go to no special school, for there are no such schools in Scotland except at Glasgow and Govan; but as soon as the obligation to train or educate feeble-minded children is publicly accepted, the true conditions of the problem appear. Those who are trained can seldom take an adult's place in the world and wholly, or in great part, support themselves. They can never become mentally normal. They are always in need of protection, and under supervision they are able to work usefully in the grooves of routine. Hence one obligation leads to another. At eighteen they may be trained to a certain point, but they fall away under the pressure of life and are often found in poorhouses or prisons or living uncontrolled and disreputable lives. One view of this dilemma is that there should be, according to the requirements of the particular individuals and their circumstances, supervision or, if need be, segregation with or without some kind of detention, so that their downfall may be prevented. The other view, which is held with various modifications, is that they should be assisted by training or education in special classes and possibly to some extent in institutions, but that at the age of eighteen public responsibility in regard to them should cease, unless on the ground of neglect, destitution or malfeasance they once more become chargeable to the community or require the intervention of the local authority. It is indispensable to decide this question in one sense or the other, if any intelligible policy in regard to the feeble-minded is to be adopted. We will therefore set out the evidence on the point very shortly on the part of those who desire a minimum of interference and supervision.

Spence, Vol. III., 21085–21086.

972. Eighteen, it is admitted, is an age arbitrarily fixed. Large numbers of the feeble-minded after the period of schooling and adolescence disappear for the moment, and a great many come back again to official cognisance. But "so long as they show themselves fit for home life, are under the guardianship and

21088. control of respectable relatives, and are not a source of annoyance to the public, there would not be the slightest excuse for interference with them on the part

21090. of the State." We "would not be justified in shutting up a harmless imbecile on the theory that he might do something wrong." The parish council pass a

21092. minute discharging the child or young person to private care, and they are presumably satisfied with the conditions of the discharge. That, in general, appears to be all that is necessary. Nevertheless it is allowed that the

21093. protection thus afforded may be inadequate, and that "no doubt on perfectly reliable authority" it is stated, that "some cases are not properly protected; weak-minded girls and people like that," and finally the policy is accepted,

21126. that those, and those only, should be protected who can be shown to need protection.

This, it appears to us, admits the general principle of supervision; but before commenting on it, we would set down the opinions of other witnesses.

John Macpherson, Vol. III. p. 30. c. 2, p. 31. c. 1. 21288.

973. At present only comparatively few imbecile children are sent to Larbert or Baldovan. It is proposed that it "should be compulsory on parish councils to deal with feeble-minded children in the same way as lunatics are now dealt with." Then at eighteen they would go back to their homes, or be boarded out, or be placed in asylums for ineducable children like that attached to the establishment at Woodilee. Thus utilised, the present system, it is argued, would serve

Macpherson, Vol. III., 21284.

all purposes. But this is all that should be done. When the children had passed through the school period, though at fifteen or sixteen they seemed on diagnosis "likely to commit crime," they should not be kept under certificate and detained "unless they were neglected and showed marked mental defect." That they would be almost certain to become harmful to the community would not justify detention; but that such persons should go into the world unprotected would do so. Here again a condition of continuing supervision is admitted —a state of unprotectedness.

Difference of views as to continuous supervision and after-care.—*contd.*

21285-21287.

974. Another witness went further. He submitted a definite proposal, subject to reservations. He thought that these young persons should be kept longer under tutelage—to eighteen or so, and that they should go out under certain directions and conditions; that the register of them should be kept by the chief constable of the district and the inspector of poor of the district, so that should they turn up subsequently as paupers or offenders, reference may be made to the register. But all this should be done, subject to the proviso that no such provision should be used so as to compel people to go into institutions if they could be provided for otherwise. If there was a fair chance of their being looked after decently in their own homes, they should be let go until they did something to bring them into the hands of the State again, or until their friends considered that they ought to be under care. Probably in the course of time some 50 per cent. would come into institutions, and they might be certified, *mutatis mutandis*, as lunatics are certified.

Carswell, Vol. III., 21964-21983.

Cf. Leslie Mackenzie, Vol. III. 23276-23281.

Here machinery is suggested for the after-recognition of the feeble-minded. Those would be specially supervised or provided for in regard to whom there was no fair chance of their being looked after decently in their own homes; but those who had such a fair chance would be registered as well as the others.

975. Another witness considered that there should be a proper census of all children, and that the school board should come in and decide as to whether a defective child should be sent to be trained or not. Thus here, besides the after-school register, a before-school census is suggested.

Bruce, Vol. III., 24110, 24123, 24124.

976. Lastly, Dr. Clouston would link the methods for dealing with the feeble-minded into one system. He would have special classes, and in the cases of young women would, on their leaving school, board out some—about a third—and segregate others. The feeble-minded would be graduated according to their feeble-mindedness and their tendencies in life. Some would be boarded out, some go to asylums, some to special educational institutions like Larbert. A certain number would be provided for at home. "I would weed them out as soon as the education or schooling process is done, say, when they reach the age of fifteen; and then after proper investigation they would be kept in the institution, or sent into the country. It is a question of proper organisation."

Clouston, Vol. III., 24170, 24180, 24196, 24286, 24315.

24204.

977. Our conclusion from this evidence is that it necessitates the acceptance of a policy such as we have sketched as applicable to England. The ground of our recommendations for the record of cases at the school period, either with a view to the special class, so far as it may be suitable, or with a view to the alternative or subsequent use of "colonies" or homes, or friendly guardianship, or certification, and, so far as it proves to be necessary, detention, is the absolute necessity both on personal and public grounds of protecting the mentally defective who would otherwise continue to be as unprotected, and often as neglected, as they are at the present time. Those who can be cared for and trained at home with their parents or guardians it is not proposed to remove; those who can be properly provided for without certification and detention would be known and as far as possible kept in sight; those for whom detention appears to be necessary would be certified and detained. All the present methods of aid and care would be turned to account. There would be no question of the transference of all those who are mere imbecile or feeble-minded to institutions, or of simply adding to the provision now forthcoming in Scotland two or three more asylums, and thus of meeting present difficulties by the single method of additional institutional accommodation. The aim would be to place at the disposal of the authority responsible for the care of the mentally defective much more varied

Wider scheme of control and supervision required.

Spence, Vol. III. 20947.

Wider scheme of control and supervision required—*contd.*

means for dealing with them and supervising them—the special class, the special home, supervision while remaining in the family, removal from the family for training or on account of neglect, residence in a voluntary training home, supervision without certification, with certification without detention, with certification and detention, boarding-out, the farm colony, and so on. By the adoption of observation wards, boarding-out and the six months certificate in cases of temporary or incipient mental disorder there is an elasticity in the Scottish administration of mental defect, which is lacking in England. But there is in our opinion room for much further adjustment and expansion in dealing with individual cases; and accordingly we recommend that *mutatis mutandis* a scheme of control and supervision similar to that recommended by us in regard to England be adopted in Scotland.

Spence, Vol. III., p. 12, c. 1.

Spence, Vol. III., p. 10, c. 1 and c. 2, 20903, 20917-20926.

978. Another question. The board of a district asylum has no part or responsibility directly or indirectly in the discharge of recovered or unrecovered patients from asylums. They may know that the superintendent is keeping patients in the asylum who could rightly be boarded-out as unrecovered, or who could work outside under friendly guardianship; but they have no voice in the matter; it is outside their province. The parish council, on the other hand, who, in the capacity of a Poor Law authority, is maintaining the pauper lunatic (and the vast majority of the patients are, technically at least, pauper and not private patients), subject to the approval of the medical superintendent, "have the power of passing a minute for the discharge of unrecovered patients." Thus, apart from the question whether such minutes are or are not merely the formal endorsement of a discharge advised by a superintendent, the board of the district asylum itself have no control over the use which is made of the institution of which they are nominally the managing body—the most important question of all in the internal administration of an institution. Such an imperfection of control on the part of the district board must, we think, tend to the perpetuation of the evils to which Dr. Sutherland has called our attention. In England the asylums have suffered from an accumulation of cases, unsuitable to continuous asylum treatment, for which provision could not be made by friendly guardianship or otherwise. In Scotland the exit from the asylum is not thus hampered, and yet by reason of the system of management, unnecessarily as it would seem, the asylums remain overfull. These and other considerations have led us to recommend that in the case of mentally defective persons dealt with by the local authority no transfer, except as mentioned in the proviso below, shall take place from one institution or home to another or from an institution or home to private care or *vice versa* without the authority of the local authority and subject to their approval as to the selection of the institution or private care to which the mentally defective person is to be transferred, and the Board of Control shall make such regulations as may appear to them necessary in relation to the several classes of cases for reports of transfers being made to them, and for the granting or withholding of their consent, provided always that the Board of Control may order the transfer of any particular case where it appears to the Board that such transfer is desirable. This would not weaken the legitimate control of the superintendent, but, rather, it would fortify it.

Sutherland, Vol. III., 24810, *et seq.*

Recommendation XXI.

Charles Macpherson, Vol. III., 21594, 21602.

Clouston, Vol. III., 24301-24305, p. 202, c. 1 and 2.
John Macpherson, Vol. III., p. 30, c. 1.
Charles Macpherson, Vol. III., p. 21594.
(but Cf. Clouston, Vol. III., 24216).
Sutherland, Vol. III., p. 242, c. 1. and c. 2; p. 244, c. 1 and c. 2.

979. Further, in Scotland, as the evidence shows, there are many non-certified imbecile or feeble-minded persons who require protection and supervision. The Asylum and Poor Law authorities do not at present succeed in dealing satisfactorily with all classes of the mentally defective. The parish authorities do not always intervene when they should, and in the case of children are slow to intervene even in grave cases. They have at their disposal no sufficient and suitable provision for imbeciles. The asylums for the insane contain many congenital imbeciles,—probably as many as 14 per cent. The system of boarding-out, or friendly guardianship, approved on all hands, is held in check by the needless retention of patients in the asylums. Chronic patients, "senile and paralytic broken-down people," are accommodated in the asylums, for whom other provision should be made in "asylum hospitals" or elsewhere; there is also an accumulation of ineducable cases in the training schools for imbecile children. Throughout there is a need of revision and readjustment, in order that the care of the mentally defective may be brought definitely under one authority and provided for, not within the terms of Lunacy Acts, which were

not intended to be applied to the wants of the feeble-minded or imbecile class and are not, in fact, applicable to that class, but under conditions which more recent science and a greater sense of public responsibility may suggest.

IV.—Other Classes of the Mentally Defective.

980. The necessity for the introduction of changes in the administration for the care of the mentally defective is emphasised in the case both of offenders, who are punished by short sentences and are repeatedly committed for constantly recurring offences, and of inebriates. The evidence on this point is similar to that submitted to us in regard to England, and our recommendations must in principle be the same. Recidivists and inebriates. Recommendations XXXVIII. and XL.

981. In regard to youthful offenders, the evidence of Mr. Gulland, M.P., proves the necessity for a change. At present they are dealt with much as they now are in England (*see* Chapter XXII.). "A larger proportion of feeble-minded children find their way into police courts than ordinary children." Mr. Gulland, who was a member of the Edinburgh School Board from 1900 to 1906, says : Youthful offenders. Gulland, Vol. III., p. 187, c. 1.

"By the terms of the Youthful Offenders Act, 1901, intimation is made to the Clerk of the School Board of all offenders under fourteen years of age. He directs the attendance officer to visit the schools to see whether these children have been regular attenders, and he also intimates to the headmaster the name of the child with the nature of the offence and its punishment. For the year to 31st August, 1905, there were reported to the Edinburgh School Board 475 cases, being nineteen girls and 456 boys. These cases are supposed to be taken separately from the ordinary criminals, but as a matter of fact they are a great deal too much associated with them. Some of the offences are sufficiently serious, but many are of the nature of playing football on the streets. I have gone through a number of these papers and am struck with the sentences pronounced. In many cases the punishment is a fine of one shilling or six hours in the cells. A boy with poor parents cannot find the shilling, and he spends six hours in a cell. On emerging therefrom he receives a glass of milk and a bun, and returns to school to become a hero with his comrades, but having begun his career as a criminal. Especially in the case of the feeble-minded this is disastrous."

982. The suggestion Mr. Gulland makes is that the school board should sit as a tribunal for cases of first offence among children and should be empowered to order a minor punishment that would be suitable for the offence. We think that the better plan would be that in cases in which appearance or circumstances suggest feebleness or defect the court should have at its disposal adequate medical help in deciding whether the child is or is not mentally defective, and should refer the case especially to the school authorities and notify it to the Board of Control, so that suitable preventive action may, if possible, be taken. Gulland, Vol. III. p. 187, c. 1. Recommendation XL.

983. "When we come to the class of delinquents who are, though intellectually apparently intact yet morally feeble-minded, we are dealing with a class never contemplated by the lunacy laws. . . . It is not too much to say that some weak-minded offenders pass most of their time in gaol." These words sum up the position of prisoners of this class. In 1903 there were 1,333 prisoners in Scotland who had been convicted fifty times and oftener ; 982, fifty to 100 times ; twenty-eight, 200 to 300 times. Dr. Sutherland estimates the number of habitual offenders in Scotland, who are feeble-minded, that is, the "feeble-minded among police drunkards, petty offenders, prostitutes and vagrants," at 2,500 approximately. Their offences vary, but they are not "criminals" in the right interpretation of that term. "Owing to mental incapacity, mental warp, lack of skill and daring, they are not permitted to join the ranks of the criminal aristocracy and professionals who live by plunder. Yet they are a costly nuisance, and cause vast trouble to the different authorities through whose hands they frequently pass." An examination of sixty-five short sentence female prisoners, of whom thirty-one in the Edinburgh prison had had not less than ten previous convictions and thirty-four in the Glasgow prison who had had not less than thirty previous convictions proved that not less than 60 per cent. of the whole number were mentally abnormal. The entire uselessness of these repeated convictions and detentions is admitted ; and it follows that in these circumstances recurrent offenders, and indeed other offenders also, who on medical examination are ascertained to be feeble-minded and criminally irresponsible, should be dealt with primarily rather as mentally defective persons than as offenders. Accordingly some, if they are insane, we think, should be "Weak-minded" prisoners. John Macpherson, Vol. III. p. 32. c. 1. Crombie, Vol. III. p. 253. c. 1., p. 256. c 1., p. 258. Sutherland, Vol. III. p. 245. 24827, 24843. Sutherland, Vol. III. p. 241, c. 1. John Macpherson, Vol. III. p. 32. c. 2.

Weak-minded prisoners—*contd.*

sent, as Dr. John Macpherson proposes, to asylums, and others to a special asylum, which should have no prison element in it at all, and should be built upon the village type with a central hospital for treatment and observation. Macpherson Vol. III. p. 33. c. 1.

Powers of Criminal Courts to deal with mentally defective offenders.

984. We have had no evidence laid before us with regard to the question whether it is desirable that the powers of criminal courts should be enlarged so as to enable them to deal more satisfactorily with mentally defective persons who cannot at present be certified as "lunatic." We are consequently not in a position to make positive recommendations. But we suggest that our recommendations on this subject in the English part of our report should be considered by the Secretary for Scotland.

Recommendation XL.

Mentally defective prisoners to be sent to suitable institutions.

985. Incidentally another point may here be mentioned. Under Sec. 89 of the Lunacy Act of 1857, which has for a long time been in disuse, a prisoner who during confinement is found to be lunatic may be removed to an asylum and there retained after the close of his sentence, "until it shall be duly certified to one of His Majesty's principal Secretaries of State that such person has become of sound mind." Mr. Crombie, Secretary and Inspector of the Prison Commission for Scotland, thus states the case. He is asked by Dr. Dunlop: "We have heard a great deal about Sec. 89; the witnesses have been fairly unanimous in approving of it. You can tell us its working from a practical point of view?" He replies: "We have had only one case, a case in 1903, of a man who was a pest to society in a small burgh in the north. The parochial medical officer refused to certify him as insane on discharge from prison. The next time he was in the hands of the police the procurator fiscal reported to the sheriff that the parish medical officer declined to certify him, and the sheriff then, under Sec. 89, ordered an inquiry into the prisoner's mental condition. He was certified insane to the Secretary for Scotland, and was ordered to be transferred to an asylum. After being detained there for two and a half years, he was reported to be sane. On the matter being referred to the Secretary for Scotland, he ordered the man's discharge." The medical officer, it is admitted, had refused several times to certify the man, although he was known to have "such attacks of acute mania as required two or three attendants days on end." One difficulty in the section is that it entails a division of authority; and a simpler process would suffice for ensuring that prisoners who are accounted insane should not be set free on the termination of their sentences. Another difficulty is that while a prisoner the insane person is paid for by the State: when he has been discharged the cost of his maintenance should fall on the parish council, but the Act of 1857 does not settle this point expressly. Besides Section 89 of this Act there is in the Criminal and Dangerous Lunatics Amendment Act, 1871, a section (No. 6) which refers to similar cases. It provides for the detention of insane prisoners in lunatic asylums for the remainder of their sentence. This section should, we think, be put in operation in conjunction with Section 89 above quoted, and extended to mentally defective persons.

Cf. John Macpherson, Vol. III. p. 31. c. 2, 21386.

Cf. Spence, Vol. III. 20863-20869.

Crombie, Vol. III. 24896, 24897, 24910, 24912.

986. We recommend that Section 89 of the Lunacy (Scotland) Act of 1857 be brought into regular use for dealing with cases of mentally defective persons in prison, and that it be amended so as to make it clear that the charge for the maintenance of such prisoners in institutions other than prisons shall fall on the funds of the local authority liable for their maintenance, unless in his discretion the Secretary for Scotland direct otherwise. We recommend further that the sixth Section of the Criminal and Dangerous Lunatics Amendment Act, 1871, be retained and extended to cases of mentally defective persons.

Recommendation XXXIX.

Mentally defective inebriates.

987. Next of inebriates. The Inebriates Acts, 1879–1900, are not in all respects found to be satisfactory.

Dr. John Cunningham, Medical Officer to the Girgenti Home for Inebriates, states that mental enfeeblement is the cause of inebriety. The majority of inebriates admit that they began the use of alcohol at from sixteen to thirty years of age. The largest number of patients still come from the lower grades of society; they have been "in and out" the poorhouse for years; the majority have been confirmed inebriates from ten to twenty years. Of twenty-nine inmates discharged from the Girgenti Home for Inebriates belonging to the Glasgow Corporation, eight had relapsed, five were in poorhouses, four had been

John Cunningham, Vol. III. p. 227. c. 1. p. 228. Motion, Vol. III. 21771, 21776. Henderson, Vol. III. 23610, 23611. Clouston, Vol. III. 24364-24369.

lost sight of or there were no particulars obtainable in regard to them; nine may be, and certainly five are, doing well; two have died; and one was "mentally and physically" unfit. The results are not very encouraging; inebriety is not treated at an early stage as a disease; persons who are "unwilling to admit that they are habitual drunkards, although they are speedily reducing themselves and their families to starvation, yet keep out of the hands of the police" and are not now detainable; and the cost is considerably in excess of that of maintenance under the Poor Law. Mentally defective inebriates—*contd.* Motion, Vol. III. 21773.

988. These conditions are very similar to those which we have sketched in the case of England and Wales; and we recommend that, as in England, there should be separate institutions for the better and more hopeful cases and for "the weak-minded imbecile patients and those who watch every opportunity for escaping, display fearful exhibitions of temper, and require the same close attention as inmates of a lunatic asylum." Further, mentally defective inebriates should, like other mentally defective persons, come under the cognisance of the General Board of Lunacy. "Ins-and-outs," whether alleged to be habitual drunkards or not, should in our opinion be examined with a view to ascertaining whether or not they are mentally defective. Cunningham, Vol. III., p. 229, c. 1 & 2. Vol. III., p. 347. Draft Bill to amend the Inebriates Acts, 1879 to 1900. Recommendation XXXVIII.

989. In Scotland as in England the increase of feeble-minded aged people in the asylums is noticed. Dr. Carswell says that in "the last five years in Glasgow parish the number of persons sent to the asylum for the first time at ages fifteen to forty-five has been equal to a proportion of about 8 per 10,000 persons living at these ages, and there is no indication of any tendency to increase, whereas the proportion of persons over forty-five sent to the asylum for the first time has been about 13 per 10,000, and there is a distinct tendency upwards." Dr. Clouston says that at the Royal Edinburgh Asylum the number of patients over sixty, year by year, has more than doubled in thirty-two years; the mean age of patients has gone up by three years, the death-rate risen 46 per cent., the recovery rate fallen 33 per cent.—all from this cause. The increase is in cases of a kind of mental feebleness "certified as technical insanity and sent to mental hospitals, that is, the senile and paralytic broken-down people among the poor." His "chief objection to them is that they take up bed and nursing which should be reserved for curative purposes;" and they account for the "apparent increase of insanity of late years." They often improve—becoming more quiet by night and day after a few months; and he suggests that they might then be sent to poorhouse hospitals, which would be cheaper. Dr. Carswell proposes that more provision should be made for them, "and, if possible, outside asylums." Senile feeble-minded or dements. Carswell, Vol. III., p. 64. c. 2. Clouston, Vol. III., p. 202. c. 1 and 2. Cf. Spence, Vol. III., 20966, 20967. Carswell, Vol. III., p. 64, c. 1.

For this class also, as in England, the conditions of assistance have to be reconsidered and steps taken to prevent the curative institution, the modern asylum, being turned to other purposes.

V.—Certification and General Administration.

990. We have referred to the very useful system of observation wards which have been introduced into Scotland (par. 706); to the introduction of the Villa Asylum at Kingseat and Bangour, now also adopted in England; to the utility, economy, and extent of the plan of boarding-out, which we have recommended for general adoption in England (par. 693), and to the special certification for six months or less of patients as suffering from incipient mental disease (par. 713)—a very useful procedure for treating cases for which admission to an asylum may prove unnecessary or inexpedient. To the methods of certification we have also referred at some length (par. 717). We have to discuss them further, however, in relation to the question of the certification of the various classes of mentally defective persons. Cf. Vol. III., Part II., p. 307 *et seq.* Copies of the General Reports on three specially licensed houses. Spence, Vol. III., 20894. Clouston, Vol. III. p. 202. c. 1., 24253. Sutherland. Vol. III. 24797.

991. The Scottish medical certificate requires the two medical men, who certify with a view to detention by order of the Sheriff, to state on soul and conscience "that the said A. B. is a lunatic (*or* an insane person, *or* an idiot, *or* a person of unsound mind) and a proper person to be detained under care and treatment." Facts indicating insanity observed by the medical person and similar facts communicated to him by others have to be entered in the grounds of the opinion. Statutory certificates. Schedule (D) Lunacy (Scotland) Act, 1857.

Statutory certificates—*contd.*

Schedule (G) Lunacy (Scotland) Act, 1857, and Schedule (A) and Sec. 13; Lunacy (Scotland) Act, 1866.

Also Vol. III., p. 297.

992. The only other statutory certificate, except the certificate of the superintendent or medical attendant for continued detention (Schedule A.—Lunacy (Scotland) Act, 1866), is the "six months" certificate in Schedule G. of the Act of 1857, by which a duly qualified medical person may "certify on soul and conscience that C. D. is afflicted [*state the nature of the disease*], but that the malady is not confirmed, and that I consider it expedient, with a view to his recovery, that he should be placed [*specify the house in which the patient is to be kept*] for a temporary residence of [*specify a time not exceeding six months.*]" This certificate refers to "lunatics received into any private house," as now regulated under Section 13 of the Act of 1866, though the word "lunatic" does not appear in the form itself. Any person suffering from a mental malady which is not confirmed, and for which temporary residence in a private house is expedient, may be included in it. It thus broadens out the field of "lunacy," while the plan of the certificate is not unlike that which we propose below—a general qualifying term "mentally defective" with the entry of the class of malady which in the particular instance comes within that term.

Administrative certificates.

Lunacy (Scotland) Act, 1857, Sections 3 and 9, and Lunacy (Scotland) Act, 1866, Section 18.

993. Besides these two statutory certificates there are several that are administrative, and owe their validity to the general powers of the Board as appointed "for the superintendence and care of asylums and lunatics." The certificates and forms, and information relating thereto, will be found in the Appendix to Vol. III. of the evidence: Part I., p. 283.

Vol. III., p. 283.

994. To mentally defective paupers the word "lunatic" is generally applied. When application is made to the General Board of Lunacy to grant sanction for the residence of a pauper lunatic in a private dwelling specially licensed or otherwise, a statement from the inspector of poor and certificates from two medical persons are required. In these certificates the formula of the certificate of the

Vol. III., p. 285.

Act of 1857 has to be followed: that A. B. is lunatic, *or* insane person, *or* idiot, *or* person of unsound mind, and facts observed or communications as to the patient's insanity or idiocy have to be stated.* For this the order of the sheriff is not necessary; the approval of the General Board of Lunacy suffices. And removals

Vol III. p. 287.

from an establishment other than an asylum to a private dwelling, and from a private dwelling to an establishment, or from one private dwelling to another, are sanctioned by the Board on the application of the inspector of poor without further medical certificates, until the patient is visited by one of the Board's officers.

Vol. III., p. 291.

995. In the case of private patients the form of application to the General Board of Lunacy (Form F. 2) to sanction the reception of a private patient into a private dwelling, specially licensed or otherwise, states that the patient "is of unsound mind, and a proper person for residence in a private dwelling." And

Vol. III., p. 292.

the single medical certificate that accompanies the statement states that the person is of unsound mind and the facts stated as the grounds for the certificate indicate *insanity*. In the case of pauper patients, for whose reception into the lunacy wards of a poorhouse the sanction of the Board is required, the medical person (Form C.) certifies that he believes the patient to be of unsound

Vol. III., p. 304a

mind and a proper person to be in the lunatic wards. In "emergency" asylum certificates (Form A.) the same phrase, "of unsound mind," is used.

Vol. III., p. 293.

996. "On liberation on trial or probation of a lunatic," the single medical certificate "reports and certifies with respect of the patient's mental state" without specification of the actual malady by name. It is signed by the asylum superintendent as his authority for the liberation of the patient; and the superintendent at the same time "subjoins a statement of particulars of the circumstances in which it is proposed to place the said patient." And towards the close of the period of probation the inspector of poor has "*To transmit to the Board a medical certificate to the effect either that the patient* (1) *is recovered, or* (2) *is still of unsound mind.*"

Vol. III., p. 294.

* The certificate of the Act of 1857 refers in the required statement of facts to facts "indicating insanity." In the administrative certificate, insanity and idiocy are separated as the two sub-divisions of "lunacy."

997. In their provisions for the reception into private dwellings of private patients, maintained out of private funds, the Board use the terms *insane person*, or *person of unsound mind*, as representing those who may reside in a private dwelling without an order of the sheriff or the sanction of the Board "with relatives or others who receive no remuneration for the patient's maintenance." Administrative certificates.—*contd* Vol. III. p. 296, cols. 1 and 2.

998. In the case of patients under curatory (*see* pars. 749 to 752 and 982), the Board recognise both lunatics and persons whose mental derangement does not amount to lunacy—"every person to whom a *curator bonis* has been appointed by the Court of Session on account of *mental imperfection, whether such mental imperfection does or does not amount to 'lunacy'* as defined" by the form of certificate in Schedule D. of the Act of 1857. And notice of the admission and departure of a boarder in a private dwelling with special licences, *not being a lunatic*, has to be given within three days as in the case of a lunatic. Vol. III. p. 297, c. 2. Vol. III. p. 297, c. 2.

999. In the Criminal and Dangerous Lunatics Amendment Act, 1871, the term *lunatic* in the title is used as identical with the word *insane* in the text.

1000. Our consideration of these statutory and administrative certificates may be summed up thus: General conclusions as to certification.

We have first the statutory definition of the medical certificate of 1857, which we have just quoted, "that the said A.B. is a lunatic (*or* an insane person, *or* an idiot, *or* a person of unsound mind) and a proper person to be detained under care and treatment." In conjunction with this we have the interpretation of Sec. 3 of that Act: "the word 'lunatic' shall mean and include any mad, or furious, or fatuous person, or person so diseased or affected in mind, as to render him unfit in the opinion of competent medical persons to be at large, either as regards his own personal safety and conduct, or the safety of the persons and property of others, or of the public." The words "insane person," "idiot," and "person of unsound mind" which are in the medical certificate are not here specifically defined. By presumption, therefore, they were all held to be different forms of lunacy, as described above. Subsequently the Lunacy Amendment Act of 1862 repealed the interpretation clause of the Act of 1857 and substituted an interpretation clause drawn more closely in accordance with the words of the certificate—namely, "'lunatic' means a person certified by two medical persons to be a lunatic, an insane person, an idiot, or a person of unsound mind.'" The clause is indeed actually only a repetition of the terms of the certificate, excepting the words "and a proper person to be detained under care and treatment." The individual terms, "lunatic," etc., are not defined, and presumably they are all taken as verbal variations of the word "lunatic"—a view which the general feeling of medical practitioners and the public would appear to confirm. Statutory certificates. Lunacy (Scotland) Act, 1857. Schedule (D). Lunacy (Scotland) Act, 1857, Sec. 3. Spence, Vol. III. p. 8. c. 1. Lunacy (Scotland) Act, 1862, Sec. 1. John Macpherson, Vol. III. 21377, 21378. Leslie Mackenzie, Vol. III. 23375. Russell Vol. III. p. 180. c. 1.

Lunacy (Scotland) Act, 1862, Sec. 1.

But the definition of the Act of 1862 has, it should be added, another drawback also. It, as the above quotation shows, "includes every person *certified* by two medical persons to be a lunatic," etc. Thus, wherever in the text of the Scottish Lunacy Acts the word "lunatic" occurs, prior certification is implied though the circumstances may be such that no formal certification can have taken place. This clearly suggests the necessity for an alteration of the present form of certificate on other and different grounds. See Summary of the Scottish Law and Practice regarding Lunatics, &c. Appendix Vol., V., p. 7.

The words of the administrative certificates are those of the Act of 1857 in the case of the pauper, with the alteration that in the statement of facts "insanity" and "idiocy" are taken as two classes of lunacy; "of unsound mind" in the case of the private or pauper patient, when the former is admitted to a private dwelling, or the latter to the lunacy wards of a poorhouse; "of unsound mind" also in the "emergency" case; "lunatic" and "unsound mind," both taken as equivalent, in a case of liberation; "insane" or "person of unsound mind" in the certificate for reception to a private dwelling. It is evident that all these terms, except in the one context to which we have referred, and in which "insanity" and "idiocy" are differentiated, are but verbal variations of the word "lunatic"; and they do not mean different classes. The word "imbecile" is not found in the forms of certificate or in the definitions in the Acts. Nothing, indeed, is said in the Act of 1862, Section 7, the section which allows the General Board of Lunacy to "grant licences to charitable institutions for imbecile Administrative certificates. Lunacy (Scotland) Act, 1862, Sec. 7.

General conclusions as to certification—*contd.*

children without fee," of any statutory certificate being required on the admission of such children to institutions. But by the regulations of the Board in the case of pauper children application has to be made to sanction the reception of imbecile children into institutions for their training, and the two medical certificates which are required in order to obtain that sanction must state that the certifying medical persons "believe the said child to be of unsound mind, to be capable of deriving benefit from training and treatment in the institution, and to be in a fit state of bodily health for removal thereto." The "imbecile" is thus classed as "unsound in mind," a phrase elsewhere used as equivalent to insane or lunatic. The regulation in the case of "curatory" patients exceeds the terms of the Lunacy Acts and recognises as under the General Board of Lunacy persons who are not even under a "six months" certificate, as suffering from an unconfirmed mental malady, but who suffer from mental imperfection that does not amount to lunacy.

Spence, Vol. III., 21145.
John Macpherson, Vol. III., 21378.
Spence, Vol. III., 20837.

Spence, Vol. III., p. 12, c. 2.

We have thus one definition which treats as equivalents to "lunatic," "insane person," "idiot," or "person of unsound mind," and another definition that treats "imbecile" also as equivalent to this last term "person of unsound mind."

1001. We think that it will be generally admitted that this is not satisfactory. The new class of feeble-minded which is now generally recognised as different in grade from the "imbecile" is excluded. The class "imbecile" is in a doubtful position, being certified as "of unsound mind;" and the term "idiot" in the Scottish Act would not now be accepted as coming even administratively under a class termed "lunatic." Thus both in accordance with the sense of public opinion and the general desire to institute some better and more distinctive classification the word "lunatic" is now inappropriate. We accordingly propose that some other more general and more acceptable word be substituted for it.

The form of certificate suggested.

1002. In our recommendations in regard to England we have recommended the use of the word "mentally defective" and submitted variations falling within that term, not merely verbal variations, but variations which on administrative grounds we have thought serviceable. The Scottish Board of Lunacy, as we have seen, has in its administrative certificates adopted the verbal variations of the Scottish Act for different purposes; the pauper lunatic is lunatic or idiot; or in some circumstances of unsound mind; the private lunatic is of unsound mind; the private lunatic who is boarded-out is insane or of unsound mind; the imbecile child is of unsound mind; the curatory patient passes outside the range of lunacy, though he be certified; he stands as an exception and may be certified as suffering from "mental imperfection" only. He may be considered nearer the position of persons dealt with under Sec. 116 (*d*) and (*e*) of the English Lunacy Act of 1890. Our suggestion is to assume such a broad word as the above, not "mentally imperfect" but "mentally defective" as the general term, and to limit the certificate to that, with a reference to the particular class—one of the several categories entered in the instructions at the back of the certificate. In all other ways we would leave the form of the certificate as it stands at present (*see* paragraph 958). This proposal has met with one criticism, but it will in our opinion remove many great difficulties.

Recommendations III. and IV.

1003. The criticism is that drawn from Dr. Clouston and Dr. John Macpherson. Dr. Clouston is asked :—

Clouston, Vol. III., 24331, 24332, 24333.

"When dealing with imbeciles, is there anything to be gained by very fine distinctions of imbeciles into various classes? We have had presented to this Commission a series of definitions which are practically the definitions given in Dr. Mercier's handbook on insanity. You know these definitions; are they of any practical value at all?—They are all very interesting, but I would not say that they are workable. They are exceedingly interesting. Probably every scientist has to go through the stage of constructing definitions.

"These definitions have been before the profession for ten years?—Yes.

"But they have not been universally adopted?—No. When I was younger I used to be rather fond of definitions. I have now largely given them up."

Clouston, Vol. III., 24176.
Clouston, Vol. III., 24337.

And as an interpretation of the present statutory certificate of the Lunacy Act of 1857, Dr. Clouston said "the only definition of insanity in this country is that a case is certified by two doctors." "'Certifiable' is absolutely conditioned by the two words 'care and treatment.' I would say of any case, no

Clouston, Vol. III., 24337—*contd.*

matter whether it were a case of weak-mindedness or a case suffering from gross delusions, that if it did not require care or treatment, it was not 'certifiable.'" Dr. John Macpherson dealt with the same question, but with a difference. He recognised that "as a matter of fact, what is known as non-certifiable insanity existed and differed only in degree from certifiable insanity;" and that "the requirement of treatment" "decided the action of the authority who moved for certification." The "basic test" of certification was thus, he thought, to be found in the phrase of the certificate "a proper person to be detained under care and treatment." He thought, however, that "for clinical purposes and purposes of administration, after the person was taken charge of divisions of mental defect into classes were useful, and that the classification of the Royal College of Physicians was probably on that account an excellent one. But as tending to introduce a division between the various grades of mental defect he would deprecate its introduction into Scotland, at any rate; that is to say if that were to be its tendency." Yet even if the phrase "and a proper person to be detained under care and treatment" be "the basic test" of certification, even in this "liberality about certification," there must be some central word by which the particular province of the administration which is in question is defined and restricted. By the Scottish Act this word is "lunatic," with its verbal variations. It might be "of unsound mind." Our recommendation is that it should be "mentally defective," and that instead of merely "verbal variations" there should be a statutory recognition of general classes which actually come under that term, in such a manner as to conduce to better practical administration. The latter part of Dr. Clouston's contention—the requisite breadth of certification—is thus met; but apparently not the former—the alleged inutility of definitions of general classes. "Definitions are not workable," he practically says. But, as we have shown, in point of fact, there must be some definition; the general word "lunacy," on the definition of which the Scottish Act depends, is a definition and workable; and the word which we suggest, "mentally defective," in the same way necessitates a definition, namely, the statement of the various classes that, as we propose, should come under the supervision of the central authority. And, if we may judge from the evidence which has been submitted to us, this definition, too, is workable. Further, experience proves the necessity of recognising the difference between the several classes of mental defect. If all are called "lunatic," there is a disinclination to consider persons who are "feeble-minded" or "imbecile" as "lunatic" and to certify them as such; and rightly, for no one would suggest that the malady in these two cases is exactly the same, or that the treatment of the feeble-minded would be the same as that of the "lunatic," as that word is usually understood, whereas a certificate filled up for the "feeble-minded," for instance, suggests both a difference in mental conditions and a difference in treatment. At present in Scotland the statutory certificate requires that the person afflicted be certified as "lunatic, insane, idiot, or of unsound mind," words which suggest four different classes, but all of which except one—idiot—are used both administratively and popularly as applicable to one class only—the lunatic. Hence an admitted disinclination to certify. We think, therefore, that there is good reason for not being content with some broad general term only, but that it is useful to show that such a term has relation to various classes of mental defect, for which differences in administration, supervision and treatment are recognised as necessary. These classes would be of service as Dr. John Macpherson said, "for clinical purposes and purposes of administration," and except in that sense there is no evidence to show that they would "introduce a division between the various grades of mental defect."

The form of certificate suggested—*contd.*

John Macpherson, Vol. III., 21303, 21304, 21305.

21308.

21307.

21313.

John Macpherson, Vol. III., 21307–21308.

Spence, Vol. III., 20941, 21036.

Recommendation IV.

Clouston, Vol. III., 24331-24333.

John Macpherson, Vol. III., 21313.

Recommendations I to IV.

1004. We accordingly recommend that in the form of certificate which is now in use in Scotland the words that define the mental defect be altered, but that the certificate remain otherwise as it stands at present. In this way a wider range of mental defect would be recognised than under the present certificate. And consistently with this change we recommend that there be one central authority for "the general protection and supervision" of all mentally defective persons and for the regulation of the various methods adopted for their treatment and maintenance, and the institutions, private dwellings, or families where they are maintained; and that the central authority be not a General Board of Lunacy, but should adopt some more general title indicative of the larger

Spence, Vol. III., 20794.
John Macpherson, Vol. III., 21301, 21362.
Motion, Vol. III., 21723.
Russell, Vol. III., 23745.
Cluckie, Vol. III., p. 190, c. 1.
Guthrie, Vol. III., p. 231, c. 2.
Sutherland, Vol. III., p. 238, c. 1.
Allen, Vol. III., 25065.

scope of the work which would now devolve on it; also that an Act be passed amending the Scotish Lunacy Acts and bringing them, with provisions for the mentally defective generally, into one legislative measure.

Question of the sufficiency of the present system of providing for the mentally defective.

1005. We have now to turn to a difficult question—the sufficiency of the Scottish system, as it now stands, to provide for the mentally defective of all classes. Our conclusion was that there were some not unimportant shortcomings in the present administration; that there was on the part of the parish councils a disinclination to deal with cases, for which provision might be made under the law as it is now interpreted and applied; that there was a want of unity between the administration of the District Boards of Lunacy and that of the parish councils; and that this led to want of economy in the use of asylum accommodation for persons who might be otherwise treated, and, generally, to divided interests and responsibility. If, as is alleged and as we are led to believe, this state of things prevails, the alternative lies before us of making such recommendations as would tend to promote greater activity and the recognition of a larger responsibility on the part of the parish councils, or of making recommendations which would have for their object the transference of responsibility to some other body.

Possibility of developing the Parish Council system.

1006. Now it is obvious that though the administration of the Lunacy Acts, so far as they refer to pauper lunatics, is part of the recognised work of the parish councils, these councils are mainly engaged and interested in the administration of poor relief; and the duty of ascertaining who are mentally defective and for whom provision should be made and in what manner is a different and special department of work. But it may be argued that in Scotland the administration of poor relief and, in connection with pauper lunacy, the administration for the care of the mentally defective is so inextricably fused into one that no transfer of the duties of caring for the mentally defective to any other body, whose sole business and concern they should be, can be carried out successfully. In that case, in the new circumstances that have now arisen—namely, the necessity of dealing not only with persons certifiable under the Lunacy Acts, but with other classes of persons who cannot now be so certified—it is a question whether any supplementary proposals can be advocated which would lead to greater attention being paid to these cases and would in some measure meet the difficulties which we have mentioned. If then the present system be retained, by which the parish councils maintain the mentally defective, settle who should be boarded-out and control the discharge of unrecovered patients, we would suggest: (1) That there should be inquiry made by the General Board of Lunacy in regard to the number and the nature of cases of mental defect in the several parish areas or the districts of the District Lunacy Boards, and especially in regard to the cases of persons who are mentally defective but who do not now come under the Lunacy Acts; (2) that there be a system of notification of all cases of mental defect by local authorities to the General Board; and (3) that the Board be authorised to enforce a proper treatment of all these cases by the parish council from the point of view of maintenance and by the District Board from that of suitable provision. The General Board have already a similar power under Sec. 18 of the Lunacy (Scotland) Act of 1862, By that section, if a parish council "after requisition by the Board, shall refuse or neglect for twenty-one days after such requisition to provide for the removal of a pauper lunatic to an asylum, house, or lunatic ward of a poorhouse, the Board may take such measures as may be necessary for the removal . . . and the whole expenses . . . shall be recoverable by the Board . . ." This power is applicable to "lunacy" cases only under the present law; it might, we suggest, be extended to all other cases of mental defect.

The Lunacy (Scotland) Act, 1866, Secs. 9, 10, 11.

The Lunacy (Scotland) Act, 1862, Sec. 18.

Development of the District Boards of Lunacy recommended. Recommendation VII.

1007. The other method of administration which we recommend and which in our opinion would best meet the difficulties to which we have alluded is the extension of the powers of an existing administrative body in such a way that it should become the sole local authority in each district for dealing with the mentally defective, providing for them and maintaining them. In Scotland the local authority under the Inebriates Acts, 1879 to 1900, is the council of any county or burgh; but, so far as our evidence goes, it does not seem that the proposal has ever been made that the council of the county or burgh should

become the local authority for lunacy or mental defect, acting in connection with a Statutory Committee as in England. Indeed, the more recent suggestions for the revision of the Inebriates Acts include a clause for allowing to parish councils the same powers for the establishment and maintenance of an inebriate reformatory as the county councils and burghs now possess. It cannot well be proposed, therefore, that these bodies should be the local authorities for the care of the mentally defective in Scotland.

Development of the District Boards of Lunacy recommended—*contd.*

Copy of Inebriates Amendment (Scotland) Bill. Vol. III. p. 347.

1008. For lunacy purposes Scotland is at present divided into the following Districts, each district being under a District Board of Lunacy :—

Counties from which the different Districts are formed.	Lunacy Districts arranged geographically.
Shetland	1. Shetland District.
Orkney	2. Orkney do.
Caithness	3. Caithness do.
Inverness, Nairn, Ross, and Sutherland,	4. Inverness do.
Elgin	5. Elgin do.
Banff	6. Banff do.
Aberdeen	7. Aberdeen County, consisting of all the parishes of Aberdeenshire, except Aberdeen City Parish.
	8 *Aberdeen City, consisting of the parish of that name.
Kincardine	9. Kincardine District.
Forfar	10. Forfar District, consisting of all the parishes of Forfarshire, except Dundee Combination.
	11.*Dundee District, consisting of the parish of Dundee Combination.
Perth	12. Perth District.
Stirling, Dumbarton, Linlithgow, & Clackmannan	13. Stirling do.
Fife and Kinross	14. Fife and Kinross District.
Edinburgh and Peebles	15.*Edinburgh District, consisting of the parish of Edinburgh.
	16.*Leith District, consisting of the parish of Leith.
	17. Midlothian and Peebles District, consisting of the remaining parishes of Midlothian and of the county of Peebles.
Haddington	18. Haddington District.
Roxburgh, Berwick, and Selkirk	19. Roxburgh do.
Lanark	20.*Glasgow do. (Consisting respectively of the parishes of the same names.)
	21.*Govan do. (Consisting respectively of the parishes of the same names.)
	22. Lanark do. Consisting of remaining parishes of Lanarkshire.
Renfrew	23. Renfrew do. Consisting of parishes of Renfrewshire, including entire parishes of Cathcart and Eastwood, which are partly within Lanarkshire.
Argyll	24. Argyll do.
Bute	25. Bute do.
Ayr	26. Ayr do.
Dumfries, Kirkcudbright, and Wigtown	27. Dumfries do.

* In these cases the parish council acts also as the District Lunacy Board. All are large urban parishes.

1009. These District Boards were established "with a view to the erection of asylums for the reception and care of pauper lunatics," and they have to provide requisite accommodation for the district subject to proceedings that may be taken against them by the General Board of Lunacy, if they fail to do so. The specified expense of providing this accommodation is apportioned by the General Board upon the landward parts of counties and upon the burghs respectively within such districts, and the necessary assessment is made and collected by the county and burgh authorities. The expenses of a District Board where there is no district asylum are met out of the county general assessment, and by each burgh, as the case may be. As the above list shows, the Districts are already mapped out on very satisfactory geographical lines for administrative purposes. These districts may be altered or varied by the Board "on the

Lunacy Act, 1862, Sec. 9. Prisons Act, 1877, Secs. 61, 62. Lunacy Act, 1857, Secs. 53, 54, 55.

Lunacy Districts (Scotland) Act, 1887, Sec. 1.

Development of the District Boards of Lunacy recommended—*contd.*

application of the commissioners of supply of any county interested, or the magistrates of any burgh interested, or the parish council of any parish or combination interested"; and the Board, "where any such altered or varied districts shall consist of one parish only or combination, may, if they think fit, appoint the parish council of such parish to be the District Board of such district," subject to the sanction of the Secretary for Scotland; and the Board have also other large powers of regulation, subject to the same sanction. In Scotland the counties are of very unequal size and the population is largely drawn to a few urban centres, but sparsely distributed over the country generally. Hence neither county nor burghal areas taken by themselves are suitable divisions for the supply of accommodation or provision for the mentally defective. The districts of the District Boards, on the other hand, may be adjusted to meet the needs both of urban, rural and mining districts, the county, or a group of counties, or the burgh, as may seem best. These Boards are also, as we have seen, already responsible for the supply of asylum accommodation for "lunatics," and their expenses are a charge on the district. It would appear, therefore, that the responsibility of providing directly or indirectly for all classes of the mentally defective, as well as for "lunatics," might rightly devolve upon them.

Spence, Vol. III. 21179.

Their power of appointing visiting committees of asylums might be exercised; and might be utilised in the case also of other institutions, "colonies" or boarding homes or other institutions, supported by them, for the care of the mentally defective in their districts, for they might have power to contract with any Poor Law or other public authority, public or voluntary agency or private persons, as they might deem it advisable, a power that might be freely exercised and, though, if it were thought well, the arrangements for boarding-out might be left in the hands of the parish councils, they, instead of the parish councils, might be made responsible for settling which patients should be boarded-out on their leaving asylums or other institutions and which should not. Further, the charges for maintenance in cases of mental defect might be removed from the smaller area of the parish to the larger area—as it usually is—of the District Board. This would be fairer to parishes which have a low assessment, as in many landward parts of the districts, and it would remove one obstacle in the way of a sufficient treatment of patients, the charges for whose care and maintenance must in many instances be comparatively heavy, and certainly larger than they would be in the case of paupers who are in receipt of ordinary indoor relief. To provide more effectually and economically for the smaller classes of mentally defective persons ample powers of combination might be given to the District Boards—a course which is in our opinion much more satisfactory than, as has been suggested, to make the General Board of Lunacy, the chief inspecting and supervising body of the country, itself also the provider and manager of institutions for these classes. Thus the administration for the care of the mentally defective would devolve entirely on the District Boards and be dissociated from the administration of the Poor Law.

Recommendation VII.

1010. Accordingly we recommend: "That under the proposed Amending Act for the Care and Control of the Mentally Defective, the District Board of Lunacy—to be called the District Board for the Care of Mentally Defective Persons—be the Local Authority, and be required by Statute directly or by contract with other authorities or persons to make suitable and sufficient provision for the care and control of the mentally defective in their area in institutions, houses or homes, in observation or reception wards, or by 'boarding-out,' or in any other way of which the Board of Control shall approve."

Recommendation IX.

In making this recommendation we fully realise that, as we have also recommended, it will be necessary for the local authorities—the District Boards—to appoint a specially qualified medical officer or officers to assist them. Also, in order that economy may be considered and that there may be no breach of continuity in the local administration, we recommend that the statutory duties

Recommendation VIII.

of the Inspectors of Poor with regard to lunatics be extended to all cases of mental defect, and that the services of Inspectors of Poor be, by arrangement, placed at the disposal of the District Boards.

Grants in aid.

1011. In Scotland a fixed contribution of £90,500 is made by the State towards the cost of maintenance of pauper lunatics under Section 22 (5) of the Local

Government (Scotland) Act, 1889. This is supplemented by a further fixed contribution of £25,000 under Section 2 of the Education and Local Taxation Account (Scotland) Act, 1892. In allocating the grant all expenditure over 8s. a week is excluded, expenditure under and up to 8s. is treated as "admissible expenditure", and the grant is apportioned upon such expenditure so much per £ as far as it will go. The State contribution for the year 1905–1906 was equal to about 3s. 3¼d. per week for each patient, however provided for, for whose maintenance a sum was paid equal to or exceeding 8s. a week. The effect of the grants in Scotland is similar to that in England; and we recommend the adoption of the method of financial aid proposed by Lord Balfour of Burleigh, Sir Edward Hamilton and Sir George Murray, as we have in the case of England, but, failing that scheme, we recommend a continuance of grants from the Exchequer in accordance with the second and alternative recommendation which we have made.

Grants in aid.—*contd.*
Spence, Vol. III., p. 13, c. 1.
Barclay, 23437–23440.
Spence, Vol. III., 20982–4, 20992–5, 21151 21163.
Russell, Vol. III., 23769.
Cf. pp. lxxv.–lxxvi., the 49th Report of the Commissioners in Lunacy for Scotland.
Recommendations XIII., below, and XLI as to England and Wales, above.

If the changes which we propose were made, the grants from the State, under whatever plan they were allocated, would go to the local authority—the District Lunacy Board for the care of the mentally defective—and not to the parish council. The District Board would maintain its patients and would therefore receive the grants direct, instead of as at present, the District Lunacy Boards charging the actual costs against the parish councils, and the parish councils receiving the grants in rebate of that cost.

1012. It would appear that the cost of asylums in Scotland has been in some instances excessive, as in the case of Woodilee and Bangour. It may be a question whether, with a view to economy, the plans and specifications for asylums should not be submitted to the Secretary for Scotland, following the English usage. We recommend that the accounts of the local authority which makes provision for the accommodation of mentally defective persons, should be audited by a Government auditor. The specifications for tenders and contract prices should be examined by the Board of Control. Whatever other changes may be made, we think that this recommendation should, in any case, be made applicable to all District Boards of Lunacy.

Excessive expenditure and audit.
Motion, Vol. III., 21678.
Cf. p. lxv., the 49th Report of Commissioners in Lunacy for Scotland.
Recommendation VI.
Recommendation XIV.

1013. We understand that the Judicial Factors Act of 1880 covers all the classes which are mentioned in our Recommendation III. But if it does not, it should, we think, be extended. It would then, if it does not already do so, serve the purpose of the amendments which we propose should be made in the law of England by the extension of the principle of Sec. 116 (*d*) and (*e*) of the Lunacy Act of 1890 to all these classes. "By the Judicial Factors Act of 1880 the power of appointing judicial factors in cases of estates the yearly value of which does not exceed £100 was extended to the Sheriff Courts in Scotland." By the procedure in force, "a petition is presented to the court by either the *incapax* himself, his relations, or, failing relations, any parties interested." We think that the local authority should have power to petition for the appointment of a judicial factor in these cases, if the relatives do not act; they should also be enabled to petition the court on the request of the relatives and to act for them. To the valuable provisions of the Scottish law for supervising and controlling the estates of persons found by the court to be incapable of managing their own affairs or of giving instructions for their management we have referred at length in Chapter XXXVI.

Benefits of curatorial management should be extended.
Guthrie, Vol. III., 24649.
Brown, Vol. III., p. 41, c. 2.
Sutherland, Vol. III. 24849.
Brown, Vol. III. p. 42. c. 2. 21482.
Recommendation XLI.

In a communication addressed to us by the General Board of Lunacy attention is drawn to Section 81 of the Lunacy (Scotland) Act of 1857, which authorises the Board, if "they have reason to believe that the property of any person detained or taken charge of as a lunatic is not duly protected by being placed under the management of a judicial factor . . . to report in writing to the Lord Advocate; and it shall be competent for the Lord Advocate . . . to make application to the Court of Session . . . to cause the matter to be investigated, and to appoint a judicial factor to such lunatic, with a view to the proper care and protection of his property." "This section," the Board state, "is expressed in such terms as to render it inapplicable to many cases where protection is required." We think it should be revised in the amending Act which we propose, and in which the benefits of the section should be extended to all the classes which come under Recommendation III.

See Summary, Vol. III., p. 328c.
Recommendation XLI.

V.—Certification and General Administration.

Administrative powers of Board of Control.

Recommendation VI.
Spence, Vol. III. p. 9. c. 1.
Lunacy (Scotland) Act, 1857, Sec. 9.
Lunacy Act, 1890 (England and Wales), Secs. 230 to 238.

1014. In Recommendation VI. we make several suggestions in regard to administration which chiefly concern details and respecting which there is, we believe, general agreement. We are of opinion that the General Board of Lunacy should have the same powers of superintendence, management, direction and regulation in the case of Royal asylums as they have under Sec. 9 of the Lunacy Act of 1857, in the case of public, private, and district asylums. To make this change is to follow a precedent that has been found to work well in England; and it seems to us essential, if the whole provision made for the mentally defective in Scotland, including the imbecile and feeble-minded, is to be effectually controlled.

Further, it appears to us that the fifty-first section of the Lunacy (Scotland) Act of 1857 should apply to all asylums, and not to district asylums only. The General Board of Lunacy would then have power to require that in the case of Royal hospitals all plans should be submitted to them, and passed by them, just as in the case of district asylums. This, too, appears to us important, if the care of all classes of the mentally defective are to come under one authority, and the institutions for their maintenance are to be used, extended, and adjusted for their several needs.

On similar grounds, we are of opinion that the General Board should have power to regulate the number of patients of each sex who may be admitted to Royal and to district asylums alike.

Paying patients.
Spence, Vol. III. p. 9. c. 1.
Recommendation XII.

1015. Also we think that district asylums and any other institutions that may in the future be established for the care of the mentally defective should be authorised to supply accommodation to poorer patients at fixed prices, so that the number of so-called pauper patients may not be indefinitely and unnecessarily extended.

Private patients.
Spence, Vol. III. p. 11. c. 2.

Spence, Vol. III., 21005-21008.

Recommendation XX.

1016. In regard to private patients, we are of opinion that Sec. 14 of the Lunacy (Scotland) Act of 1866 should be strengthened. It enacts, that "if any occupier or inmate of any private house shall keep or detain therein without the order of the sheriff or sanction of the Board any person as a lunatic although not for gain beyond the period of one year, and the malady is such as to require compulsory confinement to the house, or restraint or coercion of any kind, such occupier or inmate shall intimate the case to the Board, and shall state the reasons which render it desirable that such lunatic should remain under private care . . ." We recommend that this section should be amended so that all mentally defective persons, and not merely "lunatics," should be included in it. Moreover it would appear desirable when amending the section to provide that notification of the case to the Board should be required within a much shorter period than one year—if, indeed, it should not be required at the outset of the detention; so that notification should be necessary, not only when there is "compulsory confinement" or "restraint or coercion of any kind," but altogether apart from such conditions; and so that the Board should be able to intervene if there is any ground for believing that the patient is neglected or cruelly treated.

Protection of female patients in institutions for the mentally defective.

See Summary of certain points, etc. Vol. III., p. 328c.

Recommendation XLII.

1017. The question as to the protection of female patients in asylums from sexual abuse is summed up in the Statement of the General Board of Lunacy:—"Recent cases have shown that sexual intercourse between an attendant or other person in or near an asylum, whether an employee of the asylum or not, is not under certain circumstances legally regarded as 'abuse' in the sense of Section 99 of the Act of 1857. On the other hand, the provisions of Section 5, Subsection (2) of the Criminal Law Amendment Act, 1885, have been found inapplicable, because the patient, though insane, was not a congenital 'imbecile or idiot' in terms of that Act." The General Board of Lunacy suggest an amendment of the Lunacy Acts so as to provide for the protection of female patients from sexual abuse by anyone knowing the patient to be such. We think that the amendment suggested should extend to all institutions and places in which mentally defective women are maintained.

Removal from the Poor Roll.

1018. In regard to the present law affecting parish councils, it has been pointed out to us in evidence, on behalf of the General Board of Lunacy, that the order of the Board for the removal of a lunatic to an institution is sometimes evaded by the removal of the lunatic from the poor roll.

Graham's Poor Law and Parish Councils Acts, 1897, p. 151. Spence, Vol. III. p. 12, c. 1, and p. 18.

Under Sec. 30 of the Poor Law (Scotland) Act of 1845 the parish council hold at least two meetings in every year at which they revise and adjust the roll of paupers and their allowances. Generally speaking, "Any person disabled from working either by age or by mental or bodily infirmity, and widows or deserted wives who are burthened with infant children, and children under fourteen, are entitled to relief from the parish, who will have recourse against any relatives who may be liable in law to support the applicants." Parochial relief granted to a pauper lunatic results in the name of the lunatic being placed on the roll and on the name being registered in the register of the General Board of Lunacy. If the recipient of relief were a lunatic living in his own family this would hold good equally. In such cases it may be reported to the Board that the lunatic—as for instance, a female of child-bearing age living with her own relations—is insufficiently protected or is cared for in a manner which does not meet with the approval of the Board's officials. The Board would then remonstrate, and if their remonstrances were ineffectual, they would order the removal of the lunatic to an institution. If the relatives object to this they can evade the order by removing the patient from the poor roll. All that it is necessary for them to do with that object is to apply to the parish council and to undertake full responsibility for the maintenance and care of the patient; and the parish council will then grant them a minute for the removal of the patient's name from the roll. The whole purpose of the Board is thus frustrated, with, sometimes, very bad results indeed. We would advise (1) that the parish council be not entitled to remove the name of a lunatic from the roll without notifying the case to the General Board of Lunacy beforehand, so that the Board may be able to intervene, if they so desire; and (2) that the Board in cases of neglect or insufficient care have power to remove the patient to an institution on an order from the sheriff to that effect.

See Forms Vol. III. p. 283, *et seq.*

The definition of a "house" in the Scottish Lunacy Acts.

Lunacy (Scotland) Act, 1857, sec. 3.

Spence, Vol. III., p. 11, c. 2.

1019. Another question turns on a definition. It, like other points which we have raised, confirms us in our view of the necessity of remodelling the Scottish Lunacy Acts. In Section 3 of the Lunacy (Scotland) Act 1857 the word "house" is defined as "any house in which a single lunatic is kept under an order of the sheriff." But the procedure of petition to a sheriff for the committal of a patient to a house has fallen into disuse. By Section 14 of the Lunacy (Scotland) Act 1866 a person may be detained in a "private house" as a lunatic, with the sanction of the General Lunacy Board, as well as by the order of the sheriff. Hence in these cases the former procedure, which is both simpler and more economical, has come to be the only method in force. But not only is this the case. There is no other definition of the word "house" in the Acts. Thus an important provision made in Section 99 of the Act of 1857, so far as it refers to houses is practically nullified. By that provision "if any superintendent, inspector, officer or servant or other person employed in any public, private or district asylum or *house in the terms of this Act* or otherwise, having the care of any person detained as a lunatic patient under this Act, shall wilfully maltreat, abuse or neglect any person so detained to the injury of such person . . . he is liable to punishment." But the word "house" bears here the formal interpretation of the Act of 1857, now altogether out of date; and it does not apply to the numerous private dwellings in which, not by order of the sheriff, but by the sanction of the Board, so many patients in Scotland are now boarded out.

Lunacy (Scotland) Act, 1857, sec. 99.

Recommendation XLIII.

We recommend accordingly: That the definition of the word "house" in Section 3 of the Lunacy (Scotland) Act of 1857 be repealed, and that in the proposed amending Act the following definition be substituted for it; namely, "the word 'house' shall mean a private dwelling, whether it be specially licensed or not."

Settlement.

Lunacy (Scotland) Act, 1857, sec. 75.

1020. In regard to settlement, by Sec. 75 of the Scottish Lunacy Act of 1857, "The residence of any pauper lunatic in any district asylum shall be deemed to be the residence of such lunatic in the parish legally chargeable with the maintenance of such lunatic." We think that this rule should be extended and should apply to the residence of all mentally defective persons in any institution, hospital, establishment, or home licensed for the accommodation, maintenance, care, treatment, education, training or control of any of the classes of mentally defective persons.

Recommendation XV.

Franchise.
Motion, Vol. III., p. 52, c. 1. 21846-21850.
Spence, Vol. III. p. 14, c. 2.
Local Government (Scotland) Act, 1894. Secs. 10 (1), 23 (2), and 27 (1); and Burgh Police Act, 1892, Sec. 31.

1021. Mr. Motion, Inspector of Poor, Glasgow, states that "Every case of lunacy taken over by the parish council pauperises the sufferer except in the case of a dependant wife or child." The right to the franchise in Scotland depends on the payment of rates. In the case of a dependant wife or child this question cannot arise; the head of the family pays the rates. Therefore if he becomes a recipient of poor relief, thus ceasing to be an independent ratepayer, he loses the franchise; but if his wife or child receive relief, he does not lose the franchise. In Scotland, therefore, no special provision for preventing the loss of the franchise, local or parliamentary, in the case of a ratepayer whose mentally defective dependant receives relief is necessary.

VI. Epileptics.

Establishment of epileptic colony homes.
Clouston, Vol. III. p. 200, c. 2.

Ireland, Vol. III. p. 194. c. 1., 23998.
Thomson, Vol. III. 24410.
Motion, Vol. III., 21825, 21826, Vol. III., 21691.
Henderson, Vol. III. 23613, 23614.

1022. There are no sufficient statistics of sane epileptics in Scotland. Dr. Clouston states that "51 per cent. of all epilepsy comes on before fourteen years of age and 95 per cent. before twenty-five. This shows its definite relationship to the developmental period of the brain." Dr. Ireland considers that half the epileptics are sane—a rather optimistic estimate. He suggests a total of the number of epileptics, but it is evidently based on an insufficient count. As in some of the unions in England (*see* Chapter XLII.), so proposals have been submitted to "the general committee of the parishes of Edinburgh, Glasgow and Govan in connection with the erection of suitable homes for epileptics throughout the country." These homes would be for pauper epileptics only, and would take over the epileptics who are now in the poorhouses, which it is admitted are quite unsuitable for them.

Preamble (1). Recommendation XXXVII.

1023. Suitable provision for epileptics is entirely wanting. We think that colony homes should be established for them apart from the Poor Law, and that the homes should be provided for mentally defective epileptics by groups of district boards according to generally ascertained requirements. As regards epileptics not mentally defective, for whom it is thought the demand for provision would be small, we have recommended that the local authority should be authorised to consider and deal with these cases and to provide for their accommodation and maintenance, care, treatment, education, training and control, and with regard to them should have the powers referred to in Recommendations VIII–XVI (inclusive), and in Recommendations XXV–XXXVI (inclusive), so far as may be necessary.

VII.—Glasgow and the Mentally Defective.

The Medical Investigators' Reports as to Glasgow.

Vol. VI., p. 369.

1024. Glasgow in its arrangements for the care of mentally defective persons stands apart from the rest of Scotland, and we have thought it well to consider and report upon it separately. In Glasgow, too, but not in other parts of Scotland, has a medical investigation been made in regard to the number and distribution of mentally defective persons there resident. To this inquiry we will now turn. At Glasgow it was not undertaken, as elsewhere, by a single medical investigator appointed specially for the purpose, but by Dr. Chalmers, the Medical Officer of the City of Glasgow, Dr. Oswald, the Physician Superintendent of the Royal Asylum at Glasgow, and Dr. Carswell, the Certifying Physician in Lunacy for the Glasgow Parish Council and Examiner of Defective Children for the Glasgow School Board, assisted by a corps of eight medical men, "all of them practitioners of standing and some of them having had earlier experience in co-ordinated inquiry." It was thus made practically by the officers of the local authorities with other local assistance.

The area of the medical investigation.
Vol. VI. p. 369, and Tables pp. 69, 73, 55.

1025. The area selected for the investigation was purely urban. It corresponded with the area of the Glasgow School Board, and of the municipality prior to the extension of the boundaries in 1891. The population within it was 623,829 according to the Census of 1901; and the general result of the investigation was to find that in this population 1,614 persons, or ·26 per

cent., fell under some one or other of the mentally-defective classes in the schedule of inquiry. This is a very remarkable result. The figure is considerably less than the number in any of the large towns in England or Ireland, except Hull with Sculcoates, and Cork. The percentages elsewhere run from ·42 (Belfast), ·45 (Manchester), ·50 (Stoke-upon-Trent), ·55 (Birmingham), up to ·84 (Dublin). In Cork the percentage is ·27, and in Hull and Sculcoates it is returned at ·20.

The area of medical investigation—*contd.* Vol. VI., p. 369, and Tables pp. 69, 73, 55.

(1) Poor Law Institutions.

1026. In Glasgow, then, we are dealing with a city which, judged by other standards, is singularly free from mental defectiveness.

To the several groups in the schedule of investigations we will refer in turn. First then, in reference to the Poor Law :—

Poor Law institutions and outdoor relief.

Mr. Motion, the inspector of poor to the parish of Glasgow, stated that in that parish on May 15th, 1906, the number of paupers relieved was 11,418 with 5,258 dependants. Of these there were in poorhouses 3,642 paupers with 282 dependants, while the lunatic poor "in asylums and institutions for imbeciles" was 1,709, together with 438 in private dwellings. Thus of the total paupers in the parish, including dependants, 2,147, or 13 per cent., were certified under the Lunacy Acts. At the time of the medical investigation it was ascertained that (apart from the certified insane or imbeciles) of 4,031 inmates in the institutions of the Glasgow parish, 399 were mentally defective or epileptic, representing a ratio of 9·9 per cent.*

Twelfth Report of the Local Government Board for 1906, pp. 340, 341.

If we may judge by the figures of other cities, these figures represent approximately the number that one might fairly expect to find in an urban poorhouse and poorhouse hospital, though local conditions and habits in particular towns sometimes affect numerical results very greatly.

Vol IV., p. 59, col 16, and Table IV., p. 69, col. 16.

Mr. Motion stated that the position of the inspector of poor in reference to the care of the mentally defective was as follows :—

"The inspector of poor is the administrative officer of the parish council; while the parish council is the only local authority responsible for mentally defective persons, whether children or adults, and whether the defect is congenital or acquired. The inspector is responsible for finding accommodation for all such cases, and this may be done in either of four ways :—(1) By committal to the lunatic asylum; (2) to lunatic wards of poorhouses; (3) by boarding-out in private dwellings in the country, and (4) in imbecile institutions. In Scotland, the parish takes up and deals with all persons requiring relief either from poverty, destitution, illness, or insanity; under which latter head we include imbeciles, idiots, and feeble-minded persons, where their parents or guardians are unable to continue to take care of them, or provide for them in a proper manner.

Motion, Vol. III., pp. 51 and 52.

"While certified lunatics cannot be admitted to ordinary poorhouses the parish of Glasgow is peculiar in having had for several years, at Barnhill Poorhouse, observation wards to which doubtful cases of insanity and cases of *delirium tremens* could be sent for a limited period. This experiment was so satisfactory that, on the erection of our eastern district hospital, a separate block to accommodate fifty patients was provided entirely for mental cases of a similar description. These wards, opened in June, 1904, have been of the greatest service in preventing cases being sent to the asylums.

"The parish medical officers, including our certifying physician in lunacy, determine whether each applicant is lunatic or not, and, according to their certificates, each case is afterwards classified for our different institutions if indoor relief is required. Every case of lunacy taken over by the parish council pauperises the sufferer, except in the case of a dependant wife or child."

1027. Mr. Henderson, the Governor of the Barnhill Poorhouse at Glasgow, in which, it is clear, a very low class of population is received, furnished us with some evidence in regard to the indoor poor at Barnhill, which supplements the above figures in some measure. He submitted tables showing that of 5,588 males admitted in the ordinary wards of the poorhouse in 1905, 4,444 or 79·5 per cent. came from the "models," and only 1,144 or 20·5 from private houses; that 5,334 or 95·5 per cent. drink, and that only 254 or 4·5 per cent. do not drink,

Henderson, Vol. III., p. 168, c.l.

* This figure, it will be understood, excludes 113 children and adults in the Govan Combination Poorhouse of Merryflats and sixty-six children in Larbert Institution. It refers, therefore, not to the Poor Law institutions in the whole area selected for investigation, but to those which are in part of that area only, namely, in the Parish of Glasgow (Vol. VI., p. 375).

Poor Law institutions and outdoor relief—*contd.*

and that 51·1 had been in prison. These figures indicate that the persons admitted to the poorhouse are to a large extent of the lowest grade in the city. Further, in February, 1906, there were in the poorhouse 104 men and 113 women who were, in Mr. Henderson's opinion, feeble-minded or epileptic. They were "persons who certainly were giving indications of weakness of mind," but the medical officer to whom the list was submitted said "that not half a dozen of them could be certified," though he agreed that they were feeble-minded; and "probably," Mr. Henderson stated, "there were a great many more in the house." The number of paupers in the poorhouse on the night of March 31st was 2,047: males, 1,264; females, 783; and the 217 feeble-minded and epileptic persons counted among the inmates in February give 10 per cent. as the number of feeble-minded in the poorhouse population, a figure almost the same as that of the medical investigators.

Henderson, Vol. III., p. 169.

Henderson, Vol. III., p. 171.

Henderson, Vol. III., 23555, 23627-23629.

Henderson, Vol. III., p. 171.

Henderson, Vol. III. 23623, 23626, 23598.

Vol. VI., p. 376.

Of all the mentally defective who are receiving indoor relief in the city poorhouses the Glasgow investigators report most satisfactorily: "The mentally defective," they state, "receive adequate accommodation and care, and where structural arrangements render it possible they are segregated or distributed throughout the wards as seems most desirable, and they are quite under control.'

Mentally defective children.

Motion, Vol. III., 21736, 21741, 21744.

1028. Of the children who are insane, idiot or feeble-minded, the Glasgow Parish Council sends to the home at Larbert sixty-eight, and to that at Baldovan nineteen cases, while thirty-two are sent to the children's asylum connected with the asylum at Woodilee. Accommodation for 250 defective children was required, Mr. Motion considered, in an institution, not in an asylum.

Vol. VI., p. 380.

Of these, too, the Glasgow investigators report most satisfactorily: "The children," they say, "receive such ordinary elementary education and industrial training as they are fitted for. They are well cared for and are completely under control; the management successfully directs considerable attention to providing the condition of a happy life for these children."

Vol. VI., p. 380.

Of the boarded-out children it was not possible to make investigation. The clerk of the parish council stated, however, that the number of mentally defective among them was small.

Mentally defective persons in receipt of outdoor relief.

1029. In regard to persons in receipt of outdoor relief, a list of persons who might be considered mentally defective was obtained from the Poor Law authorities, and these were examined at their houses. The report of the Glasgow investigators in regard to the cases they noted as defective, twenty-one in all, is not so entirely satisfactory: "They (these cases) range from the imbecile who can do nothing to the sane epileptic who cannot get enough employment owing to the recurrence of his malady. The feeble-minded form half of this group. Some of them do light work, others only loaf. The one of unsound mind is a sailor and lies in bed all day. He is suspicious and has delusions, so that his wife is much afraid of him. He should be in an asylum. One of the feeble-minded women is the mother of an imbecile on the list."

Vol. VI., p. 380.

"Ins and-Outs."

Henderson, Vol. III., p. 169.

1030. In the course of the evidence the Glasgow witnesses drew our attention specially to the "ins-and-outs." Of 6,538 men, 3,318 women, and 192 children, 993 were admitted three times during the year 1905, 512 four times, 290 five times, 164 six times, and so forth; and it was alleged that the bulk of these "ins-and-outs" were mentally defective persons who could not be certified as "lunatics" and should be detained compulsorily in poorhouses or labour colonies. The following are one or two cases of this kind which are cited as typical:—

Motion, Vol. III., p. 53, c. 2.

Motion, Vol. III., 21706.

"Record 4–53–106. J. M., 69, painter, nineteen re-applications of which twelve were from 5, Paul Street, where wife and family resided; and seven from Glasgow Cross 'Houseless.' Certified seven times lumbago, catarrh four; rheumatic pains, two; able-bodied, six. Applied first in 1879, and since then has made 202 reapplications, and wife twenty-four. He has been a few times in asylum and prison.

Motion, Vol. III., p. 52, cols. 2.

"Record 3–70–239. W. M., 45, labourer, single, fourteen reapplications; from Drygate Model, four; Night Asylum, four; Portugal Street, one; McAlpine Street Model, one; and four times 'Houseless.' Certified catarrh, four; rheumatics, three; diarrhœa, two; and able bodied, five; applied first in October, 1884, and has made 135 reapplications up till May 15th, 1905.

"Record B4–318. J. M., 45, weaver, single, thirteen reapplications; twice from Salvation Army Home; once each from Cumbernauld, Campsie, Kirkintilloch, and Kilmarnock; twice from Duke Street Prison; and five times 'Houseless.' Certified alcoholism, four; debility, four; footsore, two; bronchitis, three; applied first in September, 1885, and up till May 15th, 1905, she has been considerably over two hundred times chargeable in poorhouse and has been over eighty times in prison for drunkenness and immorality. She has also been in the asylum." "Ins-and-Outs." Motion, Vol. III., p. 52, c. 2.

Unfortunately on this question the report of the investigators throws no light.

1031. Taking these classes in turn—the mentally defective in the poorhouses, the mentally defective children, and the "ins-and-outs," we are of opinion that for the mentally defective who form a considerable part of the population of the poorhouses, provision other than that now available should be made. We do not think that the accommodation provided at Stobhill or Barnhill is suitable as a permanent abode for mentally defective persons generally. Better and more suitable provision could, we think, be made as economically elsewhere. Of the mentally defective who are not "insane," about half (seventy-two) are in the Poor Law hospital at Stobhill, and the other half (seventy-six) at the Barnhill Poorhouse. The maintenance of inmates per head per week in an urban poorhouse is stated to be 5s. 3¼d., and in a large hospital such as Stobhill, 10s. 9½d. The charge for maintenance in a colony where there was no large expenditure on an educational staff should for some classes of the mentally defective not exceed 6s. 4d. per week, the sum now payable by the Glasgow Parish Council for children sent to the Home attached for uneducable children to the asylum at Woodilee. The outlay on the land and buildings also would be much lower than £340 a bed, the sum paid for the Woodilee Home; it should not, we think, exceed or much exceed, £100 per bed. The mentally defective in poorhouses. Motion, Vol. III., 21752, 21755–6, 21681, 21684. Motion Vol. III., 21678.

1032. Next, in regard to the mentally defective children; for these we think that provision should be made outside the poorhouses. Mentally defective children in poorhouses. John Macpherson, Vol. III. p. 30, c. 2.

1033. Lastly, in regard to the "ins-and-outs" who are mentally defective: these, it is clear, belong to the lowest classes of the population. They represent, indeed, in connection with the poorhouses the problem which the "short-sentence" offenders represent in connection with the prisons. Probably they are, in fact, to a large extent, members of the same class who find themselves sometimes in poorhouses, sometimes in prisons, and sometimes in asylums. We think that if possible these cases where there are signs of mental defect, should be examined on the first admission and suitably dealt with; and that certainly on a second or third return to the poorhouse they should be carefully examined and, subject to medical certificates and the order of the sheriff, detained in suitable "colonies" or houses, as may prove best in the particular case. For this and other purposes, possibly, some of the vacant accommodation in poorhouses could be utilised by arrangement, for while the urban poorhouses are crowded, the rural houses, as in many parts of England, have a good deal of vacant accommodation. "Out of a total billet accommodation in Scotland of somewhere about 16,000 there are 3,000 vacant beds." Later on, when records in regard to mentally-defective children are available and preventive action becomes possible, these cases would not recur, and hence probably would not form so large a part of the pauperism of the parish. Mentally defective amongst "Ins-and-Outs." Barclay, Vol. III., p. 163, c.1. Motion, Vol. III., 21765.

1034. The number of feeble-minded women in the maternity wards of poorhouses is exceptionally small. The Governor of the Barnhill Poorhouse, where there is no recognised maternity ward, reported that there were practically no feeble-minded women among those who there gave birth to illegitimate children, and the medical investigators confirm this view. In the various maternity wards of Glasgow during three months there were, they report, sixty-nine confinements, but "none of the mothers were in any way mentally abnormal." Dr. Clouston considered the statement as to the Barnhill Poorhouse "very unusual" and thought that "if other masters of poorhouses were taken to corroborate it, it would not be confirmed." But we have no supplementary evidence on the point. In the case however, of thirty-six unmarried feeble-minded women in the Poor Law institutions of Glasgow, it was ascertained that twenty-four had had no children, but twelve had had each one or more children; which appears to Maternity Wards. Henderson, Vol. III. 23630, 23635, 23639, 23645. Barclay, 23519. Vol. VI., p. 379 Clouston, Vol. III., 24214 5. Vol. VI., p. 378.

Barclay, Vol. III., 23522, 23454–23459, 23524.

support the evidence of Mr. Barclay, the General Superintendent of Poorhouses for the Local Government Board, that though fewer women now resorted to poorhouses for their confinements the class of unmarried women who did so was sufficiently large to call for some regulation. The regulation which he suggested was that "women who come in for the second time should be examined by an expert in mental disease."

(2) Mentally Defective Children.

Mentally defective children in schools.

1035. The report of the medical investigators shows that there were in attendance at the public elementary schools in 1906 at the time of inspection 88,170 children, of these 634 or 7·19 per 1,000 were found to present some degree of mental defect. The number of the estimated school population on the roll in 1906 was 114,568, and the total number of mentally defective children found in this population, including both children attending school and children at home was 724 or 6·3 per 1,000. Merely backward children were excluded from the count. "The children in attendance are drawn from the well-to-do middle classes with ample comforts at one end of the scale and from the homes of the poorest class at the other."

Vol. VI. p. 370. Cf. col. 19 of the Table, Group A. p. 59, and Table III. p. 75, col. 17, Vol. VI., p. 372.

Vol. VI., p. 372.

There are seven * special schools or classes—with 272 children on the roll and 225 in attendance. "If the degree of defect appears to amount to imbecility the case is reported by the school board to the inspector of poor who, in most cases, provides for the child by its removal to an imbecile institution. No difficulty has ever arisen between the two authorities with respect to the care of such children; and if, as occasionally though rarely happens, the parents refuse to allow an imbecile child to be taken into an imbecile institution, such lapse of care is never due to remissness on the part of either the school or parish authority."

Clarkson, Vol. III., 22037–22039.

Equally satisfactory is the investigators' report as to the schooling:—

Vol. VI., p. 373.

"It appears to the reporters that the school board of Glasgow is making adequate provision for the education of the mentally defective children of school age within their area. The results attained are satisfactory, and a moderate extension of present arrangements would seem to meet the requirements."

Of the children at home, except as to the possibility of some of the children attending the special schools or classes, the report is equally good:—

Vol. VI., p. 373.

"The idiots and the imbeciles in this list are in most instances housed at their own homes but some of them live with friends or with people who have undertaken the care of them. They are being adequately attended to so far as the circumstances of each family permit. In no case was there evidence of neglect or ill-treatment. Some of the children are unable to attend because of some associated physical disability such as paralysis, but others might be in school attendance."

Results of "Special Classes."

1036. The results of the special classes do not, however, appear to be better in Glasgow than elsewhere. No doubt the education in cleanliness and manners is of great importance, but there is, as elsewhere, a large number who will never be able to support themselves wholly or in part; as Dr. Carswell said: "I should be surprised if the number of children who passed through the special schools and ultimately become self-supporting reaches 20 per cent." Of thirty-seven children who are mentally defective and were taken off the roll 1901–1906 three were sent on to the school for imbeciles at Larbert, seven were at home unable to work; one is boarded-out, the parents being admitted to the poorhouse; one has been sent back to a Roman Catholic school; one has been imprisoned for assaulting his mother; one has died, five have been drafted into ordinary schools, and five are working. Classification in the special classes is difficult, and to meet this as far as may be possible, it is suggested that a teacher should not have more than twelve to fifteen children under her charge. Boarding schools are required; but these, it is suggested, should be placed under the Board of Lunacy. In the majority of cases the children are removed from school by their parents immediately on reaching the age of fourteen years; and it is reported that, if the children could have two years more training in an industrial school or colony they could make their own way in the world. On all hands it is agreed that after-care in some form is necessary.

Carswell, Vol. III. 21927, Cf. Chapter XV., ante.

Carswell, Vol. III., p. 63.

Monteagle, Vol. III. p. 264, c. 1 and c. 2. Clarkson, Vol. III., 22033—22034.

Monteagle, Vol. III. p. 263, c. 1 and 2.

* It appears from a letter received by the Commission from the Scotch Education Department, that on March 14th, 1908, there were eight such schools in Glasgow and three in Govan.

1037. The close alliance between the school board, as the education authority, and the parish council, as the local lunacy authority, appears to work well in Glasgow; yet it is clear that as the obligation of dealing with the various classes of mentally defective persons is more seriously and completely undertaken there must be a large extension of provision other than special schools, both for children of school age, and for young persons; and this, we think, will entail reconsideration of many arrangements. The medical investigators write:— Necessity for "after-care." Vol. VI. p. 396.

"It is suggested that further powers are required:—

(1) To enable children to be kept in special schools till sixteen years of age.

(2) To segregate where necessary in farm and handicraft colonies those obviously unfitted to become self-supporting thereafter.

It is not suggested that all those requiring teaching in special classes in school require this after-care; for there would be eliminated:—

(1) Those who had improved so greatly that home treatment might be tried.

(2) Those for whom their parents could provide suitable environment and private supervision.

(3) Those obviously so weak-minded or imbecile that nothing short of asylum or institutional treatment would be of use; those, in fact, who are non-educable.

Some, however, will still remain for whom the farm or handicraft colony appears to offer an opportunity of amelioration or betterment."

They suggest also that the present policy of the school board of Glasgow should be continued, namely, to extend their present special class accommodation so that ultimately all known mentally defective children should be accommodated therein, and this, in their opinion, with careful classification, would meet with presently existing needs. Further, they desire that:— Vol. VI. p. 397,

"There should be compulsory power to retain suitable children at school till the age of sixteen (and where possible it seems desirable that children who are subject to epilepsy should on account of the well-known mimicry of childhood be kept apart from others), and the years from fourteen to sixteen devoted to a cultivation of whatever aptitude for special occupation has been shown by the pupil." Vol. VI. p. 398.

And they report:—

"There is undoubted need of further provision for defective children after they leave school. It is believed that such should take the form of colonies—farm and handicraft—and that with them should be combined a carefully arranged boarding-out system, by which young girls would be placed on probation with suitable mistresses, and young men on farms or at other simple labour. Vol. VI. p. 398.

"Sufficient evidence has come out in this inquiry to show that every possible means should be taken to prevent the production of offspring by such defectives.

"Power should be obtained to compel the attendance by defective children in defective classes, and also to separate them in colonies, though it is believed that in many cases such power would not have to be enforced."

1038. Our view is that the number of mentally defective children who are suitable for special classes throughout the period from the age of five to sixteen is comparatively small, and that therefore there should be in the hands of the local authority ample power to deal with cases in the various ways in which intervention may seem desirable during that period. The special classes will in this way, as we have said elsewhere, become part of a general system for the care of mentally defective children, and their relation to the education supplied by the school boards will thus be greatly modified. For this reason we think it better that the local authority for the care of the mentally defective should be the advisory body in regard to the treatment of these children from the outset, in communication and co-operation with—in Scotland—the medical officer of the school board; and we recommend that the former body may, if it thinks fit, come to some such terms as are suggested in Recommendations XXIX.–XXXI., by which, while the general responsibility for the care of the children remains vested in themselves, the special schools or classes required for the children may, under contract, be provided by the school authority. From a comparatively early period of life, it is evident, the local authority will have to provide accommodation for the care, treatment and training of the children in institutions or homes, the supply and organisation of which would not conveniently devolve on the education authority. While, therefore, by arrangement or contract children suitable for special classes remained under the educational care of the school board, so long as the local authority for the care of the mentally defective thought it desirable, children for whom these classes were considered unnecessary or insufficient, would be provided for by the local authority entirely,

Necessity for one local authority to be responsible for the care, etc., of mentally defective persons.

Recommendation XXIV.

Recommendations XXIX–XXXI.

John Macpherson, Vol. III., 21361 to 21364.

Necessity for one local authority to be responsible for the care, etc., of mentally defective persons—*contd.*

if they needed institutional or other similar aid. The local authority would decide which of the various methods of care and treatment at its disposal would be most suitable for each individual case. For one case the special class might be suitable up to the age of sixteen or longer, for another it might not.

Wardship.

Vol. VI. p. 398.

1039. The necessity for after-care is, as we have said, admitted on all sides. As the medical investigators say: "Sufficient evidence has come out in this inquiry to show that every possible means should be taken to prevent the production of offspring by such defectives;" and compulsory powers are, in their opinion, necessary to enforce the attendance of defective children in defective classes and also to separate them in the colonies. To this we assent. But it appears that in order to exercise the control required for such a purpose, in not a few cases, in which the parents are altogether unsuitable for training or for taking care of their mentally defective children, some kind of wardship is indispensable. Otherwise, when the child is older and may be turned to account for gain, there would be nothing to prevent unscrupulous parents or guardians from withdrawing the child, very much to its detriment and possibly to its ruin. Some other means of protection must therefore be provided, and we recommend accordingly an extension of the curatorial system, not on the basis of the preservation of property, but on that of the safeguard of the person.

Recommendation XVI.

(3) Other Groups of Mentally Defective.

Mentally Defective Persons in Common Lodging Houses, etc., etc.

1040. A day count of sixty-three common lodging-houses, including the larger "models" and having a total bed accommodation for 9,768 persons, led to thirteen males and three females who were mentally defective being found there. The provision of common lodging-houses in Glasgow is exceptionally extensive, and consists more than elsewhere of tenements built for a rather low class of working men. The statistics in regard to these houses and tenements cannot well be compared, therefore, with those of other towns, though generally in the actual "common lodging-house" class the cases of mental defect appear to be few. The "models" contain a considerable number of persons of a low class, who find their permanent abode there, and among them it is said, are, to a large extent, the "ins-and-outs," of whom it was stated to us that very many were mentally defective. Yet according to the statistics this does not seem to be the case, and they suggest that the number of the mentally defective among the "ins-and-outs" in Glasgow has been somewhat over-estimated. In any case the small number of persons returned as mental defectives in this large population of the lowest classes is very remarkable, and shows how exceptional is the position of Glasgow. This is confirmed by two other entries in the schedule. There were at Glasgow no returns reported from "other sources"; while at Stoke-on-Trent there were seventy-eight, at Birmingham ninety-five, and at Manchester 232. Also, though there are in Scotland no special institutions for idiots apart from Larbert and the children's buildings of the Woodilee Asylum, who are paid for by the Poor Law authorities, there are no persons entered as idiots resident in lunatic asylums, as against three in Stoke, ten in Birmingham, and fifty-four in Manchester. And the number of the weak-minded in prison was comparatively low also; at Glasgow thirty-five out of 1,075 seen; of feeble-minded in Stoke thirty-three out of 169; in Birmingham forty-four out of 403; in Manchester 139 out of 1,048.

Vol. VI., p. 388.
Henderson, Vol. III. p. 169.
Motion, Vol. III., p. 53, c. 2, 21706, 21707.

Vol. VI., pp. 400. 104, 137, 173.

Vol. VI. pp. 104, 134, 173.

Vol. VI. pp. 98 & 99, 128, 166.

RECOMMENDATIONS AS TO SCOTLAND.

CHAPTER XLV.

PREAMBLE.

It has appeared to the Commissioners desirable that this short preamble should be prefixed to their Recommendations. The following are points which should be borne in mind in reference to the Recommendations as a whole:—

(1.) It is not intended that the maintenance at public expense of the mentally defective, or of epileptics not mentally defective, should be extended to those who either at their own cost or at that of their relatives or friends can be otherwise suitably and sufficiently provided for.

(2.) It is intended that all existing powers relating to "insane" persons as defined in the Court of Session Act, 1868, or to "lunatics" as defined in the Lunacy (Scotland) Act, 1862, Sec. 1., should be preserved and extended to all classes of mentally defective persons, as defined in Recommendation III.

(3.) The three methods of oversight, certification, and detention are recommended as available for the mentally defective; they will be applied subject to statutory safeguards and at the advised discretion of a responsible Committee. According to the different classes, for some oversight will suffice, for others certification, and for others certification with an order for detention. The aim of the scheme is the application of particular methods suitable for the cases of different persons, not the general adoption of any one method exclusively. We have described these methods either in this Report or in our Report as to England and Wales above.

See paragraphs 372 683–754, 763.

In conclusion we would sum up our Recommendations as to Scotland as follows:—

Recommendation I.

That the General Board of Lunacy in Scotland undertake the general protection and supervision of all mentally defective persons, and the regulation of the provision made for their accommodation and maintenance, care, treatment, education, training and control, and that it be designated the Board of Control and its members Commissioners of the Board of Control.

Central Authority for the protection and supervision of the mentally defective.

Recommendation II.

Amending Act for the care and control of the mentally defective.

That consistently with the above Recommendation and in view of the alterations in administration and procedure suggested below, the necessary changes be made in the Lunacy (Scotland) Acts, 1857, 1862 and 1866, the Criminal and Dangerous Lunatics (Scotland) Amendment Act, 1871, the Prisons (Scotland) Act, 1877, and the Lunacy District (Scotland) Act, 1887, and that such new statutory provisions as may be required for bringing the complete scheme into operation should be embodied in an amending Act for the care and control of the mentally defective.

Recommendation III.

Classes of persons supervised by the Board of Control.

That the statutory use of the word "lunatic" be discontinued; that the term "Hospital" be substituted for the word "Asylum"; and that the term "mentally defective" be defined in the proposed amending Act for the Care and Control of the Mentally Defective, as comprising the classes of mentally defective persons who are placed under the general protection and supervision of the Board of Control and are set out below:—

See paragraph 563.

(1) "Persons of unsound mind," *i.e.*, persons who require care and control owing to disorder of the mind and are consequently incapable of managing themselves or their affairs, and are not included in Classes (2), (3), (4), (5), (6), (7), (8), and (9), below.

(2) "Persons mentally infirm," *i.e.*, persons who, through mental infirmity, arising from age or from the decay of their faculties, are incapable of managing themselves or their affairs.

(3) "Idiots," *i.e.*, persons so deeply defective in mind from birth or from an early age that they are unable to guard themselves from common physical dangers, such as in the case of young children, would prevent their parents from leaving them alone.

(4) "Imbeciles," *i.e.*, persons who are capable of guarding themselves against common physical dangers, but who are incapable of earning their own living by reason of mental defect existing from birth or from an early age.

(5) "Feeble-minded," *i.e.*, persons who may be capable of earning a living under favourable circumstances, but are incapable from mental defect existing from birth or from an early age: (*a*) of competing on equal terms with their normal fellows; or (*b*) of managing themselves and their affairs with ordinary prudence.

(6) "Moral Imbeciles," *i.e.*, persons who from an early age display some mental defect coupled with strong vicious or criminal propensities on which punishment has little or no deterrent effect.

(7) "Epileptics," *i.e.*, persons who, being epileptics, are also mentally defective.

(8) "Inebriates," *i.e.*, persons who, being inebriates, are also mentally defective.

(9) "Deaf and Dumb" or "Blind," *i.e.*, persons who, being deaf and dumb or blind, are also mentally defective.

Recommendation IV.

See Paragraphs 1000-1004.

Form of Certificate.

That the form of the medical certificate under the Lunacy (Scotland) Acts be amended so that (1) the words "mentally defective" take the place of the words "a lunatic, or an insane person, or an idiot, or person of unsound mind"; (2) there be printed on the back of the certificate the definitions of mentally defective persons referred to in Recommendation III.; (3) that the medical person state in a note to the form within which class, in his opinion, the mentally defective person comes.

Recommendation V.

Annual Report of Board of Control.

That the Annual Report issued by the Board of Control should include particulars of methods of treatment for mental defect in Scotland and elsewhere, accounts of new results of medical science and progress in regard to the proper care and supervision of the several classes of defective persons, with the necessary statements of expenditure, plans, etc., etc., and that economy in construction and management of institutions should be a question considered and reported upon by the Board from year to year in their Annual Report.

Recommendation VI.

See Paragraphs 1014.

Powers and duties of the Board of Control.

That the Board of Control have, amongst others, the following powers and duties, viz.:—

(1) To regulate the action of the Local Authorities in the execution of their duty in dealing appropriately with mentally defective persons in accordance with Recommendation IX.

(2) To inspect the ordinary wards of all poorhouses, and to draw the attention of the local authorities to cases of mentally defective paupers who, in their opinion, should be transferred from the ordinary wards of poorhouses to suitable places, and if necessary, to order that such transfer be made.

(3) To superintend, manage, direct and regulate all institutions for the mentally defective in the same manner as provided under Section 9 of the Lunacy Act of 1857 in the case of private and district asylums.

(4) To require the submission of plans of all institutions for the mentally defective in the same manner as is now required of district asylums under Section 51 of the Lunacy Act of 1857, and to decide from their expert point of view, with such architectural assistance as may be necessary, whether they are *prima facie* suitable for the purpose intended and involve no unreasonable expenditure.

(5) To regulate the number of patients of each sex who may be admitted to any institution for the mentally defective.

Recommendation VII.

See Paragraphs 1007-1010.

Local Authority to make provision, etc., for care and control of mentally defective persons.

That under the proposed amending Act for the care and control of the mentally defective, the District Board of Lunacy to be called the District Board for the Care of Mentally Defective Persons be the Local Authority, and be required by Statute directly or by contract with other authorities or persons to make suitable and sufficient provision for the care and control of the mentally defective in their area in institutions, houses or homes, in observation or reception wards, or by "boarding-out," or in any other way of which the Board of Control shall approve.

Recommendation VIII.

Duties of Inspectors of Poor.

That the statutory duties of the Inspectors of Poor with regard to lunatics be extended to all cases of mental defect, and that the services of Inspectors of Poor be, by arrangement, placed at the disposal of the District Boards for the care of the mentally defective.

Recommendation IX.

Medical officer to be appointed by the local authority.

That subject to the approval of the Board of Control, the District Board for the care of the mentally defective appoint a specially qualified medical officer or officers to assist them in the care and control of the mentally defective in their area, on the understanding that the internal management of Institutions should remain in the hands of the Superintendents in charge of them, subject to the supervision and authority of the District Board.

Recommendation X.

Duty of Local Authority to receive requests as to provision and to report to Board of Control in case of refusal of requests.

That it shall be the duty of the local authority to supervise the execution by the Inspector of Poor of his statutory duties to mentally defective persons; to receive from parents and others requests for the provision of care and control of mentally defective persons of whom they have charge; and on the receipt of such requests it shall be the duty of the local authority, after making all necessary enquiries, to arrange for the admission of those mentally defective persons into suitable institutions or houses or into suitable private care; and in the event of the local authority failing to provide such care for any such case it shall be a duty of the local authority to report the fact that they have not acted on such request, and the reasons for not so acting, to the Board of Control.

Recommendation XI.

Discretion of Local Authority as to method of dealing with particular case.

That subject to the Regulations of the Board of Control it shall be at the discretion of the local authority to deal with mentally defective persons on whose behalf they deem that intervention on their part is necessary as they shall think best in the individual case, either registering the case only, or having it certified also, or taking steps for its certification and detention, or placing it in an institution or home or house or boarding it out under private care, or leaving it to the care of its parents or guardians with or without the appointment of a friendly visitor (Cf. Recommendation as to England and Wales, LI.), or placing it in the licensed ward of a poorhouse, or taking any other measures that seem to them desirable.

Recommendation XII.

Local Authority may, on payment, provide for non-pauper cases.

That the local authority may, subject to the regulations of the Board of Control, provide accommodation on suitable payments for mentally defective persons who might be fully and sufficiently provided for otherwise at their own charges or at the charges of their relatives or friends.

See Paragraph 1015

Recommendation XIII.

See paragraph 1011.

Exchequer grant payable to local authorities.

That substantial financial assistance be granted from the Exchequer to the local authorities for the care and maintenance of mentally defective persons and epileptics not mentally defective, on the lines suggested in Recommendation XL. to XLII. as to England and Wales.

Recommendation XIV.

See paragraph 1012.

Audit of accounts of Local Authority.

That the accounts of the local authority which makes provision for the accommodation of mentally defective persons be audited by a Government Auditor and that the specifications for tenders and contract prices be examined by the Board of Control.

Recommendation XV.

See paragraph 1020.

Time of residence in any institution for the mentally defective not to count for acquisition of settlement.

That the residence of any pauper mentally defective person in any institution, hospital, establishment, or any home licensed for the accommodation, maintenance, care, treatment, education, training or control of any of the classes of mentally defective shall be deemed to be the residence of such mentally defective person in the parish chargeable with the maintenance of such mentally defective person.

Recommendation XVI.

See paragraph 1039.

Cases under twenty-one not under suitable parental or other control, etc.

That it is desirable that in the case of persons under twenty-one years of age for whose care and control any local authority is required to make suitable and sufficient provision, and who, in its opinion, are not under suitable parental or other control, and are not receiving suitable training, or are cruelly treated, or otherwise neglected, the local authority have power to resolve that until the child reaches the age of twenty-one the rights and powers of the parent or guardian vest in the District Board, subject to such conditions and appeal as may seem necessary (Cf. Recommendations as to England and Wales, XLIX. to LI.)

Recommendation XVII.

Inquiry as to number of mentally defective persons.

That with a view to facilitate the work of the local authority in the first instance it shall be its duty in pursuance of regulations to be laid down by the Board of Control to ascertain as far as possible the number of mentally defective persons for whom it is liable to provide, either by its medical officer or by a well qualified medical man appointed for the purpose.

Recommendation XVIII.

Report as to recurrent cases of unsound mind.

That it shall be the duty of medical officers who are in charge of asylums for persons of unsound mind, receiving houses and reception wards, to report to the local authority for special consideration the cases of persons who are repeatedly certified and admitted and repeatedly discharged, or who are in such a mental condition as would be likely to occasion their relapse under the stress of life, with a view to care and control being exercised in regard to them, if desirable, in some other and more effectual manner; and in cases of doubt whether the patient should or should not be discharged there may be an appeal to the Board of Control on the question and the decision of the Board shall be final.

Recommendation XIX.

Notification of mentally defective persons.

That it be the statutory duty of the medical officers of school boards, of the parish councils, of the governors of poor-houses, the inspectors of poor, the medical officers of prisons, the police, and the managers of any reformatories for inebriates or any charitable, religious or voluntary institutions or societies, or any naval or military authorities, to notify to the Board of Control and to the local authority all cases of mental defect which come to their knowledge in the course of duty and appear to fall within Recommendation III. above, provided always that the Secretary for Scotland may, on special grounds to be stated in the Annual Report of the Board, by regulation exempt any particular authorities from the fulfilment of this duty.

Recommendation XX.

Private patients not kept for gain.

That Section 14 of the Lunacy (Scotland) Act, 1866, be extended so as to cover all cases of mentally defective persons. *See* paragraph 1016.

Note.—The Lunacy (Scotland) Act, 1866, Section 14, above referred to is as follows:—

"If any occupier or inmate of any private house shall keep or detain therein, without the order of the Sheriff or the sanction of the Board, any person as a lunatic, although not for gain, beyond the period of one year, and the malady is such as to require compulsory confinement to the house, or restraint or coercion of any kind, such occupier or inmate shall intimate the case to the Board, and shall state the reasons which render it desirable that such lunatic should remain under private care; and if the Board shall have reason to believe or suspect that any lunatic, or any person treated as a lunatic, whose case has thus been intimated to them, or of whose case no such intimation shall have been made, has been subjected to compulsory confinement to the house, or to restraint or coercion of any kind, at any time beyond a year after the commencement of the malady, or has been subjected to harsh and cruel treatment, it shall be lawful for the Board, with consent of one of Her Majesty's principal Secretaries of State, or of Her Majesty's Advocate for Scotland, to authorise and empower any one or more of the members thereof to visit and inspect such lunatic or person detained as a lunatic, and to make such inquiry respecting his treatment as to such member or members may seem fit; and if on such inquiry it shall appear that such person is a lunatic, and has been so for a space exceeding a year, and that compulsory confinement to the house, or restraint or coercion of any kind has been resorted to, or that he has been subjected to harsh and cruel treatment, and that the circumstances are such as to render the removal of such lunatic to an asylum necessary or expedient, it shall be lawful for the Board to apply to the Sheriff, under a procedure similar to that followed in the cases of dangerous lunatics, and the Sheriff, on being satisfied that the person is lunatic, and has been so for more than a year, and is subjected to compulsory confinement, or to restraint or coercion of any kind, or to harsh and cruel treatment, shall issue his order for the transmission of the lunatic to an asylum, and his detention therein until such time as the Board shall sanction his discharge; and the Sheriff shall grant decree for the expenses of the inquiry and procedure, and also for the maintenance of the lunatic in the asylum, against the parties legally liable for the maintenance of such lunatic."

Recommendation XXI.

Transfer from one institution to another, or to private care, or *vice versa*.

That in the case of mentally defective persons dealt with by the local authority no transfer, except as mentioned in the proviso below, shall take place from one institution or home to another or from an institution or home to private care or *vice versâ* without the authority of the local authority and subject to their approval as to the selection of the institution or private care to which the mentally defective person is to be transferred, and the Board of Control shall make such regulations as may appear to them necessary in relation to the several classes of cases for reports of transfers being made to them, and for the granting or withholding of their consent, provided always that the Board of Control may order the transfer of any particular case where it appears to the Board that such transfer is desirable. *See* paragraph 978.

Recommendation XXII.

Medical Officer, honorary or paid, for every institution.

That every institution or home for the care of the mentally defective shall be licensed, and every licensed institution for the care of the mentally defective shall through its committee of management appoint an honorary or paid medical officer as a condition of its licence, who shall give such attendance as may be directed by the Board of Control.

Recommendation XXIII.

That the Education of Defective Children (Scotland Act), 1906, be amended so that the provisions of that Act shall no longer apply to mentally defective children or to epileptic children so afflicted by severe epilepsy as to be unfit to attend ordinary public elementary schools.

Amendment of Education of Defective Children (Scotland) Act, 1906.

Recommendation XXIV.

See paragraph 1038.

That the local authority be under statutory obligation to provide for the manual and industrial and other training of all mentally defective children who come under Classes (3) to (9) inclusive, in Recommendation III., except such children who have not otherwise been properly and suitably provided for.

The local authority to be responsible for education of mentally defective children.

Recommendation XXV.

That the School Boards place at the disposal of the medical officer of the local authority the register and roll of children who are of age to attend school, and notify to him any cases of children of that age who are thought to be mentally defective, as defined in Recommendation III., and that the medical officer of the local authority, after consultation with the medical officer of the School Board, report all such cases to the local authority with a view to action being taken.

School Board to submit attendance register of children and notify mental defectives to medical officer of local authority.

Recommendation XXVI.

That the local authority, in making their arrangements under the above Recommendation, shall provide facilities for enabling any parent who is of opinion that his child ought to be dealt with under the proposed new Act to present such child to the medical officer of the local authority to be examined, although he may not have been required so to do by the local authority, and any local authority failing to provide such facilities shall be deemed to have acted in contravention of the proposed new Act.

Examination of alleged mentally defective child by medical officer of local authority.

Recommendation XXVII.

That the medical officer of the local authority, if he is of opinion that any such child is mentally defective as defined in Recommendation III., shall report to the local authority to that effect.

Report of medical officer of the local authority.

Recommendation XXVIII.

That it shall be the duty of the parent of any child who may be required by the medical officer of the local authority to attend for the purpose of examination, to cause such child to attend with that object, and any parent who fails to comply with such requirement shall be liable, on summary conviction in a Sheriff Court, to a fine not exceeding five pounds, or in default of payment to imprisonment not exceeding sixty days.

Duty of parent to cause child to attend medical examination.

Recommendation XXIX.

School Board to be under statutory obligation to contract with the local authority as to existing special schools or classes.

That where a School Board has made provision for the education of mentally defective children by special classes in public elementary schools or by boarding-out or by establishing schools:— *See* paragraph 1038.

(1) The classes or schools or the arrangements for boarding-out children shall pass under the control of the Board of Control and shall not remain under the control of the Education Department.

(2) The school authority shall be under statutory obligation in the case of special schools or classes previously certified by the Education Department to contract with the local authority for the education of such mentally defective children as the local authority may deem it advisable to educate in that manner.

(3) The school authority shall be under statutory obligation in the case of mentally defective children boarded-out subject to the regulation of the Education Department, to transfer to the local authority any contracts that they may have entered into in regard to such children.

(4) The school authority shall be under statutory obligation in the case of schools established for mentally defective children and previously certified by the Education Department, if the local authority so desire, to transfer such schools to the local authority at a price to be agreed upon, or failing that by arbitration, or to contract with the local authority for the education of mentally defective children in these schools, and to carry on the schools in order to fulfil the terms of the contract made with them.

Recommendation XXX.

The local authority to pay for children admitted as mentally defective in special schools or classes already established.

That in regard to special schools or classes now in existence under the Education of Defective Children (Scotland) Act, 1906, the children admitted to these classes as mentally defective be paid for by the local authority.

Recommendation XXXI.

Establishment of new special schools or classes, institutions or homes

That subject to the approval and regulations of the Board of Control special schools or classes and institutions or homes, residential or other, necessary for the education of the mentally defective may hereafter be established either by the local authority or by the School Board at the request of the said local authority, and the local authority shall have full power to transfer children from schools or classes to institutions or homes, or *vice versa*, as in the interests of the children they think necessary, or to board out children, if necessary, near a special school or class.

Recommendation XXXII.

The local authority to pay for children kept for observation purposes in existing or future special schools or classes, institutions or homes.

That children, in regard to whom it is a matter of uncertainty whether they are mentally defective or not, may be placed on a special probationary list and retained for such period as may be considered necessary in a special class, school, institution or home for the mentally defective for purposes of observation, until it is decided whether such children should be adjudged mentally defective or merely dull and backward; and that the cost of their maintenance while in such class or school under probation be paid for by the local authority.

Recommendation XXXIII.

Periodical examination of children in special schools and classes.

That the local authority shall arrange for the frequent and periodic examination of the mentally defective children in special schools or classes, with a view to determining whether they should continue in such classes, or whether their education should be otherwise provided for.

Recommendation XXXIV.

Transfer of a child no longer mentally defective from care of the Local Authority to the care of the School Board.

That in the case of any child of school age who has been dealt with by the local authority as mentally defective, it shall be the duty of the medical officer, at any time, if the child, in his opinion, is not mentally defective, to report the case to the School Board, on whom the education of the child will from that date *ipso facto* devolve.

Recommendation XXXV.

Duty of parents to provide for education, instruction or training of mentally defective child.

That the duty of a parent under the Elementary Education Scotland Acts to provide elementary instruction for his child shall, in the case of any child coming within classes 3 to 9 of Recommendation III., include the duty to cause the child to attend a class or school, or to reside in any home or institution for the instruction or training of the mentally defective, from and up to such age as in the interest of the child may, on the report of their medical officer, seem necessary to the local authority, whether this instruction or training be provided by the School Board in contract with the local authority or by the local authority itself; and a parent shall not be excused from this duty by reason that a guide or conveyance is necessary.

Recommendation XXXVI.

Guides and conveyances for children attending special schools, etc.

That in the case of children who, in the opinion of the local authority, cannot be trained suitably except at a special school or class, the local authority shall provide guides or conveyances if, in the judgment of the local authority and its medical officer, the children without this provision would be unable to attend the school or class in question.

Recommendation XXXVII.

Epileptics not mentally defective.

See Paragraph 1023.

That the Board of Control be empowered to register, inspect, and report on all institutions or houses for the care of epileptics not provided for as mentally defective, and to regulate the same if they form part of an institution for the mentally defective, and that the local authority be authorised to consider and deal with the cases of these epileptics and to provide for their accommodation and maintenance, care, treatment, education, training and control, and with regard to these epileptics shall have the powers referred to in Recommendations VIII.—XVI. (inclusive), and in Recommendations XXV. to XXXVI. (inclusive) so far as may be necessary.

Recommendation XXXVIII.

See Paragraphs 987–988.

The Inebriates Act.

That as it appears that many mentally defective cases are at present dealt with in Scotland under the Inebriates Acts, it is desirable that those Acts be amended so far as may be necessary in order to make it clear that the local authorities shall be under the obligation of dealing with such inebriates as are mentally defective.

Recommendation XXXIX.

Mentally defective prisoners to be sent to suitable institutions.

That Section 89 of the Lunacy (Scotland) Act of 1857 be brought into regular use for dealing with cases of mentally defective persons in prison, and that it be amended so as to make it clear that the charge for the maintenance of such prisoners in institutions other than prisons shall fall on the funds of the Local Authority liable for their maintenance, unless in his discretion the Secretary for Scotland direct otherwise; and that Section 6 of the Criminal and Dangerous Lunatics Amendment Act, 1871, be retained and extended to cases of mentally defective persons.

See Paragraphs 98 986.

Recommendation XL.

Criminal mentally defective persons.

That the attention of the Secretary for Scotland be drawn to the Recommendation No. LXXXVII., made by the Commission in regard to criminally mentally defective persons in England and Wales.

See Paragraph 98

Recommendation XLI.

Extension of the Judicial Factors Act.

That the Judicial Factors Act, 1880, be extended to cover all classes of mentally defective persons as defined in Recommendation III., unless on consideration it is decided that it already applies to all these classes; that Section 81 of the Lunacy Act of 1857 be amended so as to make it effective for protecting the property of mentally defective persons, and that it be provided that, either at the request of the relatives or friends of the mentally defective person or on the failure of the relatives or friends to take action, the local authority may present a petition under the said Act, as "next friend" of the mentally defective person.

See Paragraph 101

Recommendation XLII.

Protection of female patients.

That for the better protection of mentally defective female patients the Lunacy (Scotland) Act, 1857, Section 99, and the Criminal Law Amendment Act, 1885, Section 5, Sub-section (2), be amended.

See Paragraph 101

Recommendation XLIII.

Alteration of definition of the word "house."

That the definition of the word "house" in Section 3 of the Lunacy (Scotland), Act of 1857 be repealed, and that in the proposed Amending Act the following definition be substituted for it; "the word house shall mean a private dwelling, whether it be specially licensed or not."

See Paragraph 101

SCOTLAND.
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THE ROYAL COMMISSION ON THE CARE AND CONTROL OF THE FEEBLE-MINDED.

PART XIII.

IRELAND.

CHAPTER XLVI.

Reference to the Commission.

1041. Under our original reference which included Ireland, we were empowered "to consider the existing methods of dealing with idiots and epileptics, and with imbecile, feeble-minded, or defective persons not certified under the Lunacy Laws; and in view of the hardship or danger resulting to such persons and the community from insufficient provision for their care, training, and control, to report as to the amendments in the law or other measures which should be adopted in the matter, due regard being had to the expense involved in any such proposals, and to the best means of securing economy therein."

Extended reference as to England and Wales.

1042. Our extended reference, which, however, related to England and Wales only, enabled us to enquire into the constitution, jurisdiction, and working of the Central Lunacy Authorities, and to advise whether any other system of supervising all mentally defective persons should be adopted.

General principles of our Report as to England and Wales applicable to Ireland.

1043. We are of opinion that the general principles which underlie the conclusions at which we have arrived with regard to the mentally defective classes in the rest of the United Kingdom, should be adhered to in Ireland, although there are important local differences in Ireland which would make it essential that in some matters of detail the methods of treating the problem there, should be different.

Advisability of strong Central Authority.

1044. Although we are debarred by the limitations of our original reference in relation to Ireland from definitely recommending the establishment of one Central Authority for the supervision, protection, and oversight of the accommodation and maintenance, education and training, care, treatment and control of all mentally defective persons, we would earnestly call attention to the recommendations of the Report of the Committee appointed by the Lord-Lieutenant of Ireland on Lunacy Administration (Ireland) [C. 6434] which was issued in 1891. We would suggest that the inspectors of lunatics in Ireland, together with the Lord Chancellor's Registrar in Lunacy, should form the nucleus of the Central Authority.

Recommendation VI.

Report of Committee on Lunacy Administration in Ireland, 1891. C. 6434, p. 67.

1045. The Report referred to used the term "lunatic" throughout "in a generic sense, to cover all forms of unsoundness of mind, whether congenital or acquired, including, for example, idiots and imbeciles as well as maniacs, melancholics and dements." The Committee, in fact, used this term "lunatic" as equivalent to the term "mentally defective," used by us. They made a careful and prolonged enquiry into the question of Lunacy Administration in Ireland, and arrived at the same conclusion as we have done with regard to England and Wales, as to the need of the establishment of a strong Central Authority to deal with all classes of mental defect, and our evidence shows that the general problem in Ireland is essentially the same as in England and Wales, and that the need of a strong central control is as necessary in Ireland as in England. In Ireland we only find two inspectors of lunatics with comparatively limited powers, and it is obvious that these inspectors, even though strengthened by the addition of the Lord Chancellor's Registrar in Lunacy, would need additional help if their work is to include the supervision of all classes of mentally-defective persons as suggested by us. This additional help might be secured by the appointment of inspectors from time to time as the business increased, to work under the direction of the Central Authority.

Evidence heard by Commission in Ireland.

1046. We visited Dublin and Belfast in March, 1906, and inspected numerous institutions in the localities, including the Stewart Institution for Imbeciles, etc., and heard the evidence of the chief officials of the Government Departments concerned, and of others having experience of the classes referred to in our reference.

Appointment of Irish Medical Investigators.

1047. We appointed medical investigators to make a thorough enquiry into the number of mentally defective persons and epileptics in three urban areas, viz., Dublin, Belfast, and Cork, and in one rural area, viz., Galway, in the hope that we might be able, from the results obtained in these districts, to form at least a rough estimate of the whole number of mentally defective persons and epileptics in Ireland, and the provision that it would be necessary to make for their accommodation.

Appointment of Irish Honorary Assistant Commissioners.

1048. In connection with our investigations in Ireland, the Secretary of State for the Home Department, at the request of our Chairman, and with the assent of the Lords' Commissioners of His Majesty's Treasury, on July 17th, 1906, appointed Sir George Plunkett O'Farrell, M.D., Inspector of Lunatics in Ireland and Mr. Joseph Mooney, J.P., to be Honorary Assistant Commissioners. We have had the advantage of the aid of these gentlemen in preparing our scheme as to Ireland, and they are in full accord with our proposals.*

Personal Investigation by Commissioners as to local conditions in Ireland.

1049. In September, 1906, we formed two parties, each party being accompanied by one of the Honorary Assistant Irish Commissioners, to make as close a study as time would permit of local conditions. One party travelled for three weeks through the North of Ireland, and the other for the same period through the South of Ireland. During that period, we interviewed a large number of persons who had special knowledge of the local conditions, and visited thirty-five schools, thirty-two workhouses, and ten asylums, besides prisons, reformatories, etc.

The Poor Law in Relation to Mentally Defective Persons.

Unsuitability of Poor Law Authorities as authorities to deal with mentally defective persons.

1050. In our Recommendations regarding England and Wales we have definitely recommended that there should be only one Central Authority dealing with the supervision, etc., of all classes of mentally-defective persons, and only one local authority in each area, viz., the county council or county borough council, which should be responsible for the provision of accommodation, etc., for their care and treatment, and that these duties should not be imposed on any Poor Law Authorities.

Unsuitability of Poor Law Authorities in Ireland to deal with mentally defective persons.

Vice-Regal Commission Report on Poor Law Reform, 1906. Cd. 3202. paragraph 155, p. 39.

1051. In the case of Ireland, the evidence given before us and the opinions expressed during our visit, no less than our own personal observation and that of our medical investigators, convinced us that the case for the removal of all mentally defective persons in Ireland from the care and control of the Poor Law Authorities is absolutely overwhelming. We would refer, also, to the recent Report of the Vice-Regal Commission on Poor Law Reform in Ireland issued in October, 1906, which recommended :—

> (1) That all lunatics, idiots and other cases of mental disease in Irish workhouses, should be removed therefrom; and
>
> (2) That the Auxiliary Lunatic Asylum system ought to be extended for the reception of all chronic and harmless lunatics who are now in workhouses.

Recommendations XVIII. and XXX.

With these recommendations we concur, although we are of opinion that certain patients might be allowed by the county council or county borough council, as the local authority responsible for the care and control of mentally defective persons, to remain with the guardians, temporarily at any rate. All these cases would be paid for by the local authority, and be under its supervision. A patient ought to be removed at any time if the local authority considered that the accommodation provided was no longer suitable for it.

Opinions of witnesses as to unsuitability of Workhouse Accommodation for mentally defective persons.

O'Farrell, Vol. III., 22081, p. 78, col. 1.

1052. At least seventy witnesses before the Vice-Regal Commission on Poor Law Reform in Ireland recommended that all lunatics should be transferred from workhouses to asylums, and no evidence was given in favour of a continuation of the present system. The evidence given before us was equally unanimous.

Sir George O'Farrell, Inspector of Lunatics and Lunatic Asylums in Ireland, says the condition of the idiots and imbeciles in workhouses is, with few exceptions, deplorable. He gives the following striking instances of the benefits

* *See* Memorandum, p. 472, *post.*

resulting from the removal of certain individual cases from the workhouse to one of the large district asylums, an institution which, though far preferable to a workhouse, is unnecessarily expensive and by no means well adapted for the detention and treatment of many of these cases.

Opinions of witnesses as to unsuitability of workhouse accommodation for mentally defective persons – *contd.*

"*A.McD.* (imbecile); age 25. Admitted 1–2–1898, in a strait jacket. Duration of attack three weeks. Medical certificate states that she refused to take her food, threatened to strike, stripped off her clothes, beat the attendants and other patients.

"1–2–98. Dull, stupid, disinclined to talk, looks about in a vacant way, takes food fairly well. O'Farrell Vol. III., p. 78, c. 1.

"3–2–98. Takes food well, not speaking or answering questions.

"4–2–98. To-day employed at needlework, and taking food well (three days after admission).

"1906. The patient works well. Is a happy, restless person with no impulsive symptoms whatever."

"*A. McA.* (imbecile); age, 22. Admitted 5–7–1898 in a strait jacket. Duration of attack one week. Medical certificate states—strikes attendants, spits at attendants, tears her clothing, and screams. Uses filthy language. Refuses to wear her clothing, and strikes other patients.

"6–7–1898. As patient was brought here in a strait jacket, one must naturally conclude that she has recently been excited and violent. Since admission here, however, she has been fairly quiet. She sits by herself, occasionally she starts laughing very loudly; when questioned she makes long rambling statements having no obvious relation to the questions asked.

"1906. The patient has never caused any trouble since admission, with the exception of attacks of bad temper; she works, is quiet and happy. Very fond of reading. Her sister is also a patient here."

"*M.P.* (idiot); age, 20. Admitted 25–1–1901. Duration of attack two days. Medical certificate states singing and throwing stones around her. Shouting a good deal. Talks nonsense. Tried to strike other patients. Nurse reports her noisy, singing, clapping her hands, struck at attendants.

"1906. The patient, since admission, has always been a quiet little person, who dresses herself well; clean in habits, so much so that she looks after the cleanliness of other patients, taking them to the lavatory when she thinks it necessary. She feeds other helpless patients with a spoon. Never struck any one. Never noisy, and yet can't utter any distinctly formed words other than 'Belfast,' 'Baby,' 'Yes' and 'No.'"

"*L.C.* (idiot); age, 5. Admitted 28–8–1902. Duration of insanity, three months. Medical certificate states patient is continually muttering and singing. Is very noisy and filthy in her habits, attempting to bite the attendants. Spits continually. Speaks only incoherently. Nurse states that patient has repeatedly bitten other patients. Is very filthy in her habits. Is violent and cannot be controlled.

"1906. This patient is a happy and cheerful child, who runs about laughing everywhere. Cannot speak at all, further than 'Tommy,' and 'Money.' Is not clean in habits, but has never attempted to bite anyone or ever caused the slightest trouble."

Sir George O'Farrell goes on to say that the Poor Law should not be allowed to deal with mentally defective persons, but that it would be better to bring them all under one system of control and administration. O'Farrell, Vol. III., 22096.

Mr. Edmund Bourke, General Inspector of the Local Government Board in Ireland, says that it is only too obvious to anyone who has had an opportunity of inspecting them that Irish workhouses, under existing management, are most unsuitable places for the accommodation of persons of unsound mind, and that the condition of the latter at present housed in these establishments is in many instances disgraceful. Mr. Bourke considers, however, that healthy, able-bodied people who are feeble-minded, but able to work, might be left in the workhouse, being probably just as happy there as they would be anywhere else, and possibly the quieter senile dements; but that children should be taken away in every case. Bourke, Vol. III., 22319, p. 90, col. 2. Bourke, Vol. III., 22354-6.

It will be remembered that, in the case of England and Wales, we have recommended that the local authority for the care and control of mentally defective persons should have power to contract with other authorities and persons for the reception of suitable cases, and this power, which we also recommend to be given in Ireland, would no doubt be resorted to in order to meet such cases as Mr. Bourke suggests, but the question of the suitability of the case to be so dealt with in the first instance, the adequacy of the accommodation to be provided, and the advisability of the continuance of so dealing with the particular case would be one for the judgment of the local authority for the care and control of the mentally defective. Recommendation as to England and Wales, XLII. Recommendation as to Ireland, XXX.

Mr. Bourke points out that, in his view, all mentally defective persons should be put under the care and control of the county council, as the local authority, and under the Inspectors of Lunatics, as the central authority, excluding the Local Government Board from any responsibility as to their care and control. Bourke, Vol. III., 22444-7.

Opinions of witnesses as to unsuitability of workhouse accommodation for mentally defective persons —*contd.*

Sir Christopher Nixon, Bart., M.D., Ex-President of the Royal College of Physicians in Ireland, says :—

Nixon, Vol. III, 22555, p. 103, col. 2.

"No doubt some reasons may be urged for a retention of a part of this class in the workhouse, such, for instance, as the usefulness of some in doing work, the harmless nature of the mental defect, the proximity to home associations, etc., etc. But, on the other hand, the association of these defectives with the sane is objectionable, and it has upon both a depressing influence; there is the danger of persons who are unable to look after themselves being neglected; there is the danger of the outbreak of violence towards their own class or to others, against which there is no provision, and there is the important question of expense, as persons of this class require special nursing and care."

Nixon, Vol. III., 22570.

Sir Christopher Nixon goes on to say that the evils of the present system constitute a crying grievance, and that anyone who goes through the workhouses of Ireland, and sees the wretched, unprotected way in which these people are dealt with, must admit that it is one of the evils which specially calls for redress.

Courtenay, Vol. III., p. 113, col. 1.

Dr. E. Maziere Courtenay, Inspector of Lunatics and Lunatic Asylums in Ireland, points out that the greater number of congenitally defective classes are to be found at present in workhouses, although there are not any legal provisions for their care there, nor any power to detain them. They are only there as paupers. Their surroundings, he says, are most unsuitable and no attempt has been made to segregate them from other demented cases, or to classify, train or instruct them, and in most cases there is no one to look after them, except, perhaps, a pauper assistant. Dr. Courtenay points out that the Reports of the Inspectors of Lunatics in Ireland contained numberless instances of particular cases in workhouses, especially of imbecile children, suffering directly from the want of proper accommodation, care and training suitable to their needs. We append a few extracts from these Reports :—

Courtenay, Vol. III., p. 113, col. 2.

"There is one very intelligent boy living on the male side who, in England or Scotland, would certainly be sent to a training school for weak-minded or epileptic children, and where, no doubt, he would be able to learn a trade, and contribute towards the cost of his maintenance. The condition of many children of this class in Irish workhouses is peculiarly lamentable—growing up, as they do, in association with adult lunatics, and without any attempt to train them in habits of industry and order."—(51*st Report*, p. 198.)

"The remaining female is an idiotic child, whose habits, no doubt, could be improved, and who could derive benefit from training in one of those idiot schools which exist nowadays in most civilised countries, but which, unfortunately, notwithstanding the hopes held out many years ago, have never been established in Ireland."—(52*nd Report*, p. 205.)

"S.A. is an imbecile, who suffers from epileptic seizures. She is kept constantly in bed, as the authorities are afraid of the danger of her being injured by fire during a seizure.

"Cases of this kind are better treated in a special institution, and it is recognised that confinement to bed tends to the frequency of epileptic seizures, and to the further physical and mental deterioration of such cases."

"The fourth case (M. L.) is the girl whom the guardians some time ago were anxious to transfer to the county asylum at Antrim. She is described as a congenital imbecile, but it would seem rather that her imbecility was consequent on disease of her nervous system in early life, as her mother states that she was a bright child and able to attend school up to seven years of age, when her legs became weak. She is now quite imbecile, her lower limbs are completely paralysed, and the muscles wasted and in a state of spastic rigidity. Her hands, which are also wasted, were enclosed in sewn-up sleeves, as the medical officer states that if her hands were left free she would

p. 114, col. 1.

pick the quilt, and put the frayed portions into her mouth. She is described as sleeping badly, and as having frequent screaming fits during the night, thus disturbing the other inmates of the infirmary ward. There were nits in her hair."—(54*th Report*, p. 192.)

"One man—a degraded imbecile—was dressed in petticoats, and had his hands tied, owing to his mischievous habits. Such a case should be removed to the asylum, where he would receive proper care. He certainly cannot be properly treated here."—(54*th Report*, p. 202.)

The following extract from the 55th Report shows the unsatisfactory condition of the accommodation provided in a particular workhouse, and it is by no means an isolated instance :—

The 55th Report of the Inspectors of Lunatics (Ireland) 1906, pp. 197-198.

"The living rooms are cheerless in the extreme, the only furniture consisting of fixed benches, forms, and a few dilapidated armchairs, without any of those surroundings which are in all countries now considered essential to the contentment and well-being of the insane, such as books, pictures, and other objects of interest and amusement.

"The wretched yards afford little means of exercise. On the female side these yards are used for drying the clothing soiled during the previous night.

"The men sleeping in the dormitories upstairs are dangerously situated as regards escape in case of fire. In the event of such an outbreak, the only chance of escape is by a narrow wooden staircase. If this exit were cut off by smoke or flames, these inmates must certainly perish. The same remarks apply to the dormitories occupied by the boarders.

"No improvement appears to have been made in the service of the meals, as regards the supply of knives and forks. At least dishes might be given to hold the potatoes, instead of having them thrown in heaps on the table."—(55*th Report*, pp. 197 and 198.)

Norman, Vol. III., p. 117, c. 1.

Dr. Conolly Norman, Resident Medical Superintendent of Richmond District Lunatic Asylum, Dublin, comments on the inadequacy and unsuitability of the present system as follows :—

Opinions of witnesses as to unsuitability of workhouse accommodation for mentally defective persons — *contd.*

" In the workhouses there is no classification among these people, no attempt at education and little or no effort to improve defective habits. All these things are impossible owing to the conditions of existence. There is no staff for teaching, and a very small and insufficient staff, if any, for ordinary supervision. Old and young, low class idiots, high grade imbeciles, chronic dements, and cases of senile decay, are placed together promiscuously. The results are undoubtedly not satisfactory. The period of life when education might be possible passes away ; bad habits are confirmed and become ineradicable."

Dr. Conolly Norman then gives the following instances to illustrate what can be done under better conditions :—

Norman, Vol. III., p. 117, cols. 1 and 2.

" The condition of affairs in district asylums is better as regards general discipline, but hardly better as regards education. In large institutions receiving all classes of the insane, it is impossible to give to the education of idiots and imbeciles that minute attention, that skilled care, that laborious patience, which is required. Nevertheless we do something. Enough is done to show, even in our own experience alone, how much could be done under proper conditions. I recall at the moment four striking cases at present under care in my asylum : (1) A boy, aged fifteen, illegitimate, utterly neglected and uneducated, sufferer from birth-palsy, commonly tractable, but liable to violent fits of senseless passion. He has been taught to be tidy, he has been taught to read and write, he is able to make himself useful in the weaving shop although the movements of one arm are very limited. (2) A lad with hydrocephalic head and choreiform movements ; though clean, had apparently little other intelligence. An old patient who had been a schoolmaster took a fancy to this boy and undertook to teach him. He made him commit to memory an immense amount of miscellaneous information, and even taught him to read, though imperfectly. (3) An epileptic idiot aged about ten years on admission, at times tranquil, at times very intractable after the manner of epileptics : absolutely ignorant. Taught to read, taught to sew : usefully employed in tailor's shop. (4) A young man suffering from right infantile cerebral hemiplegia with certainly complete word-deafness and probably deafness to all sounds. Certain indications showed that the case was not merely one of idiocy by deprivation, as might indeed have been inferred from the obvious and extensive defect in the cerebral mantle. Nevertheless this man has been taught a tolerably extensive system of signs and has learned to be useful in the weaving shop, reeling thread with his only available hand. I do not speak particularly of such cases as that of a microcephalic and epileptic idiot, absolutely incapable of being taught the meaning or relation of numbers, who yet has been taught to work a sewing machine in the tailor's shop, for I suppose such cases are common enough in other asylums."

1053. We append herewith the extracts from the Report of Dr. Dawson, our Medical Investigator in Dublin, on the Lunatic and Epileptic Wards there. We have personally visited these wards and most thoroughly endorse the remarks of Dr. Dawson as to the unsatisfactory condition in which they are.

Reports of Irish Medical Investigators as to unsuitability of workhouse accommodation for mentally defective persons. Vol. VI., p. 420.

" *The Lunatic and Epileptic Wards* require fuller consideration, and those of the North and South Unions must be dealt with separately, especially as the Inspectors of Lunatics state that they constitute respectively about the worst and the best workhouse departments of their class in Ireland.

" In the *North Union Workhouse* the lunatics and sane epileptics are mixed together in the same departments. The male department, which was occupied by seventy-five insane patients and nine sane epileptics on the occasion of my investigation, consists of five wards of varying size, a day-room, and an airing-court. Three of the five wards are over-crowded, only one is properly lighted, and two of the principal ones are so gloomy as to suggest rather a second-rate stable than a dormitory, the windows being small and placed high. The larger and worse of these only allows 43 square feet floor-space and 526 feet cubic capacity for each patient, as against the 54 square feet and 648 cubic feet which has been laid down as the minimum for dormitories occupied by cases of this class. Many of the beds are boxes filled with loose straw, for ease in changing in the case of dirty patients. The high-sided bedsteads in the epileptic wards are constructed with a sharply angular iron top-rail certainly dangerous to a patient in a seizure.

" The wards are used to some extent as day-rooms, the day-room, where meals are taken, being entirely too small, and also dark, while a good deal of the floor space is occupied and the light obscured by a loom and other machinery, which, however, I understand is to be removed.*

" The airing-court, where the eighty-four patients take exercise, measures about forty-two by eleven paces, and a considerable portion is occupied by a grass-plot railed off to prevent access. It is surrounded on all sides by buildings and high walls.

" The lavatory accommodation consists of three small basins and one bath filled by hand, and used also for washing sheets. (The Protestant ward, with ten beds, has another bath sometimes available and one water-closet.) There are four self-flushing closets, in bad order and inconveniently placed. Night-chairs and buckets are used in some of the wards at night.

" The attendance consists of a trained ward-master and another paid man and some sane inmate assistants in the daytime, and one paid but untrained attendant and an inmate assistant at night. Considering the numbers and the awkward position of the wards, no effective supervision can be exercised, and it speaks well for the intelligence and care of the small staff and particularly of the ward-master that the patients are in as good order and as free from accidents as

* This room has been sometimes used at night as a dormitory for casuals.

Report of Irish Medical Investigators as to unsuitability of workhouse accommodation for mentally defective persons —*contd.*

Vol. VI., pp. 421-422.

they are. That it is not entirely due to the nature of the cases is shown by the fact that, as I am informed, assaults have occurred among the epileptics resulting in the imprisonment of some of them.

" The corresponding female department, containing 118 insane patients and ten sane epileptics, consists of six wards used both as dormitories and day-rooms, there being no proper day-room at all. They are even more over-crowded than those in the male lunatic department, not one being of sufficient size for the numbers, and are no better in other respects. The lavatory accommodation consists of a number of tin basins and two baths (the latter better equipped than in the male department), and there are eight water-closets. The attendance consists of two paid day attendants and one paid night attendant, assisted by sane inmates, and here again it must be said that the condition of the patients reflects much credit on the staff, though of course it is quite impossible for the latter to do more than attend to physical wants.

" It should be stated that the female airing-court is much larger and more cheerful than the men's, though still too small for the numbers using it.

" In the workhouse of the *South Union* matters are better, though far from entirely satisfactory. In the first place the lunatics and epileptics are placed in separate departments, the lunatics occupying certain structures of wood and of corrugated iron which were erected respectively to cope with a cholera epidemic about seventy years ago and to deal with one of small-pox ten years back.

" The *male* lunatics, sixty-six in number when visited, occupy six good wards, well lighted, ventilated and warmed, and not over-crowded ; but a ward occupied by the workers, one of whom was defective, is not so satisfactory. The day-room accommodation is fair as to space, though dark and cheerless, and crossed by dangerous roof-ties, and the meals are taken in a separate room. Lavatory accommodation is fairly sufficient and in good order. The airing-court is, however, entirely too small, measuring sixty-three paces long by nineteen wide, and largely occupied by a grass-plot.

" In the *female* lunatic department, containing 144 inmates (one a boy of six), as well as two feeble-minded ward maids, there are also six wards. Two of these are good and two passable though rather dark, but the best is quite too large for a single ward, measuring 139 feet in length. The remaining two wards are unsatisfactory, being too low (7 feet 6 inches at the sides), badly ventilated and heated, and greatly over-crowded—in fact one is the worst large ward in this respect in either workhouse, allowing only 37½ square feet floor-space and 280 cubic feet to each inmate. In addition, unprotected roof-ties cross these two wards at frequent intervals, 7 feet 6 inches from the floor, affording a series of ready-made gallows for suicidal patients. Many of the patients are confined to bed, but a large number are able to go about, and for these the only day-room (in which also meals are served) measures 59 feet long by 15 feet 8 inches wide and only 7 feet 6 inches high at the eaves, is insufficiently lighted, and rather comfortless. There is plenty of space in the two airing-courts, but shelter is insufficient, and the court for the healthy is overlooked by the houses of a neighbouring street. The lavatory accommodation consists of three baths, eight water-closets out of doors in the healthy division, and three indoors in the sick division. In the wards above commented on there is only night-chair accommodation at night. The staff on the male side consists of two paid male attendants by day and two by night, and twelve sane inmate assistants, six by day and six by night. On the female side there are two trained nurses by day and two by night, with two untrained day nurses, assisted by a number of sane inmates, and considering the numbers the condition of the patients and the wards reflects credit on the staff. Of course it is possible only to attend to the physical needs of the patient (though some are employed in useful work), and violent cases have to be mechanically restrained pending their removal to the district asylum.

" Little that is good can be said for the *sane epileptic* departments, however. The *male* department, with twenty-three patients, consists of two wards dark, cheerless, stable-like and over-crowded, and a room for meals, shared with patients suffering from syphilis and skin diseases, who have also to pass through the epileptic yard on the way to their own. There is no day-room, the patients using the bath-house in winter for that purpose. The sanitary accommodation is sufficient and in fair order. The only yard used by these patients is concreted, and measures no more than thirty-two paces long by an average breadth of about ten and a half paces, but is provided with good shelter.

" The *female* department is even worse in some respects. The forty-four patients are housed in two large wards, quite too low (7 feet 4 inches at sides), rough, ill-lighted and cheerless, and both over-crowded. There is no day-room, and meals are served in the wards. The yard is larger than the male yard, but roughly gravelled, and the walls of the bounding buildings are supported by fourteen buttresses with dangerous sharp angles. There are three closets, which are also used by forty ordinary infirm (who also share the yard)—eighty-four in all—and the same applies to the lavatory accommodation, consisting of one bath, and wooden troughs to accommodate four at a time. The epileptic wards are only part of a large infirm department containing altogether 215 inmates, and the paid staff for the whole consists of two day nurses and one night nurse, so that the epileptics are practically left to the healthy inmate ward maids, four night and four day. The condition both of wards and patients, male and female, was quite as good as could be expected."

Vol. VI., pp. 504-506.

Dr. Mills, our Medical Investigator in the rural districts of Galway, as a result of his inspection of seven workhouses coming within the area, expresses in his Report a strong opinion as to the unsuitability of the accommodation and the want of proper care and training for the mentally defective in these workhouses.

1054. Dr. Courtenay, when giving evidence in 1906, said: "At the present time there are approximately 3,230 lunatics (including idiots and imbeciles) maintained in the Irish workhouses." But these inmates are not detained under any legal authority or certificate; they are maintained merely as paupers, and, although classified as insane and kept in "imbecile" wards, there is no statutory authority for their detention. These inmates have decreased very much of late years and are, by degrees, being transferred to district asylums. We recommend that they should all come under the care and control of the local authority, which will deal with all mentally defective persons and be responsible for their maintenance. The local authority may, however, with the consent of the Central Authority, enter into a contract with the guardians to maintain such cases on behalf of the local authority where the accommodation can be made suitable and adequate for the particular cases concerned.

Statistics as to mentally defective persons in Poor Law Institutions or receiving outdoor relief. Courtenay, Vol. III., 22642, p. 110, col. 2. Recommendations XVIII. and XXX.

The following Table giving the proportion per cent. of the total number of the insane under care in different institutions in each quinquennial period since 1890 shows the gradual transfer of the insane from workhouses to asylums:—

TABLE SHOWING THE PROPORTION PER CENT. OF THE TOTAL NUMBER OF THE INSANE UNDER CARE IN DIFFERENT INSTITUTIONS, IN EACH QUINQUENNIAL PERIOD SINCE 1880. Courtenay, Vol. III., p. 110, c. 2.

Year.	Proportion per cent. of total number under care.		
	In District Asylums.	In Workhouses.	In Private Asylums, &c.
1880	67	27	6
1885	69	25	6
1890	71	24	5
1895	73	22	5
1900	77	18	5
1904	81	14	5

The following return of the numbers transferred from workhouses to district asylums each year since 1890 shows the increased percentage of workhouse cases in the admissions:—

TABLE SHOWING THE ADMISSIONS TO DISTRICT ASYLUMS DURING EACH OF THE YEARS FROM 1890 TO 1905, AND, OF THESE, THE NUMBERS ADMITTED AND RE-ADMITTED FROM WORKHOUSES. Courtenay, Vol. III. p. 111.

Year.	Total Number of admissions.	Admissions from Workhouses.			Percentage of Workhouse admissions to total admissions.
		1st admissions.	Re-admissions.	Total.	
1890	3,095	306	90	396	12·79
1891	3,010	297	84	381	12·66
1892	3,181	329	94	423	13·30
1893	3,207	349	89	438	13·66
1894	3,229	376	84	460	14·25
1895	3,216	413	75	488	15·17
1896	3,329	459	89	548	16·46
1897	3,285	435	111	546	16·62
1898	3,469	500	134	634	18·28
1899	3,549	542	125	667	18·79
1900	3,546	621	105	726	20·47
1901	3,572	602	117	719	20·13
1902	3,947	757	122	879	22·27
1903	3,950	685	125	810	20·51
1904	3,910	905	105	1,010	25·83
1905	3,772	666	93	759	20·12
Total	55,267	8,242	1,642	9,884	17 88

1055. Our medical investigators, however, found in the areas investigated 1,963 mentally defective children and adults in the Poor Law institutions in these areas, of whom they estimated no less than 1,243 "need provision." An analysis of these Reports shows that those "needing provision" comprise 225 senile dements, 426 uncertified "persons of unsound mind," 43 idiots,

See page 438 below, Group B., col. 9.

See also paragraph 1094 below.

Statistics as to mentallydefective persons in Poor Law institutions or receiving outdoor relief—*contd.*

130 imbeciles, 179 feeble-minded, 95 defective children, and 145 sane epileptics. From these returns it might be estimated that in the whole of Ireland we should expect to find about 5,975 mentally defective children and adults of the various grades of mental defect at present in Poor Law institutions, who "need provision." *See* page 44 below, Grou B., col. 3.

Our medical investigators also found fifty-six mentally defective children and adults in the areas investigated in receipt of outdoor relief, of whom they return thirty-four as "needing provision." An analysis shows that the thirty-four cases comprised two senile dements, eleven uncertified "persons of unsound mind," six idiots, seven imbeciles, one feeble-minded, and seven sane epileptics. From these returns it may be estimated that in the whole of Ireland we should expect to find about 163 mentally defective children and adults at present in receipt of outdoor relief, "needing provision." *See* page 462 below, Group C., col. 9.

See page 44 below, Grou C., col. 3.

See also paragraph 1094 below.

The Law and Procedure in Ireland relating to Certified Lunatics.

Some certified as well as uncertified cases of mental defect included in reference.

1056. We are empowered by our reference to consider the existing methods of dealing with :—

(*a*) Idiots and epileptics.

(*b*) Imbecile, feeble-minded or defective persons not certified under Lunacy Laws.

As regards Class (*a*), some are at present certified under the Irish Lunacy Laws, and others are not so certified ; those not so certified, like those in Class (*b*), are either at large or detained as paupers in workhouses, though not certified.

Proportion of idiots and epileptics detained under ordinary lunacy certificates. 56th Report Inspectors of Lunatics (Ireland) (1907), p. ix.

1057. We have dealt with those mentally defective persons who are detained in Poor Law institutions. But there are 19,306 persons confined in district asylums of whom a certain proportion are idiots or epileptics, and these idiots and epileptics clearly come under our reference. There are also a certain proportion of such cases amongst the 845 persons detained in private asylums and institutions for the insane in Ireland. Before considering the case of these mentally defective persons (other than those in Poor Law institutions already dealt with), who are not at present certified in any form, it is necessary, therefore, to consider as briefly as possible the law and procedure in Ireland as to admission of certified patients into asylums.

Institutions for "lunatics" (including certain idiots and epileptics).*

Courtenay, Vol. III., p. 110., c. 1.

1058. Lunatics are received and detained in Ireland under statutory and under medical certificates in :—

(1) District asylums.
(2) Auxiliary asylums.
(3) Licensed houses.
(4) Lunatic hospitals.
(5) Workhouses, under the 9th section of 38 & 39 Vict., c. 67.
(6) As single patients.

District Asylums. Act for the Establishment of Asylums for Lunatic Poor (Ireland), 1821, Sec. 2.

1059. District asylums, originally erected and maintained under 1 & 2 Geo. IV., c. 33, and subsequent Acts, were, on the passing of the Local Government Act of 1898, handed over to the county councils, by whom such institutions are now erected, managed, and maintained. The authority in this respect is exercised by a committee of the county council, and where the asylum is for two or more counties, by a joint committee of members from each county, fixed in proportion to the number of patients therefrom. A district asylum may be for one, or more than one county, or for a county borough and a county or counties. Under the 84th section of the Local Government Act, in each lunatic asylum there shall be a resident medical superintendent, and at least one assistant medical officer, whose salaries cannot be fixed or altered without the concurrence of the Lord-Lieutenant.

Local Government (Ireland) Act, 1898, Sec. 84.

The establishments are supported out of the county-at-large rate, and the patients therein are maintained out of the same fund, with a maximum Government contribution of 4s. per head per week, from the Local Taxation Account (as long as it can bear such contributions), save in cases where the lunatic is possessed of means for his own support, or has friends who contribute towards his maintenance. The net average cost per head, calculated on the gross expenditure, including repayments of loans, in these establishments for the year ending 31st March, 1906, amounted to £28 14s. 10d.

56th Report of Inspectors of Lunatics (Ireland), 1907, p. 33.

* There are also 162 criminal lunatics detained in the Central Criminal Asylum, Dundrum (56th Report, Inspectors of Lunatics, Ireland 1907, p. ix.]

There is no law of settlement in Ireland, and when a lunatic is sent to an asylum he becomes chargeable to the county or borough in which he was arrested or resided. No general power exists to remove a lunatic from one asylum to another.† When a lunatic is admitted to an asylum he must remain there, whether he belongs to the district or not. The local authorities complain bitterly of this in some cases—for instance, in cities or places where wandering lunatics are prone to congregate, such as large seaport towns. There is no arrangement for the transfer of patients from one asylum to another, as provided for in Sec. 65 of the English Lunacy Act, 1890. We considered that it was essential to our scheme in England and Wales to recommend that a system of settlement by counties should take the place of the settlement by unions in mentally defective cases. We think that some system of county settlement would be equally necessary in Ireland. It would no doubt be possible for the draftsman of the new Act to insert the necessary provisions to alleviate the grievance complained of as to the congregation of mentally defective persons in certain districts.

District Asylums—*contd.*

Lunacy Act, 1890. Sec. 65.

Recommendation as to England and Wales, XLVI.

Recommendation as to Ireland, XXXIV.

Under Sec. 9 (6) of the Local Government (Ireland) Act, 1898, the county council, through their Asylums Committee may—and if the Lord-Lieutenant requires, shall—make regulations for the management of their asylum, and amongst other matters, for the admission and care of private patients, and we advise the continuance of that power of making provision for paying patients.

Local Government (Ireland) Act, 1898, Sec. 9 (6).

1060. Under the 76th section of the Local Government Act of 1898, power is given to county councils to take over a workhouse or other suitable building to provide an auxiliary asylum for the reception of chronic lunatics, who, not being dangerous to themselves or to others, are certified by the medical superintendent not to require special care and treatment in a fully equipped asylum, and such auxiliary asylum may either be a separate asylum or a department of the district asylum. For the patients maintained in these establishments, only 2s. per head per week is paid out of the Local Taxation Account.

In only one case as yet have the provisions of the section been brought into operation, viz., at Youghal, where an old industrial school has been converted into an auxiliary to the Cork Asylum, for the reception of about 400 chronic and harmless insane, taken partly from the district asylum, and partly from the workhouses of the county.

Auxiliary Asylum.

Local Government (Ireland) Act, 1898, Sec. 76.

1061. Licensed houses are regulated under the provisions of 5 & 6 Vict., c. 123. Licences to keep these houses are obtained from the Justices in Quarter Session and may be revoked by the Lord Chancellor on the recommendation of the Inspectors of Lunatics. No provision is, however, made in the Act for framing regulations for the government of licensed houses, such as is made by Sec. 226 of the English Lunacy Act, 1890, nor is there any statutory provision for the reception of voluntary boarders. In our Recommendations we advise that the licensing and regulation of these houses should be entrusted to the Commission.

Licensed houses.

Private Lunatic Asylums (Ireland) Act, 1842, Secs. 3, 4 and 5.

Lunacy Act, 1890, Sec. 226.

Recommendations IX. and X.

1062. Lunatic hospitals, supported partly by private charity, and partly by endowment, are referred to in Sec. 49 of the Act 5 & 6 Vict., c. 123, but there are no statutory regulations for their management as laid down in the English Lunacy Act, Secs. 230–237. Indeed, the only section (49) dealing with them, exempts them from the provisions of the Act, except as regards visitation, inquiries, and due certification of the patients therein. In our Recommendations we advise that these lunatic hospitals should be licensed, regulated and inspected by the Commission.

Lunatic Hospitals.

Private Lunatic Asylums (Ireland) Act, 1842, Sec. 49.

Lunacy Act, 1890, Secs. 230–237.

Recommendations IX. and X.

1063. Under the provisions of 38 & 39 Vict., c. 67, Sec. 9, power is given to the managing committee of an asylum (with the consent of the Local Government Board and the Inspectors of Lunatics) to enter into a contract with the guardians of any Poor Law union for the maintenance in the union workhouse of chronic lunatics, not being dangerous, who may have been received into a district asylum. This section corresponds with Sec. 26 of the English Lunacy Act. In Ireland it has not been found to work satisfactorily, owing to the

Workhouses under Private and District Lunatic Asylums (Ireland) Act, 1875.

† Convicts are transferred from the Central Asylum, Dundrum, on expiration of sentence under 38 and 39, c. 67, Sec. 12. Transfers are also made in the following circumstances. Following the Local Government Act, 1898, many county boundaries were changed. The Irish Law officers advised that patients should be transferred from one district asylum to another if the part of the county from which they came was transferred to another county.

Lunacy Act, 1890, Sec. 26. 56th Report, Inspectors of Lunatics, Ireland, 1907, p. ix.

division of responsibility. Only four district asylums have taken advantage of the provisions of this section, viz., Antrim, Belfast, Ennis, Londonderry, and only 110 patients in all are thus maintained. [*N.B.*—These are in addition to the lunatics, idiots and imbeciles in the workhouses not under any certificate.]

Single Patients under control of the Lord Chancellor. Privtae Lunatic Asylums (Ireland) Act, 1842, Sec. 36.

1064. Single Chancery patients in unlicensed houses are under the care of the Lord Chancellor, and do not come under the supervision of the inspectors except when they are directed to visit them by the Lord Chancellor. In cases not under his Lordship's jurisdiction, where the patient is kept for profit, Sec. 36 of the Act 5 & 6 Vict., c. 123, lays down that an order and medical certificates are required, as on admission to a licensed house. Copy of such order and medical certificates must be forwarded to the Inspectors of Lunatics within three months of the date of reception of the patient (unless he or she has meanwhile returned to his or her own home), and afterwards, on 1st January of each year, two medical certificates describing the then actual state of mind of the patients must be furnished to the Inspectors.

Admission of Lunatics (including certain idiots and epileptics) into Institutions under certificates. O'Farrell, Vol. III., p. 75.

A. (*Procedure for Admission to District Asylums.*)

1065. The procedure for admission to public asylums in Ireland differs altogether from that in England, as the initiative does not rest in Ireland with the local Poor Law authorities, save as regards cases actually in union workhouses. The necessary action must be taken by a relative or friend of the lunatic, and, as this involves the payment of a fee to the certifying medical practitioner, and of the necessary cost of removal, it represents a serious bar, in the majority of cases, owing to the poverty of the parties concerned. The greater number of admissions to district asylums are effected under the 10th section of the Act 30 & 31 Vict., c. 118, called the Dangerous Lunatics Act. Under the provisions of this section, the alleged lunatic is arrested on the affidavit of a relative or of the police, and brought before two justices, and on its being proved that such person was discovered under circumstances denoting a derangement of mind, and a purpose of committing some crime for which, if committed, such person would be liable to be indicted, the justices shall call to their assistance the nearest dispensary medical officer, and if he certifies that such person is a dangerous lunatic or idiot, the justices direct his transfer to the asylum, which is carried out by the police. He is treated as a criminal as regards his removal to the asylum.

Criminal and Dangerous Lunatics Act, 1867. Sec. 10.

Under this procedure the fee of the dispensary medical officer is paid out of the local rates, and the actual conveyance of the lunatic to the asylum being carried out by the police, the relatives are relieved of all expense. The result is that this Act, which was intended only to apply to a very limited class of dangerous cases, is utilised in the great majority of cases, *e.g.*, in 1904, of 3,910 admissions no less than 2,396 were considered as "dangerous lunatics" under the Act mentioned. When we were visiting asylums in Ireland, in some instances we found children detained as "dangerous lunatics," the chief evidence of the "dangerous lunacy" being stated to be a tendency to throw stones in the streets, or similar trivial offences. These cases, no doubt, needed care and control, but it is somewhat startling to find them confined as "dangerous lunatics," being in the words of 30 & 31 Vict., c. 118, Sec. 10, "apprehended under circumstance denoting a derangement of mind and a purpose of committing some crime for which, if committed, such person would be liable to be indicted."

Criminal and Dangerous Lunatics Act, 1867, Sec. 10.

The existing accommodation for lunatics in many parts of Ireland is admittedly insufficient. The asylums authorities are compelled by law to receive patients committed under the Dangerous Lunatics Act, and, being overcrowded with these cases, often make this an excuse for refusing cases certified under the ordinary Lunacy Form. The cases certified under the ordinary Lunacy Form are therefore often not dealt with by the authorities, but are allowed to drag on their existence in circumstances of great neglect. We are convinced that in Ireland the want of a procedure at public cost, and suitable for all classes of mentally defective persons, whether dangerous or not, is a matter which urgently needs correcting, and we accordingly deal with the matter in Recommendation LVI. below.

Recommendation LVI.

B.(*Procedure for Admission to Licensed Houses and Lunatic Hospitals.*)

1066. (1) The Lord Chancellor may order the admission of any person as the result of an inquisition in lunacy. The procedure is, in practice, only resorted to in the case of persons of some means. The Inspectors of Lunatics are not concerned with lunatics so found, as they are under the jurisdiction of the Lord Chancellor and are under the care of special medical visitors.

Admission of Lunatics (including certain idiots and epileptics) into Institutions under certificates —*contd.*

(2) Under 5 & 6 Vic., c. 123, Sec. 14, persons are received into licensed houses and lunatic hospitals under an Order and two medical certificates.

Private Lunatic Asylums (Ireland) Act, 1842, Sec. 14.

The Order differs from that in use under the English Lunacy Act, in that there is no reference to any judicial authority. There is no special urgency order, but under Sec. 15, sanction is given for the admission on one medical certificate, provided that the special circumstances which have prevented the patient being visited by two medical practitioners are stated, and that the second certificate is signed within fourteen days. The medical certificates differ also from those in use in England, in that there is no obligation to give particulars of the facts indicating insanity observed either by the medical practitioner or by others. All that is laid down is that the certificate shall be in accordance with the forms given in the Act, and shall be signed by two duly registered medical practitioners, not being in partnership, who shall have visited the patient not more than seven clear days previously, and the certificate shall be signed on the day on which the examination took place, and shall state that the patient is insane and a proper person to be confined. Under Sec. 16, notice of the admission of a patient, with copy of the Reception Order, has to be sent to the office of the Inspectors of Lunatics within two clear days, in the case of private patients. In the case of rate-paid patients such notice must be sent after two and within seven clear days. This latter regulation is laid down in the statutory rules for the management of district asylums.

Sec. 15.

Sec. 16.

1067. The Acts governing the lunacy system in Ireland are scattered through statutes from 1821–1901. In some cases they contain provisions which are not in accordance with modern ideas on the subject. They do not ensure the proper admission of the insane to any institution, nor do they adequately safeguard the public against the suspicion that cases are unnecessarily detained in these institutions. The necessity for an amending and a consolidating Act was dwelt on by the Committee on Irish Lunacy Administration appointed by the Lord-Lieutenant in 1890, and the scheme of such legislation was sketched out by that Committee.

Consolidating and amending Lunacy Act essential.
Courtenay, 22642, p. 109, col. 1.
Report of Committee on Lunacy Administration in Ireland, 1891. C. 6434.

1068. This Committee considered that it would not serve any useful purpose to endeavour to enumerate the defects of the existing Irish statutes, but that a new Lunacy Law, modelled on the English and Scotch statutes, should be enacted as more properly representing the opinions which now prevail as to the care and treatment of lunatics; and it specially recommends that the procedure under Secs. 13 and 15 to 22 of the Lunacy Act, 1890, should be kept in view when considering fresh lunacy legislation in Ireland with regard to dangerous lunatics.

Committee of 1891 reported in favour of modelling Irish Lunacy Statute on English and Scotch Statutes. C. 6434, pp. 40–41.

Lunacy Act, 1890, Secs. 13, 15–22.

1069. The Report of this Committee proceeds on lines almost identical with those adopted by us with regard to England and Wales.

Scheme of the Committee of 1891 as to Ireland in complete uniformity with our scheme for England and Wales.

As regards the Central Authority, the Committee call attention not only to the necessity of a strong Central Authority for Ireland, but are also in favour of this authority being entrusted with the supervision of Chancery lunatics. We have recommended a similar course in our Report as to England and Wales.

C. 6434, pp. 49–52.

As regards the local authorities, the Report, being issued before the Local Government (Ireland) Act, 1898, could not anticipate the creation of the county councils and the utilisation of these bodies for the care and control of lunatics, and the references to local authorities in the Report were, therefore, necessarily to the existing board of governors appointed by the Lord-Lieutenant.

The Local Government (Ireland) Act, 1898, Sec. 9, however, transferred the business of the boards of governors to committees of the county councils, who must "properly manage and maintain every lunatic asylum for their county, and may appoint and remove the officers (subject to the concurrence of the Lord-Lieutenant as regards medical officers), and regulate the expenditure."

Local Government Act, 1898, Sec. 9 (5).

Scheme of the Committee of 1891 as to Ireland in complete uniformity with our scheme for England and Wales—*contd.*

1070. This difference as to local administration in Ireland from that in England and Wales having been eliminated by the Local Government (Ireland) Act, 1898, we are of opinion that the general principles of our Report as to England and Wales may be equally applied in the case of Ireland, and in recommending that this should be done we are fortunate in finding ourselves in complete agreement with previous Commissions and Committees who have inquired into the subject.

Management and Administration of property of mentally defective persons. Recom. LXXIV. Lunacy Regulation (Ireland) Act, 1871, sec. 68.

1071. The powers vested in the Lord Chancellor by virtue of the King's Letter have from time to time been supplemented, both in England and Ireland, by statutory provisions enabling summary orders as to property to be made without inquisition in a limited class of cases. By the Lunacy Act, 1890, this summary jurisdiction was largely extended as to England. As mentally defective persons (not proper subjects for inquisition) dealt with under our scheme may often be possessed of property requiring protection or administration, we recommend that the powers conferred by Section 68 of the Lunacy Regulation (Ireland) Act, 1871, should be extended to the property (irrespective of amount) of every mentally defective person, as defined in Recommendation IV., or that a procedure should be instituted analogous to that provided by the English Lunacy Act, 1890, relating to management and administration, and that the same should be applicable to all mentally defective persons as defined in Recommendation IV.

The Number of Idiots, Imbeciles, and Feeble-minded in Ireland and the Provision made for them.

Number of Idiots, Imbeciles and Feeble-minded in Ireland, and provision for them. Rainsford, Vol. III, p. 95, col. 2.

1072. According to the Census Returns of 1861, there were 7,033 idiots in Ireland, being in a proportion of one to 825 of the population. Of this large number 5,675 were at large, 934 in workhouses, 403 in various county asylums, and twenty-one were in prisons.

According to the Census in 1901 there were 5,216 idiots in Ireland, of whom 3,272 were at large, 1,181 were in workhouses, and 763 in asylums. Rainsford Vol. III. p. 97, col. 2

Vol. VI., p. 76.

If we turn to our Irish Medical Investigators' Reports we find that in a total population investigated of 927,755 we have 1,527 idiots, imbeciles and feeble-minded persons, of whom 983 are returned as "needing provision."

The 983 cases "needing provision" in the areas investigated, comprise 115 idiots, 451 imbeciles, and 417 feeble-minded. Of these cases, eighty-seven are at present in public elementary schools, 352 are in Poor Law institutions, fourteen are in receipt of outdoor relief, and the remainder, in most instances, at large. From these returns it might be estimated that in the whole of Ireland we should expect to find 580 idiots, 2,185 imbeciles, and 2,006 feeble-minded "needing provision." In addition to these, according to the Census of 1901, there are 763 idiots, certified cases in asylums.

See pp. 438 and 439 below.

See also paragraph 1094 below.

As regards the existing accommodation in Ireland, we have shown that the accommodation for these cases in workhouses is absolutely unsuitable; that the provision for those in asylums, though more suitable is by no means ideal, and is unnecessarily expensive; while of the cases "at large" although a minority may be suitably provided for at home, there is ample evidence to show that in the majority of the cases the unfortunate patient at home is even in a worse plight than the patient in the workhouse.

Cf. Table VI., Vol. VI., p. 76.

With the exception of the Stewart Institution for Imbeciles at Palmerstown, which is entirely supported by charitable donations, and only provides for 103 inmates, there is absolutely no special provision in Ireland at the present time for probably 64 per cent. of the uncertified idiots, imbeciles and feeble-minded, or for the majority of the 763 certified idiots in asylums as returned in the Census, 1901.

The Number of Epileptics in Ireland and the Provision made for them.

1073. On December 31st, 1904, there were in all the Irish asylums 1,120 cases (621 males and 499 females) suffering from epilepsy. This class is much less numerous proportionately in Irish than in English asylums, as the following comparative Table shows :— Number of epileptics in Ireland and provision made for them. O'Farrell, Vol. III., p. 77.

Yearly average of the total number of patients admitted to English Asylums during the five years (*) 1899–1903, inclusive.			Of the total number of patients admitted to English Asylums during the five years (*) 1899–1903.			Proportion (per cent.) to the total of the yearly average number of patients admitted to English Asylums during the five years (*) 1899–1903.		
			Yearly average of the number of Epileptics.			Epileptics.		
M.	F.	T.	M.	F.	T.	M.	F.	T.
10,160	10,574	20,734	920	671	1,591	9·1	6·3	7·7
	Similar	particulars	regarding	Irish Asy	lums for	the year	1904.	
2,230	1,925	4,155	99	67	166	4·4	3·5	4·0

1074. As above shown, the proportion of epileptics in English asylums is almost double the proportion in the Irish asylums, and the result of our personal inquiries in Ireland also convinced us that epilepsy was much more infrequent generally in Ireland than in England.

The results of our medical investigations in Ireland give a total of 509 sane epileptics, of whom 306 are stated to need provision, or about 60 per cent. The 306 cases in the areas investigated stated to "need provision" comprised twenty-two children in public elementary schools, 145 persons in Poor Law institutions, seven in receipt of outdoor relief, and the remainder presumably at large. These occur in a total population of 927,755. From this calculation it would appear that in the whole of Ireland there would probably be somewhere about 1,471 sane epileptics "needing provision." The investigation, however, was made mainly in urban areas, and having regard to the smaller proportion of sane epileptics found in the one rural area investigated, it is probable that the number of sane epileptics "needing provision" in Ireland, would not much exceed 1,200. Vol. VI., pp. 76, 77. *See* pp. 438 and 439 below, col. 7. *See* also paragraph 1094 below.

1075. The Report of the Vice-Regal Commission on Poor Law Reform in Ireland, 1906, stated that of the 463 sane epileptics in the workhouses, 131 were kept in lunatic wards. Our medical investigators found 157 sane epileptics in the Poor Law institutions in their areas. From this it might be expected that there would be 758 sane epileptics in Poor Law institutions throughout Ireland. The Commission recommended that separate institutions should be provided for these inmates, and suggested that the disused workhouses should be made available. The Commission further recommended that these institutions should be supervised by the Inspectors of Lunatics, and that the management of the institutions should be similar to that of lunatic asylums. Sane epileptics in workhouses. Cd. 3202, p. 41. *See* p. 438, Group B, col. 7, below.

1076. This Commission was merely considering the provision necessary for the cases of sane epileptics then in workhouses in Ireland. We, however, have to contemplate the provision which would be necessary for about 1,200 sane epileptics, and highly desirable for possibly half of the 1,120 insane epileptics in Irish asylums. In other words, we have to consider the possibility of making provision for about 1,800 persons afflicted with epilepsy. Probable provision necessary for epileptics in Ireland.

1077. The border line between sanity and insanity in the cases of epilepsy which are so pronounced as to need accommodation at all, is so fine that probably one institution for epileptics needing accommodation would suffice, arrangements as to separation into the two classes of sane and insane being made within the institution, and for the transfer from the one class to the other class within the same curtilage as occasion required. Sir George O'Farrell considered that there would be no objection to dealing with various classes of mentally defective persons on the same estate, and that epileptics might be provided for in an epileptic block on the villa colony system. Cf. Connolly Norman, Vol. III., 22811. O'Farrell, Vol. III., 22146.

(*) The figures in the case of the Irish asylums are given for the one year (1904) and *not* the average of five years.

The Number of Epileptics in Ireland and the provision made for them.

Opinions of Medical Investigators as to provision for sane epileptics. Vol. VI., p. 447.

1078. Our Medical Investigators in Ireland made the following remarks on the question of provision for sane epileptics. Dr. Dawson, our Medical Investigator in Dublin, says :—

"It has been seen that all the epileptics, even in the special wards of the South Union Workhouse, were not sane. Still a considerable proportion of sane epileptics would have to be provided for, as many are at large who would be better in institutions, even though mild and infrequent seizures do not always prevent epileptics from earning their living. The Vice-Regal Commission has recommended (Report, Vol. I., 164) that sane epileptics should be kept in separate institutions, and that two disused workhouses should be reserved for them. Probably there would be less objection to the use of old workhouses for this purpose than for the insane, but unless the recommendations of the Commission (which include the abolition of workhouses as such) be carried out generally, there may be difficulty in securing sufficient accommodation in this way, especially as many more epileptics will have to be provided for than the 463 who are stated in the above Report to have been in the workhouses of Ireland on March 11th, 1905. In any method of providing for epileptics, the necessity for land on which they, especially the males, can be kept employed at the outdoor labour essential to their proper treatment must be borne in mind, and, in view of the tendency of epilepsy to lead to mental aberration, facilities for the transfer of such cases to asylums if required should be provided. On the whole, the colony system seems to promise best, but if this be too expensive the adoption of measures based on the recommendations of the Vice-Regal Commission may be approved, provided that there is sufficient land attached to the workhouses."

Dr. Graham, our Medical Investigator in Belfast, whose untimely death we regret to recall, says :—

Vol. VI., p. 472.

"The numbers of sane epileptics requiring further provision will strike one forcibly. Many intelligent and often skilled operatives are becoming unremunerative, and burdens on the community, owing to the increasing difficulty of obtaining suitable work in the city manufactories. These, instead of being drafted into workhouses or other institutions, should be placed in suitable colonies possessing facilities for various types of employment, thus making them in part, if not wholly, self-sustaining. The advisability of associating with the adult sane epileptics in these colonies the severer types of sane epileptic children, who could have opportunities for physical development and education in useful trades, will appeal to those who are opposed to a multiplicity of institutions."

Dr. FitzGerald, our Medical Investigator in Cork, says :—

Vol. VI., p. 492.

"The provision of suitable care for the sane epileptic, who is, wholly or in part, dependent, seems highly advisable. A colony with a large farm attached and fitted with facilities for the carrying on of various industries should be provided."

Vol. VI., p. 515.

Dr. Mills, our Medical Investigator in Galway, says :—

"Many of the sane epileptics are in a condition needing urgent relief, and this could bes be provided on the lines of Bielefeld in Germany or Sonyea in New York. A central institution for epileptics in Ireland, worked on the most approved modern lines, seems to me to be much required, and the activity of the English county councils and philanthropic bodies, in their care of the epileptic, stands in need of much emulation in Ireland."

Offer to make provision for epileptics.

1079. In connection with the steps to be taken to make this provision, we have received the following communication :—

Copy.

Philanthropic Reform Association,
188, Great Brunswick Street, Dublin.
November 1st, 1906.

The Chairman of the Royal Commission on the Care and Control of the Feeble-minded, Westminster, S.W.

Dear Sir,—I am directed by the Committee of above to draw your attention to the fact that the Countess of Meath offered some years ago the sum of £5,000 to provide a Home for sane epileptics in Ireland. Owing to the difficulty of maintaining such a Home when established it has not been found practicable up to the present to accept Lady Meath's offer, which is still open. The Committee hope that the recommendations made by your Commission will include provision for the maintenance of inmates in such a Home. If this maintenance were provided the £5,000 could be used.

Yours faithfully,
(*Signed*) Etta Tolerton.

Conditions under which offer to make provision for epileptics might suffice.

Recommendation XXIX.

1080. As we have already said, we are of opinion that one epileptic colony for Ireland might meet the needs of those epileptic cases which require accommodation, with a view to their proper care, control and treatment. Those cases which are "mentally defective" could be separated from those who are thought to be sane, but both could be provided for in the same colony and under the same management. The county councils could, in combination, under our scheme agree to maintain such a colony, and as regards the initial capital outlay, which would necessarily be heavy, a building grant from the Treasury would no doubt be required. The generous offer of the Countess of Meath would form a valuable nucleus of the fund required, but it could not be expected to cover more than a small proportion of the cost involved.

1081. As regards the mentally defective epileptics, there are at present in Irish asylums 1,120 such cases. Many of these are acutely insane, and are properly and best treated where they are. Probably only one-half of them (if so many) would be suitable for transfer to a colony. The transfer of such cases to a colony would possibly prove to be economical to the county council, and of undoubted advantage to the patients. The Recommendations we make as to Treasury contributions towards maintenance of all mentally defective cases would, of course, apply to such cases in the colony.

Mentally defective epileptics. O'Farrell, Vol. III., p. 77.

Recommendations XXVIII-XXXV.

1082. As regards the sane epileptics, of whom we estimate there are about 1,200 needing such provision (inclusive of those at present in workhouses), many of these cases, if so pronounced as to need permanent care, would probably sooner or later drift into the mentally defective class. Experience has proved this in the case of the famous Craig Colony for Epileptics in America. As regards the sane cases, however, which were sent by the guardians, which would appear to form nearly one-half of the total, the guardians have at present to maintain them at considerable expense and great inconvenience to the working of the institution. Any expense on their behalf incurred by the Committee for the care of the mentally defective would be merely transferred expenditure.

Sane epileptics.

See paragraph 1074 above.

See pages 438 and 439 below, col. 7.

1083. Over and above the epileptics in workhouses there would remain about an equal number considered to be sane, though needing provision, most of whom are at present at large. These cases are not "pauper" cases, and it is probable that they would be able to contribute in money, to some extent at least, towards their maintenance; if they were not in such a position, the fact that they had been able to maintain themselves outside without needing the assistance of the Poor Law would seem to show that the value of their labour within the colony would go at least some way towards the expense of their maintenance. We recommend that the Committees for the care of the mentally defective be authorised to consider and deal with cases of sane epileptics and to provide for their accommodation, and maintenance, care, treatment, education, training and control, and with regard to these epileptics shall have the powers referred to in Recommendations XXII.–XXIV (inclusive), XXVII. and XXVIII., XXXII.–XXXV. (inclusive), XXXVII.–XXXIX. (inclusive), and in Recommendations from LVIII.–LXIV. (inclusive), so far as may be necessary. The powers contained in the following general recommendations as to the mentally defective are also specifically applied to epileptics not mentally defective, viz., Preamble (1), Recommendations XXIX., XXX., LXX. and LXXI. The Recommendations we make as to Treasury Contributions towards the maintenance of mentally defective persons apply equally to cases of sane epileptics for whom provision is made by the Committees.

Recommendation LXVIII.

The Condition of Mentally Defective Children in Ireland.

1084. We find that the mentally defective children (*see* the table below) in the public elementary schools number ·44 in Belfast, ·33 in Cork, 1·19 in Dublin, 1·18 in Galway, indicating an approximation between Dublin, the large urban district with its mixed population, and the rural district, the seven Galway unions. The differences in these figures may to some extent be attributed to differences in the methods of investigation adopted. Everywhere (compare Columns 7 and 10) these children are quite unprovided for, and are in urgent need of proper care and supervision.

Condition of mentally defective children in public elementary schools in areas investigated by our Medical Investigators.

Vol. VI., p. 41.

Area (Unions). 1.	Children on the Rolls.			Children Mentally Defective.				Children "Needing Provision."		
	M. 2.	F. 3.	Total. 4.	M. 5.	F. 6.	Total. 7.	Percentage col. 7 on col. 4. 8.	M. 9.	F. 10.	Total. 11.
Belfast - -	32,287	31,732	64,019	186	94	280	·44	186	94	280
Cork - - -	9,256	11,021	20,277	42	25	67	·33	42	20	62
Dublin (City) -	22,111	22,561	44,672	307	224	531	1·19	298	217	515
Galway - -	12,736	13,651	26,387	187	125	312	1 18	187	125	312
Totals - -	76,390	78,965	155,355	722	468	1,190	·77	713	456	1,169

Belfast.
Vol. VI., pp. 456–458.

1085. Dr. Graham, our Medical Investigator in Belfast, thus comments on the conditions prevailing in the elementary schools there :—

Of the "twenty-nine imbeciles" among the school population it is said that "these children are apparently sent to school more as a sort of day nursery than to be educated. The majority are quiet and obedient, but cannot be depended on when teased by other children. . . . Their habits are degraded, and they often make themselves extremely offensive to their more sensitive companions. Of the defective children (forty-eight males and eighty-one females): "Some display marked aberrance of conduct, such as pilfering from other children and from their own homes. Others are quite unmanageable and a great source of irritation to their teachers, as well as a bad example to other scholars. Of the feeble-minded, three in number, two were boys eighteen years of age, one a cretin, one odd, and the third, a boy of seventeen, greatly deformed, was sent to school to 'keep him out of mischief.'" "As regards the presence of idiots or imbeciles in a public school for the purpose of education, there can be no question whatever as to its futility and worthlessness, not to speak of its undoubted cruelty in many instances."

And of the schools themselves, "the poorest counties in Ireland," the Commissioners of National Education state, "are better off in this respect than a city which prides itself on its wealth, enterprise and progress." To illustrate this two instances are given :—

"My own observation supports this statement to its fullest extent. One school which I visited had a small classroom for infant children, on opening the door of which I was compelled to stand back to permit a clearing away of what cannot be described in less terms than a stench. Greatly to my surprise I found this room literally packed with infants up to six years of age, as tightly as the small benches could admit them, while others were crowded over the floor up to the teacher's feet. In order to make my inspection I had to step over two rows of children after the teacher had vacated her place, as there was not standing room for both of us. There were from fifty to sixty children present, with one small window partially open for ventilation!"

"In a classroom belonging to another school which was almost full of boys, there is no window which opens, and the only ventilator is a broken pane of glass. The teacher merely stared in amazement on my suggesting to her that one of her boys with a few stones should be permitted to rectify matters by opening up a couple more panes. The odour was simply unbearable."

There is thus in Belfast the double evil—schools whose insanitary conditions would in all normal conditions be productive of lowered vitality and ill-health, and the retention in such schools of mentally defective children who, while they cannot there themselves be educated, are a source of trouble and annoyance to those who can be.

Dublin.
Vol. VI., p. 416, and Vol. VI., p. 41.

1086. The investigation in Dublin disclosed unsatisfactory conditions of school accommodation, which suggest a comparison with Belfast. But a distinctive feature of it was an examination of the relation between the schools in which children of a different social status were taught, and the amount of mental defect in the several grades of schools. Thus :—

—	Number of Schools.	Child Population of Schools passed under review.	Mentally Defective.	Total Percentage of Mentally Defective.
A: attended chiefly by the children of civil servants and other clerks, and of small merchants -	41	4,502	46	1·02
B: attended by children of the artisan class and others of the same social level -	66	12,951	194	1·50
C: attended chiefly by the children of temporary labourers, street dealers, and even lower classes -	75	16,117	288	1·78

Galway Unions.
Vol. VI., p. 504.

1087. In the Galway Unions, Dr. Mills attributes the very large percentage of mentally defective children to the causes that affect the population generally —the stock depleted by emigration, the hard and anxious life, and the "unceasing toil in which the children participate from an early age," the unwholesome and sometimes insufficient food, and "the greatly increased number of persons who become parents after an attack of insanity."

1088. An analysis of the results of our medical investigations in Ireland shows that of the total number of mentally defective persons in these areas, viz., 5,247, no less than 1,588 are mentally defective children under sixteen years of age. Of this number (1,588), 1,387 are "defective" children, that is, defective as defined in the Elementary Education (Defective and Epileptic Children) Act, 1899, Sec. 1, viz., children who "by reason of mental (or physical*) defect are incapable of receiving proper benefit from the instruction in the ordinary public elementary school, but are not incapable by reason of such defect of receiving benefit in such special classes or schools as are in this Act mentioned." The total number of 1,588 mentally defective children found in the areas comprises the 1,387 "defective" children as above plus 201 children who are either insane, idiots, imbeciles, feeble-minded, or sane epileptics.

Number of mentally defective children in Ireland and absence of provision for the same.

See pp. 438 and 439 below col. 6.

It would thus appear that in the whole of Ireland we might expect to find 7,580 mentally defective children, or over one-third of the total mentally defective persons (other than certified persons of unsound mind), which we estimate at 25,415. But whereas we estimate that about 66 per cent. of the whole mentally defective population found require provision, in the case of the "defective" children we estimate that at least 94 per cent. of these "need provision." This greatly increased percentage of cases requiring provision amongst the children is due to the fact that there is absolutely no suitable provision for such children in Ireland; whereas in England, at present, a large number of children are dealt with, to some extent at least, under the Elementary Education (Defective and Epileptic Children) Act, 1899.

Vol. VI., p. 77, cols. 18 and 21.

1089. It has to be remembered that in Ireland, even ordinary elementary education for children is only compulsory in municipal boroughs or towns under Commissioners, or in adjoining parts to which the Education Act has been applied by the Commissioners of National Education after inquiry and with the consent of the local authority, or in other districts where the Act is applied on the resolution of the county council.

The Law as to Education in Ireland. Irish Education Act 1892, Sec. 15.

In places where the Act is so applied, it was proposed by a Bill, presented to Parliament on behalf of the Government in 1905 and 1906, to extend similar provisions to those of the English Elementary Education (Defective and Epileptic Children) Act, 1899 to Ireland, but the Bill was withdrawn on each occasion. We have not recommended, in the case of England and Wales, that this Act should continue to apply to mentally defective children or to epileptic children so afflicted by severe epilepsy as to be unfit to attend ordinary public elementary schools, and we think that the alternative scheme recommended by us as to the care and control of such children is equally applicable to Ireland, and we recommend its adoption there accordingly. There are not, however, in Ireland local school authorities in every district, such as exist in England. The Irish National School system is under the control of the National Educational Commissioners, and the only local authority is the manager, usually a clergyman, with limited administrative functions.

Irish Education (Afflicted Children) Bill, 217, 1906.

Recommendations LVII-LXIV.

1090. Under our scheme, the county council or county borough council of each locality will become the authority responsible for making suitable and sufficient provision for the accommodation and maintenance, care, treatment, education, training, and control, of all mentally defective persons irrespective of age, but it is not intended that the maintenance at public expense of the mentally defective should be extended to those who either at their own cost, or at that of their relatives or friends, can be otherwise suitably and sufficiently provided for (*see* Preamble (1) to Recommendations below). These authorities can make such provision either themselves or by contracting with other local authorities, where they exist, or with managers or others as may appear to them desirable. In cases where the county council provides for such cases by contract with others, the council is responsible for the provision being suitable and adequate for the individual case, not only at the time when the child is sent, but during the continuance of the contract.

Provision to be made by local Authorities. Recommendation XVIII.

Preamble (I.) to Recommendations.

Recommendation XXX.

The General Position in Ireland as regards Mentally Defective Persons compared with Great Britain.

1091. The position in Ireland is even more grave than in England and Wales, or in Scotland. As regards the insane, the figures of the census years from 1871–1901 show the advancing proportion of the insane to the general population in Ireland, England, and Scotland, respectively. The following Table shows

The position in Ireland as to insane persons.

* For the purposes of this enquiry only mental defect is included.

the proportion per 10,000 of the population of the insane in each of the three countries :—

Matheson, Vol. III., p. 126.

TABLE SHOWING THE PROPORTION PER 10,000 OF THE POPULATION ENUMERATED AS INSANE IN IRELAND, ENGLAND AND SCOTLAND, AT THE CENSUSES OF 1871, 1881, 1891, AND 1901 RESPECTIVELY.

Census Years.	Ireland.	England.	Scotland.	Census Years.
1871	30·49	30·39	33·97	1871
1881	35·58	32·53	38·54	1881
1891	45·04	33·58	38·41	1891
1901	56·18	40·78	45 37	1901

Courtenay, Vol. III., p. 114, col. 2.

1092. The actual numbers of the insane in the three countries were as follows :—

TABLE SHOWING THE NUMBER OF THE INSANE IN IRELAND, ENGLAND AND SCOTLAND RESPECTIVELY, AT THE CENSUSES OF 1871, 1881, 1891, AND 1901.

Census Years.	Ireland.	England.	Scotland.	Census Years.
1871	16,505	69,019	11,413	1871
1881	18,413	84,503	14,397	1881
1891	21,188	97,383	15,462	1891
1901	25,050*	132,654†	20,291	1901

The position in Ireland as to mentally defective persons (other than certified lunatics).

1093. As regards the mentally defective (other than certified lunatics), the position of Ireland, whether as regards the probable number of all cases, or of those in urgent need of provision, is again shown by the following Table to be even more unsatisfactory than is the case either in England and Wales or in Scotland. In this Table are stated : (1) the number and the percentage of the mentally defective in the population of the total areas investigated in England, Scotland, and Ireland ; and (2) the number and percentage of such persons, as estimated proportionally to the population at large in the several countries. The limitations to be considered in relation to such a proportional estimate are obvious. It can be taken only as an estimate.

1.	Population of areas investigated. 2	Total mental defectives reported. 3	Percentage: col. 3 on col. 2. 4	Total population England and Wales, Scotland and Ireland. 5	Number of mentally defective proportionate to population. 6
England and Wales -	2,362,222	10,925	·46	32,527,843	149,628
Scotland (Glasgow) -	623,829	1,614	·26	4,472,103	11,627
Ireland - - -	927,755	5,247	·57	4,458,775‡	25,415

Vol. VI. page 52.

1094. In the following Table are set out the number and percentage of those for whom, in the opinion of the medical investigator, provision is required. They represent "an estimate of the number of persons at the present time urgently in need of provision, either (1) in their own interest, or (2) for the public safety. It is recognised that there may be many others for whom the present accommodation is not ideal. These are not included, but only such cases as are, in the opinion of the investigator, improperly, unsuitably, or unkindly cared for, and who, by reason of particular habits and characteristics, are a source of danger to the community in which they live."

Vol. VI., p. 52.

1	Number of mentally defective proportional to population. 2	Number returned as requiring provision proportional to population. 3	Percentage: col. 3 on col. 2. 4
England and Wales - -	149,628	66,509	44·45
Scotland - - - -	11,627	4,019	34·57
Ireland - - - - -	25,415	16,789	66·06

Supplement to 54th Report of Inspectors of Lunatics, Cd. 3126, p. 23.

* With regard to the numbers of insane in institutions in Ireland, it may be noted that an investigation made by the Inspectors of Lunatics some years ago showed that there were almost 1,500 cases, *i.e.*, about 7 per cent. of the total number resident, who could be classed as "returned emigrants." In some district asylums the numbers who have developed insanity elsewhere than in Ireland are relatively large. In Castlebar Asylum, for instance, 11 per cent. of the entire population may be put in this class, those who have returned from the United States forming the bulk of these cases.

† In 1901, in the Occupiers Census Schedule the term "feeble-minded" was substituted for "idiot." This has destroyed the comparability of these figures with those of previous Censuses. The term is one which it is obviously difficult to define, and it is not easy to estimate the true value of the increased numbers resulting from the change. (*See* Tatham. Vol. I., p. 269, col. 2).

‡ 1891 Population of Ireland, 4,704,750.

The General Position in Ireland as regards Mentally Defective Persons compared with that in Great Britain.

1095. Thus Ireland, unhappily burdened as it is with its comparatively undue proportion of certified persons of unsound mind, is found to be in a similarly unfortunate position as regards its proportion of mentally defective persons other than those of unsound mind, and what is even more serious, in view at any rate of its poverty, it is also confronted with a similarly undue proportion of cases in urgent need of provision. Outside the institutions for lunatics and the workhouses there seems to be in existence no provision for mentally defective persons, with the exception of the one small, though admirable, institution, the Stewart Asylum for Imbeciles at Palmerstown, which can, at present, only provide for 103 cases. As regards epileptics, the generous offer of the Countess of Meath, supplemented possibly by other philanthropists and by grants from the Treasury or local authorities, for the provision of further buildings, land, and equipment, would seem to afford a reasonable chance of a solution of this part of the problem. The maintenance of the persons therein can be provided for from public sources, as we have explained above (paragraphs 1080–1083). As regards mentally defective persons generally, there is urgent need for an extension of the one existing institution, the Stewart Institution, and for the establishment of similar voluntary institutions. There is no doubt that several institutions would be required even when the Stewart Institution had been enlarged to its utmost capacity, and, if necessary, they should be established by the local authorities.

The position in Ireland as to mentally defective persons (other than certified lunatics) —*contd.*

Pars. 1080–1083.

1096. Although we recommend that a statutory obligation should be imposed on the local authorities in Ireland, as in England and Wales and Scotland, to provide suitable and sufficient provision for the accommodation and maintenance, care, treatment, education, training and control of all mentally defective persons, we feel glad, in the peculiarly distressing conditions of Ireland, to be able to believe that the co-operation of religious denominations and private persons will in the first instance in all probability assist the local authorities, to some extent at least, in the provision of such accommodation. The initial capital outlay, even though substantially contributed to by the Treasury, is the great difficulty ; the maintenance of the institution when started and the inmates to be sent thereto would, we think, be a charge which might well be borne by the local authorities, aided as they would be by a substantial Treasury Grant.

Voluntary aid to local authorities in providing accommodation. Recommendation XVIII.

1097. We quote below certain extracts from the evidence of Sir Christopher Nixon, M.D., Ex-President of the Royal College of Physicians of Ireland. We earnestly hope that his anticipations may be realised. It is only by such aid to the public provision that may be possible that we can expect the problem to be effectually dealt with in Ireland. We have seen for ourselves in Ireland many of the admirable voluntary institutions which owe their origin to charitable sources, such as the Stewart Institution for Imbeciles, and the splendid work done and institutions provided by the religious Sisterhoods and by the Christian Brothers, and so on.

Possibility of voluntary aid being forthcoming.

Some of our members have also visited the colony for mentally defective persons at Ursberg in Bavaria, under the charge of Sisters of the Congregation of St. John, referred to by Sir Christopher Nixon, of which colony they speak very highly. The devotion of the Sisters to that work, and the admirable results achieved, cannot fail to arouse enthusiasm in anyone who has been fortunate enough to visit the colony.

Appendix, Vol. V., p. 309.

Sir Christopher Nixon thus describes the possibilities of achieving like results on a large scale in Ireland :—

"I would be very slow to believe that in Ireland the springs from which flowed such helpful sustenance for many objects worthy of sympathy and support, have dried up. It is easy to refer to a number of institutions, largely subsidised by private benevolence : the Institution for the Deaf and Dumb, that for the Blind, the O'Brien Institute, the Stewart Institute for Imbeciles and Epileptics, the various reformatory and industrial schools, our metropolitan and provincial hospitals, are instances in point. Would not an institution for the feeble-minded attract substantial public support ? . . . . I confess, however, that to me the ideal institution for dealing with the defectives would be the establishment of a large colony under the charge of some religious Order such as has been established in Ursberg, Bavaria, the work and organisation of which has been so fully described by Dr. Alfred Eichholz. This colony, under the charge of the Sisters of the Congregation of St. John, provides for the care of 752 mental defectives, 111 blind, eight deaf mutes, and 145 epileptics. The colony is self-contained, and provides for its own needs by its own industry. It is unnecessary that I should repeat what is so fully described by Dr. Eichholz, but I should like to endorse his words as specially applicable in a country like Ireland, which can point to the good results effected by religious Orders in ministering to the wants of its population You have striking instances of this in the educational work undertaken by the religious Sisterhoods of Mercy and Charity, in the work done by the Christian Brothers in primary and intermediate education, in their care of the deaf and dumb, and in reformatory schools : in the care of the insane undertaken by the Brothers of St. John of God, and by the French Sisters of Charity. If any of these

Nixon, Vol. III. 22555, p. 104, c.

Possibility of voluntary aid being forthcoming—*contd.*

Orders, or Orders of a like kind, could be prevailed on to take charge of a colony for the feeble-minded, such as exists in Ursberg, the problem of dealing with defectives in Ireland would be solved. Whether this problem be viewed from the religious, or simply the practical worldly aspect, the result is the same, and I heartily subscribe to the view of Dr. Eichholz when he says that 'Though the State may go far to solve the problem of its feeble-minded, even to endowing colonies such as Ursberg, it may yet feel grateful when voluntary effort steps in, for it is doubtful whether public money alone could ever command the self-sacrifice which such an undertaking demands.'"

Eichholz, Vol. I., p. 209, c. 2. App. Vol. V., p. 308.

It should be pointed out, however, that this institution is not self-supporting, as grants are received from outside sources.

Recommendation XXIX.

1098. As regards the maintenance of inmates in these institutions, the grant, under our Recommendation, to be made by the Treasury to the county councils would enable the local authorities to recoup themselves to a large extent for the charges involved. The crucial difficulty is as to the initial capital outlay. We are glad to call attention to the following extract from the Report of the Royal Commission on the Blind, etc., 1889 [(C. 5781, Pars. 764, 827–8.)] as to the possibility of such institutions being started in Ireland.

Royal Commission on Blind, etc., Report 1889, C. 5781.

Paragraph 764. Archbishop Walsh's Memo. Question 8.

His Grace Archbishop Walsh, when asked: "Do you think that any religious Order in Ireland could be found to undertake the industrial training of the deaf and dumb, and blind in schools analogous to the Artane Industrial School, or the education of the educable class of imbeciles?" replied, "No misgiving need be entertained on this score. As regards the Catholic side of the question—and of course on this point I can speak only for the Catholic side—our resources in this respect are practically unlimited."

Paragraph 827. Archbishop Walsh's Memo. Question No. 13.

On Archbishop Walsh being asked the question: "As there is no denominational institution for the education of Roman Catholic imbeciles or idiots, should such institution be started previous to any grant being given from Imperial sources?" he replied "that he did not think it would be unreasonable on the part of the State to require that the institution should be in the first instance established."

Paragraph 828. Archbishop Walsh's Memo. Answer No. 13.

He also added: "I assume that help would be given to the promoters, either in the form of a building grant or of a loan repayable on easy terms. I have no doubt that in the event of a definite arrangement being made, such as I have now indicated, the institution could be established on a very efficient footing without delay. As regards buildings, I would suggest that some of the existing workhouses might be made use of for the purposes. Some reconstruction, no doubt, would be necessary to remove the depressing and prison-like aspect of those establishments. But the cost would be trifling compared with that of building new institutions. I understand that many of our existing workhouses can be dispensed with."

Report of the Royal Commission on the Blind, etc., 1889, par. 828.

Necessity for provision at public expense for the mentally defective.

1099. The possibility of such provision being made in some instances by voluntary effort does not, however, affect our Recommendation XVIII., which provides that the final responsibility for making provision shall rest with the committees of the local authorities for the care of the mentally defective. Whilst recognising that help might be confidently looked for from religious orders, and to a lesser extent from other voluntary sources, we think that, as stated elsewhere, without generous State aid it will be practically impossible in Ireland to deal with the problem of providing adequately for the mentally defective.

Summary of the existing accommodation for mentally defective persons, and suggestions as to fresh accommodation required.

Summary of the existing accommodation for mentally defective persons, and suggestions as to fresh accommodation required.

1100. We now proceed to summarise the existing accommodation for the various classes of mentally defective persons and the provision which would probably be needed for each class:—

(a) *Idiots, Imbeciles and Feeble-Minded.*—There is no special provision for these cases at present outside the asylums and workhouses (with the exception of the 103 cases maintained in the Stewart Institution).

From an analysis of our Medical Investigators' Reports as to the numbers in the areas investigated it might be estimated that in the whole of Ireland there would be 624 idiots, 2,811 imbeciles, and 4,013 feeble-minded, of whom 580 idiots 2,185 imbeciles, and 2,006 feeble-minded would, it is estimated, "need provision."*

See paragraph 1072.

Probably three or four mentally defective institutions and a large extension of the Stewart Institution would suffice for these and those coming under (c) below, so far as those coming under (c) required institutional care. The total of classes (a) and (c), needing provision might be expected to reach 6,331.

(b) *Epileptics.*—There is no provision at present for epileptics except in workhouses and asylums.

* For meaning of "needing provision" *see* paragraph 1103.

Summary of Existing Accomodation for Mentally Defected Persons, and Suggestions as to Fresh Accommodation Required.

There are at present about 1,120 epileptics in asylums, and an estimated number of about 1,200 sane epileptics needing provision (758 of whom are estimated to be in workhouses at present). In other words, accommodation is urgently required for 1,200 epileptics and highly desirable for a proportion (possibly one-half) of the 1,120 epileptics at present in asylums. These numbers make it probable that one colony for the whole of Ireland would suffice.

Summary of the existing accommodation for mentally defective persons, and suggestions as to fresh accommodation required—*contd.*

See paragraphs 1074-1076.

(c) **Defective Children.*—There is no provision for educating or training these children in Ireland.

See pages 438-439, col. 6, and paragraph 1088 above.

We estimate that there are 6,688 such children in Ireland, of whom 6,242 need some provision.

O'Farrell, Vol. III., p. 77.

Of these 6,242, although training in day schools might possibly suffice for 75 per cent., it is probable that at least 25 per cent., or 1,560, of them would require institutional care, and these might be provided for in a separate block of the institutions alluded to in (a) above.

Cf. Kerr, Vol. I., page 435, col. 1.

See pages 438-439, cols. 1 and 2.

(d) *Uncertified "Persons of Unsound Mind"* (including senile dements).—There would appear to be 1,824 of this class in the areas investigated. We should estimate, therefore, that there would be about 8,900 of this class in Ireland, of whom rather less than half, or about 4,300, would need provision. But by far the larger number of these are in workhouses at present. In fact, from our medical investigators' reports, we should expect to find generally in Ireland about 82 per cent. of the "senile dements" and about 57 per cent. of the "uncertified" persons of unsound mind in workhouses.

At the same time, it must be noted that as regards more than half of the senile dements in workhouses our medical investigators appeared to be satisfied with the suitability of workhouse accommodation for them, whereas as regards the uncertified persons of unsound mind they were of opinion that two-thirds of them ought to be more suitably provided for.

1101. An extension of the auxiliary asylum system as recommended by the Vice-Regal Commission on Poor Law Reform, 1906 (Cd. 3202), would provide more suitable accommodation for those who needed to be removed from the workhouses. Those whom the county council, as the local authority for the care and control of all mentally defective persons, thought fit to allow to remain in the workhouses would be kept there under the supervision, protection and oversight of the county council for so long a time as the county council, advised by its medical officer, deemed advisable; and, of course, at the expense of the county council, who would contract with the guardians as to the payments to be made in respect of these cases.

Extension of the Auxiliary Asylum System

Vice-Regal Commission on Poor Law Reform, 1906. [Cd. 3202.]

Writing of Youghal Auxiliary Asylum, the recent Vice-Regal Commission on Poor Law Reform in Ireland states:—"One could not compare favourably with the Youghal Auxiliary Asylum even the best or rather the least objectionable of lunatic wards in workhouses, and the insane inmates of workhouses would undoubtedly gain immensely by a transfer to such an institution as Youghal." When it is remembered that the Vice-Regal Commission visited every workhouse in Ireland, as well as the auxiliary asylum, it must be admitted that their views are entitled to the greatest consideration.

Report of the Vice-Regal Commission on Poor Law Reform, paragraph 152, p. 37.

1102. Since no grant is given from the Local Taxation Account for the maintenance of the insane detained in workhouses, it remains that on financial and humanitarian grounds it would be advisable to remove the insane from workhouses even under the present conditions of the grant. We append the following extract from the Inspectors of Lunatics recent report on the Youghal auxiliary asylum:—

Fitzgerald Cork, Vol. VI. p. 491.

"This establishment continues to afford excellent accommodation for chronic and harmless insane. The wards were in good order. The bedding was good and kept in excellent order. The dinner was served in the dining room with proper order and decency. Having regard to the number of old and helpless patients in the institution the percentage of employment must be considered most creditable."

1103. The following table shows the total number of mentally defective persons, excluding certified lunatics, found by our Medical Investigators in the areas investigated, classified under the different groups, and arranged according to the different grades of mental defect. It also shows the number of such persons of each grade of mental defect in the areas investigated whom the Medical Investigators considered were "needing provision," *i.e.*, "persons at the present time urgently in need of provision, either (1) in their own interest; or (2) for the public safety. It is recognised that there may be many others for whom the present accommodation is not ideal; these are not here included, but only such cases as are, in the opinion of the investigators, improperly, unsuitable, or unkindly cared for, or who, by reason of particular habits and characteristics," are a source of danger to the community in which they live."

Table showing Mentally Defective Persons (excluding certified lunatics) found and needing provision in areas investigated.

* For meaning of "defective" children" see paragraph 1088 above.

TABLE SHOWING THE NUMBERS OF MENTALLY DEFECTIVE PERSONS (EXCLUDING CERTIFIED LUNATICS) IN THE AREAS INVESTIGATED BY THE MEDICAL INVESTIGATORS ACCORDING TO CLASS AND GROUP, AND THE NUMBERS NEEDING PROVISION IN EACH CLASS AND GROUP.

N.P.=Needing Provision.

		Insane.												Epileptics					
		1. Senile Dements.		2. Other Persons of Unsound Mind.		3. Idiot.		4. Imbecile.		5. Other Feeble-Minded.		6 Defective Children.		7. Sane.		8. Others.		9. Total.	
			N.P.		*N.P.*		*N.P.*		*N.P.*		*N.P.*		*N.P.*		*N.P.*		*N.P.*		*N.P.*
Group A (Children in Public Elementary Schools)	Dublin	–	–	1	*1*	1	*1*	41	*41*	3	*3*	469	*469*	16	–	(6	*(6)*	531	*515*
	Belfast	–	–	–	–	1	*1*	29	*29*	3	*3*	229	*229*	18	*18*	(10)	*(10)*	280	*280*
	Cork	–	–	–	–	–	–	2	*2*	–	–	56	*56*	9	*4*	(3)	*(3)*	67	*62*
	Galway	–	–	–	–	–	–	7	*7*	–	–	305	*305*	–	–	(4)	*(2)*	312	*312*
Group B (Children and Adults in Poor Law Institutions)	Dublin	447	*163*	371	*278*	37	*37*	83	*81*	172	*96*	74	*67*	73	*72*	(97)	*(97)*	1,257	*794*
	Belfast	81	*1*	111	*24*	2	–	29	–	7	*65*	17	*10*	36	*32*	(61)	*(30)*	347	*132*
	Cork	34	*27*	95	*82*	4	*4*	20	*20*	4	*3*	4	*4*	33	*27*	(20)	*(20)*	194	*167*
	Galway	38	*34*	47	*42*	2	*2*	29	*29*	20	*15*	14	*14*	15	*14*	(5)	*(3)*	165	*150*
Group C (Children and Adults in receipt of Outdoor Relief)	Dublin	1	–	4	*3*	1	*1*	4	*4*	1	–	1	–	7	*5*	(2)	*(2)*	19	*13*
	Belfast	2	–	3	*1*	1	*1*	–	–	–	–	–	–	2	*1*	(1)	*(1)*	8	*3*
	Cork	–	–	1	*1*	2	*2*	2	*2*	–	–	–	–	1	*1*	(–)	(–)	6	*6*
	Galway	5	*2*	6	*6*	2	*2*	2	*1*	8	*1*	–	–	–	–	(1)	(–)	23	*12*
Group D (Persons known to Sanitary Authorities)	Dublin	1	–	3	*3*	4	*4*	–	–	1	*1*	–	–	–	–	(1)	*(1)*	9	*8*
	Belfast	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
	Cork	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
	Galway	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Group E (Persons relieved by Medical Charities)	Dublin	13	*2*	15	*2*	–	–	–	–	13	*2*	9	*5*	28	*11*	(2)	*(1)*	78	*22*
	Belfast	1	*1*	6	*2*	–	–	–	–	–	–	2	–	2	–	(–)	–	11	*3*
	Cork	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
	Galway	1	–	8	*2*	2	*2*	5	*1*	13	*2*	–	–	3	*3*	(2)	(–)	32	*10*
Group F (Persons known to General Practitioners)	Dublin	2	–	5	*1*	1	–	1	*1*	–	–	1	*1*	8	*2*	(1)	(–)	18	*5*
	Belfast	6	–	16	*3*	6	*2*	17	*8*	6	*1*	4	*4*	34	*5*	(12)	*(6)*	89	*23*
	Cork	–	–	2	*2*	–	–	–	–	1	*1*	1	*1*	9	*7*	(–)	(–)	13	*11*
	Galway	–	–	10	*4*	–	–	9	*9*	2	*1*	4	*4*	13	*4*	(2)	*(2)*	38	*22*

Summary of the Existing Accommodation for Mentally Defective Persons, and Suggestions as to Fresh Accommodation Required.

| | | |

Finance.

Grant for buildings and of maintenance.

Recommendation XXIX.

1104. The local conditions in Ireland are undoubtedly so serious, and the poverty of the country so pronounced that we are of opinion that substantial assistance in the way of a maintenance and building grant from the State, is not only justifiable, but essential, if proper provision is to be made for the large number of mentally defective who are in most urgent need of it.

56th Report Inspectors of Lunatics, pp. ix, xiv. and 33.

There were on January 1st, 1907, about 21,856 "insane" maintained at the public expense in Ireland. Of these 18,566 are in district asylums, maintained at an average cost per head, calculated on the gross expenditure including repayments of loans, of about £28 15s. per annum; 3,128 in workhouses, mostly "chronic" lunatics not under certificate (*see* Par. 1063 *above*), at a cost of about £18 12s. 3d. per head per annum*; 162 in the Central Criminal Lunatic Asylum, Dundrum, at a cost of about £43 per head per annum. The total cost of those already provided for is therefore about £598,957 per annum.

Report of the Royal Commission on Local Taxation, Cd. 1068, page 14.

The Royal Commission on Local Taxation in their Report on Ireland, 1902 [Cd. 1068] proposed a new grant for "the provision of asylum accommodation for pauper lunatics and imbeciles." The Report stated that this course of action "would afford substantial relief to the ratepayers, in respect of the local service which is more national in its character than any other, and would be a powerful agent in securing efficient administration and reform, which are urgently required in the poverty-stricken districts of the West."

Comparison between England and Ireland as to rateable and assessable value and requirements.

1105. In round figures the population of Ireland (1901) is 4,457,000 and the rateable value is £15,200,000 or £3 8s. 2d. per inhabitant. But three-fifths of the value is agricultural land, and the "assessable value," in the sense of the English Agricultural Rates Act, that is taking into account land at only one-half of its value and other property in full, is £2 10s. per inhabitant, whereas the average assessable value in England and Wales is over £5 per inhabitant.

The Report of the Royal Commission on Local Taxation, Cd. 1068, p. 21.

Thus it would appear that England is twice as rich in locally taxable ability as measured by this test in proportion to population.

After making every allowance for defects of valuation, it remains true that Ireland is much poorer than England in general, and parts of the west reach extreme depths of poverty, 10s. "assessable value" per inhabitant being about the minimum in any union, as compared with £2 10s. in England.

The average rural rates in Ireland are higher in the £, perhaps by one-third, than in England or Scotland, while the general ability of the average rural ratepayer is certainly less in Ireland than in either of the other countries.

Recommendation XXIX.

1106. We are of opinion that the above facts as to the financial position show that the ratepayers of Ireland could not possibly provide the institutions which, as shown in our Report, will be necessary, unless they receive a substantial building grant-in-aid in addition to a grant for maintenance, etc. We find that Ireland has fifty-six insane out of every 10,000 of its population as compared with forty insane in England. We find that ·57 per cent. of the population

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of Ireland were mentally defective (other than the certified insane), as against ·46 per cent. in England. Moreover, what is even more serious, in view of the additional expense necessarily involved, we find that 66 per cent. of the mentally defective (other than the certified insane) population in Ireland, is urgently in

Vol. VI., pp. 77, 65.

need of provision as against 44·45 per cent. of such mentally defective population in England.

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* On April 1st, 1908, the Local Government Board of Ireland supplied the following information. "The figures in the Board's last Annual Report at pp. 551–2 which may be taken as the cost of relief in workhouses are as follows :—

	£
In-maintenance and clothing	456,474
Salaries and rations of officers	204,307
Medicines and medical and surgical appliances	10,861
Other expenditure connected with poor relief, less that discharged by loans	125,909
Total	797,551

The numbers relieved during the year represent a daily average of 42,850 persons, and this divided into the cost given above works out at £18 12s. 3d. per head."

1107. The principles on which we suggest that substantial assistance should be granted by the State to aid local authorities (*see* Recommendation XXIX. below) are laid down in Part VIII. of our Report as to England and Wales (Chapter XL. *above*).

Principles on which State grant should be given.

1108. It is impossible to make any close estimate as to what would be the cost of making more suitable provision for the number of mentally defective persons estimated as *needing such provision at the present time in Ireland.

Basis on which estimate as to cost of provision for mentally defective persons needing it may be made.

Everything must depend on the nature of the provision required, and that can only be determined in individual instances, as and when they come before the local authorities.

We have indicated in Preamble (4) to our Recommendations below, three methods of treatment as available. It is obvious that the method of detention is the most expensive, and we do not anticipate that this would be necessary in more than a certain percentage of the cases.

In considering the figures in the Table below it will be noted that the large increase in the suggested probable cost over that at present prevailing is mainly due to two causes :—

(1) Out of a total of 16,789 persons, no less than 4,077 at present involve no direct cost to the public for maintenance, etc.

(2) Out of the remainder of the 16,789 persons (viz., 12,712), no less than 5,796 are mentally defective children for whom no special provision is made at the present time, other than that of the ordinary elementary schools.

The provision for these two classes accounts for no less than £133,886 out of a total suggested increase of £176,075.

In the Table appended we have classified the mentally defective persons "needing provision" under the various groups, in accordance with the arrangement pursued in the case of our medical investigations. We have not, however, alluded to Group J (Idiots in Idiot Asylums) or to Group L (Inmates of Inebriate Homes). The only Idiot or Imbecile Asylum in Ireland is the Stewart Asylum near Dublin and the inmates therein are not in "need of provision." There is a State inebriate reformatory at Ennis for 54 inmates, and a certified inebriate reformatory at Waterford for 30 inmates. Our Medical Investigators, however, found no mentally defective inebriates amongst the inmates coming from the areas investigated.

Vol. III. p. 80, col. 1.

Report of Inspector of Inebriates (Ireland) 1906. p. 5.

* For meaning of "needing provision" *see* paragraph 1103 above.

TABLE SHOWING COST OF MAKING PROVISION FOR MENTALLY DEFECTIVE PERSONS ESTIMATED TO NEED IT IN THE WHOLE OF IRELAND.*

CLASS	How Provided for at present.	Number Needing Provision.		Present Cost.		Estimated Cost of More Suitable Provision.		Increase or Decrease of Future over Present Expenditure.				Remarks as to Basis on which the Cost of making more suitable Provision for Cases in the Areas investigated is estimated.
		In Areas Investigated.	In Whole of Ireland (Estimate)	In Areas Investigated.	In Whole of Ireland (Estimate)	In Areas Investigated.	In Whole of Ireland.	In Areas Investigated.		In Whole of Ireland (Estimate).		
								Increase.	Decrease.	Increase.	Decrease.	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
				£	£	£	£	£		£		
Group A (Children in Public Elementary Schools)	Public Elementary Schools	1,169	*5,796*	3,346	*16,591*	10,938	*48,444*	7,592	—	*31,853*	—	The cost in ordinary elementary schools in Ireland is about 2*l.* 17*s.* 3*d.* per head per annum. (73rd Report National Education in Ireland, p. 33.) Of the 1,169 needing provision, 888 were insane, idiots, imbecile, or feeble-minded, and their future cost is estimated at 29*l.* per head per annum, the cost at the Stewart Idiot Asylum (Vol. III., p. 335). The remainder of the 1,169 cases, viz. 1,081, are estimated for at 10*l.* per head per annum, the cost at Special Schools in England.
Group B (Children and Adults in Poor Law Institutions)	Workhouses, etc.	1,243	*5,975*	22,135	*111,209*	31,948	*153,557*	9,813	—	*42,348*	—	The inmates of workhouses cost about 18*l.* 12*s.* 3*d.* per head per annum (see footnote p. 460 above). The cost of more suitable provision is estimated as follows: 225 senile dements at 10*s.* per week; 426 uncertified "persons of unsound mind," at 28*l.* 15*s.*, the present asylum cost (56th Report, Inspector of Lunatics, Ireland, p. 33); 173 idiots and imbeciles estimated at 29*l.* per head per annum, the cost at the Stewart Idiot Asylum; 274 feeble-minded and defective children, estimated at 20*l.* per head per annum (Dendy, Vol. I., p. 42, *Q.* 824 and footnote); 145 sane epileptics at 9*s.* per week (see paragraph 703 above).
Group C (Children and Adults in Receipt of Outdoor Relief)	—	34	*163*	122	*587*	929	*4,454*	807	—	*3,867*	—	The cost of outdoor relief divided by the daily average number on outdoor relief works out at 3*l.* 12*s.* per head per annum (35th Report, Local Government Board (Ireland), p. xiii.). The cost of more suitable provision is estimated as follows: 2 senile dements at 10*s.* per week; 11 uncertified "persons of unsound mind," at 28*l.* 15*s.* per annum, the present asylum cost; 13 idiots and imbeciles at 29*l.* per annum; 1 feeble-minded at 20*l.* per annum; 7 sane epileptics at 9*s.* per week.
Group D (Persons known to Sanitary Authorities)	Not provided for at public expense	8	*38*	Nil.	*Nil.*	222	*1,046*	222	—	*1,046*	—	The cost of more suitable provision is estimated as follows: 3 uncertified "persons of unsound mind," at 28*l.* 15*s.*, the present asylum cost; 4 idiots at 29*l.* per annum; 1 feeble-minded at 20*l.* per annum.
Group E (Persons relieved by Medical Charities	Not provided for at public expense	35	*168*	Nil.	*Nil.*	845	*4,057*	845	—	*4,057*	—	The cost of more suitable provision is estimated as follows: 3 senile dements at 10*s.* per week; 6 uncertified "persons of unsound mind," at 28*l.* 15*s.*, the present asylum cost; 3 idiots and imbeciles, at 29*l.* per head per annum, the cost at the Stewart Idiot Asylum; 9 feeble-minded and defective children, at 20*l.* per annum; 14 sane epileptics at 9*s.* per week.

Group F (Persons known to General Practitioners)	Not provided for at public expense	61	*293*	Nil.	*Nil.*	1,549	*7,442*	1,549	—	*7,442*	—	The cost of more suitable provision is estimated as follows: 10 uncertified "persons of unsound mind," at 28*l.* 15*s.*, the present Asylum cost; 20 idiots and imbeciles, at 29*l.*, the cost at the Stewart Idiot Asylum; 13 feeble-minded and defective children, at 20*l.*; 18 sane epileptics, at 9*s.* per week.
Group G (Children and Adults in various Charitable Institutions and Common Lodging Houses, Training Homes and Reformatory and Industrial Schools	Not provided for at public expense, except as to 14 cases in the areas investigated in Reformatory and Industrial Schools at a cost of about 8/- per week per head	100	*480*	291	*1,393*	2,330	*11,184*	2,039	—	*9,791*	—	The cost of making more suitable provision is estimated as follows: 1 senile dement at 10*s.* per week, 11 uncertified "persons of unsound mind" at 28*l.* 15*s.*, the present Asylum cost; 20 idiots and imbeciles at 29*l.*, the cost at Stewart Idiot Asylum; 60 feeble-minded and defective children at 20*l.*, 8 sane epileptics at 9*s.* per week.
Group H (Other Sources)	Not provided for at public expense	465	*2,228*	Nil.	*Nil.*	11,588	*55,523*	11,588	—	*55,523*	—	The cost of making more suitable provision is estimated as follows: 14 senile dements at 10*s.* per week, 52 uncertified "persons of unsound mind" at 28*l.* 15*s.*, the present Asylum cost; 172 idiots and imbeciles at 29*l.* the cost at the Stewart Idiot Asylum; 168 feeble-minded and defective children at 20*l.*, 59 sane epileptics at 9*s.* per week.
Group I (Known to the Police)	Not provided for at public expense	195	*937*	Nil.	*Nil.*	5,029	*24,174*	5,029	—	*24,174*	—	The cost of making more suitable provision is estimated as follows: 5 senile dements at 10*s* per week, 32 uncertified "persons of unsound mind" at 28*l.* 15*s.*, the present Asylum cost; 80 idiots and imbeciles at 29*l.*, the cost at the Stewart Idiot Asylum, 49 feeble-minded and defective children at 20*l.* per annum; 29 sane epileptics at 9*s.* per week.
Group K (Inmates of Prisons)	Prisons	156	*749*	4,544	*21,814*	3,708	*17,788*	—	836	—	*4,026*	These *qua* prisoners are already chargeable to the State while in prison at 29*l.* 2*s.* 6*d.* per head, per annum (Report of General Prisons Board, Ireland, 1906, p. 68), but it is impossible to say for what periods they would actually be detained. The present cost is estimated in the Table at the cost per head, per annum, but this cannot be relied on as showing the actual cost incurred in practice on these cases.
												The cost of making more suitable provision is estimated as follows: 5 senile dements at 10*s.* per week, 65 uncertified "persons of unsound mind" at 28*l.* 15*s.*, the present Asylum cost; 77 feeble-minded at 20*l.*, 5 defective children at 20*l.*, 4 sane epileptics at 9*s.* per week.
Totals		3,466	*16,789*	30,438	*151,594*	69,086	*327,669*	39,484	836	*180,101*	*4,026*	
								Net Increase £38,648.		*Net Increase £176 075.*		

* For meaning of "needing provision," *see* paragraph 1103 above.

The moral claim of Ireland to state aid.

1109. The moral claim which Ireland has to Imperial contributions was thus pressed upon us by Sir George O'Farrell :—

O'Farrell, Vol. III., p. 79, c. 1 and 2.

"I submit that Ireland has in this connection a special claim on the Irish Church Surplus, and, if that surplus be now exhausted, then—having regard to the terms of the Irish Church Act, 1869, and the promises given at the time of its passing—provision for the relief of the afflicted classes referred to should be largely made out of Imperial funds. Mr. Gladstone stated that it was written in the Church Bill 'in letters of iron' that the Irish Church Surplus (1st) should be devoted exclusively to Irish purposes; (2nd) that these purposes were the relief of unavoidable calamity and suffering.

"Mr. John Bright, in a historic speech on the second reading of the Bill, expressed this resolution so eloquently that his words deserve recall. He said:—'As to the uses to which these endowments are put. If I were particular on the point as to the sacred nature of the endowments, I should even then be satisfied with the propositions in this Bill—for, after all, I hope it is not far from Christianity to charity; and we know that the Divine Founder of our faith has left much more of the doings of a compassionate and loving heart than He has of dogma. I am not able to give the chapter, or the verse, the page or the column; but what has always struck me most in reading the narrative of the Gospel is how much of kindness and how much of compassion there was, and how much also there was of dealing kindly with all that were sick, with all that were suffering. Do you think it will be a misappropriation of the surplus funds of this great Establishment to apply them to some objects such as those described in the Bill? Do you not think that from the charitable dealing with these matters even a sweeter incense may arise. . . . We can do but little, it is true. We cannot relume the extinguished lamp of reason. We cannot make the deaf to hear. We cannot make the dumb to speak. It is not given to us—

> "From the thick film to purge the visual ray
> And on the sightless eyeballs pour the day."

But at least we can lessen the load of affliction and we can make life more tolerable to vast numbers who suffer.'

"When the Bill was going through Committee, the actual appropriation of the surplus among specified charities was omitted, but Mr. Gladstone stated that the Government bound themselves 'to the principles on which the available residue would be administered.' This clear declaration of intention ran through the debates, and it is embodied in the 68th Section of the Act, which runs as follows:—'Surplus.—68.—And whereas it is further expedient that the proceeds of the said property should be appropriated mainly to the relief of unavoidable calamity and suffering, yet not so as to cancel or impair the obligations now attached to property under the Acts for the relief of the poor: Be it further enacted, that the said proceeds shall be so applied *accordingly* in the manner Parliament shall hereafter direct.'

"Millions of the Irish Church Surplus have been distributed since the passing of the Act; but, so far, none of the surplus has gone to the relief of lunatics or idiots or the other charities to which it was consecrated; and it is difficult for one who is not a lawyer to trace the connection between 'the relief of unavoidable calamity and suffering,' and the grant, for instance, to the National Teachers' Pension Fund of £1,300,000; to Intermediate Education of £1,000,000; to the Department of Agriculture and Technical Instruction of £70,000 a year for fifteen years; or to the Professorial Endowment of the Royal University of £20,000 a year. It is equally difficult to reconcile the principles on which the Bill was recommended to Parliament with the fact that by Section 40 the amounts previously payable out of the Consolidated Fund, or out of moneys provided by Parliament for the endowment of the Presbyterian Church in Ireland (Regium Donum, etc.), as well as those payable to the College of Maynooth, were compounded for the capital value of the interest which they represented, and such capital value was paid out of the Church surplus in relief of the Imperial taxpayer. I submit that these provisions show the reasonableness of the demand that the Imperial taxpayers who were thus relieved should now provide the money required for the relief of unavoidable calamity."

O'Farrell, Vol. III 22244.

1110. Sir George O'Farrell suggested that the money should be used for building purposes in these words :—

"I may say that this Church SurplusFund, which represented a sum, Mr. Gladstone said, of £311,000 a year, was dedicated to the feeble-minded, among other classes of people in Ireland needing relief, people subject to what was called in the Bill, 'unavoidable calamity and suffering.' It was dedicated in the most solemn way, and we got a most solemn Parliamentary promise that this £7,000,000 or £8,000,000 of money should be given to the struggling charities of Ireland. As a matter of fact the surplus has been devoted to a great many objects since the passing of the Act, but not one shilling has come to any of the bodies which were ear-marked as its most just application. I should think we have a claim for anything remaining of it, that this money should be devoted to building for such classes as the feeble-minded. Then I think also we should get a capitation grant for their maintenance. The ratepayers of Ireland are so poor that they cannot afford to start, or entirely maintain, separate charitable institutions. I think we have reached the limit of our tax-bearing capacity as regards institutions, and that we must get very substantial relief from the State if they are to be provided at all."

1111. As regards the granting of a loan repayable on especially easy terms, we think that the point should be carefully considered with a view to as generous treatment as possible being meted out. If the Report of the Vice-Regal Commission on Poor Law Reform, 1906 [Cd. 3202] be carried out there would probably be a large number of disused workhouses available, but even in this event the cost of the alterations necessarily involved would be considerable, and the need for a grant towards the alterations of buildings and the acquisition of lands, or for the granting of a loan repayable on easy terms, would be none the less pressing. In addition to the institutions which will be absolutely necessary if proper provision is to be made for the mentally defective persons in urgent need of provision, it should be remembered that the provision for a large number of mentally defective children, even outside an institution, will be a new and costly charge. The number left, even after institutional treatment had been provided in those cases where it was absolutely essential, would alone involve considerable additional expense when we remember that the only provision made for them at present is in the ordinary elementary schools.

Possibility of State Loan on easy terms.

1112. The general principles which underlie our Report as to England and Wales are applicable to Ireland. and may be briefly stated :—

General principles of our Report as to England and Wales applicable to Ireland.

(1) *Central Authority.*—That the same central authority which deals with "lunatics" should deal with all classes of mentally defective persons. To carry this out effectually in Ireland it would be necessary to have a strong central authority. Being empowered by our extended reference as to England and Wales we have definitely recommended this there. In the case of Ireland, we are debarred by the limited nature of our original reference from definitely recommending any change in the central supervising authority, *i.e.*, of the Inspectors of Lunatics and Lunatic Asylums. We desire, however, to again call attention to the Recommendations of the Committee on Lunacy Administration in Ireland, 1891 [c. 6434] which are in complete conformity with the principles underlying our Report, and to express our opinion that it would be essential that there should be in Ireland a strong Central Authority dealing with all classes of mentally defective persons. The supervising authority could then see that a plan of settled action was established between the various agencies brought into contact with mentally defective persons, whether, for instance, in prisons, reformatories, workhouses, inebriate homes, schools or voluntary institutions, so that they did not pass from one authority to another, helped or detained a little at each, but permanently cared for at none.

Committee on Lunacy Administration in Ireland, 1891. [C. 6434.]

(2) *Local Authority.*—That the same local authority which is responsible for the provision of accommodation for "lunatics" should also be required by Statute to make suitable and sufficient provision for the accommodation and maintenance, care, treatment, education, training and control of all classes of mentally defective persons, and that one Statutory Committee of the Council should exercise its powers in respect of all mentally defective persons (including those at present called "lunatics").

(3) *Amendment and Extension of Lunacy Law and Procedure.*—That the existing Lunacy Law and Procedure should be amended and adapted so as to enable it to cope with the new conditions.

(4) *System of Care and Control.*—That a system should be created by which the various classes of mentally defective persons can at an early age be brought into touch with some friendly authority, trained and as far as need be supervised during their lives, in co-operation with their relations when that is to their advantage, and, when it is desirable, detained and treated in some measure as wards of the State.

RECOMMENDATIONS AS TO IRELAND.

CHAPTER XLVII.

PREAMBLE.

In so far as we are empowered by our Reference, we recommend, and in so far as we are not so empowered, for reasons stated in our Report, we suggest, as follows :—

It has appeared to the Commissioners desirable that this short preamble should be prefixed to their Recommendations. The following are points which should be borne in mind in reference to the Recommendations as a whole :—

(1) It is not intended that the maintenance at the public expense of the mentally defective or of epileptics not mentally defective should be extended to those who, either at their own cost or at that of their relatives or friends, can be otherwise suitably and sufficiently provided for.

(2) The words "Institution" or "Home" are used, in these Recommendations, in the widest sense to include all establishments in which mentally defective persons are maintained wholly or in part at the expense of the rates or taxes, or at the charges of charitable endowments or voluntary contributions, and not for private profit.

(3) A "House" in these Recommendations means a place in which two or more mentally defective persons are maintained for private profit.

(4) The three methods of oversight, certification, and detention, are recommended as available subject to statutory safeguards, and at the advised discretion of a responsible Committee. According to the different classes, for some oversight will suffice, for others certification, and for others certification with an order for detention. The aim of the scheme is the application of particular methods suitable for the cases of different persons, not the general adoption of any one method exclusively. We have described the methods in our Report as to England and Wales.

See paras. 372, 683–754, and 763 above.

(5) Save as in the following Recommendations otherwise expressly provided, such Recommendations are not intended to apply to persons of unsound mind so found by inquisition.

A—THE CENTRAL AUTHORITY.

(Recommendations I to XVII.)

RECOMMENDATION I.

The single central authority.

That there be one central authority for the general protection and supervision of mentally defective persons and for the regulation of the provision made for their accommodation and maintenance, care, treatment, education, training and control, and that such central authority shall undertake the general supervision and inspection of persons of unsound mind so found by inquisition, and shall see that the orders of the Lord Chancellor regarding the residence, accommodation and maintenance of such persons, are duly carried out.

NOTE.—This includes the supervision and inspection of Chancery mentally defective persons as suggested by the Committee on Lunacy Administraton in Ireland, 1891 (Cd. 6434, p. 49). The Registrar in Lunacy as representing the Lord Chancellor's Jurisdiction would be made an *ex officio* member and Chairman of the Central Authority (*see* Recommendation VI).

RECOMMENDATION II.

Act for the care and control of the mentally defective.

That, consistently with the above Recommendation and in view of the alterations in administration and procedure suggested below, the Lunacy (Ireland) Acts, 1821—1901, be remodelled, and that such of the provisions of these Acts as are consistent with the scheme suggested in these Recommendations, together with such new statutory provisions as may be required for bringing the complete scheme into operation, should be embodied in a new Act for the care and control of the mentally defective.

RECOMMENDATION III.

Changes in nomenclature and definition of "mentally defective."

That the statutory use of the word "lunatic" be discontinued, that the term "Hospital" be substituted for the word "Asylum," and that the term "mentally defective" be defined in the proposed Act for the care and control of the mentally defective as comprising the classes of mentally defective persons set out in Recommendation IV.

RECOMMENDATION IV.

Classes of persons supervised by the central authority.

See para. 563.

That there be placed under the general protection and supervision of the central authority:

(1) "Persons of unsound mind," *i.e.*, persons who require care and control owing to disorder of the mind and are consequently incapable of managing themselves or their affairs, and are not included in classes (2), (3), (4), (5), (6), (7), (8), and (9), below.

NOTE.—The term "unsound mind" under this Recommendation might be said to stand as generally equivalent to the word lunatic.

(2) "Persons mentally infirm," *i.e.*, persons who, through mental infirmity, arising from age or from the decay of their faculties, are incapable of managing themselves or their affairs.

(3) "Idiots," *i.e.*, persons so deeply defective in mind from birth or from an early age that they are unable to guard themselves from common physical dangers, such as in the case of young children, would prevent their parents from leaving them alone.

NOTE.—This definition was suggested in evidence before us by the Royal College of Physicians of London.

(4) "Imbeciles," *i.e.*, persons who are capable of guarding themselves against common physical dangers, but who are incapable of earning their own living by reason of mental defect existing from birth or from an early age.

NOTE.—This definition was suggested in evidence before us by the Royal College of Physicians of London.

(5) "Feeble-minded," *i.e.*, persons who may be capable of earning a living under favourable circumstances, but are incapable from mental defect existing from birth or from an early age (a) of competing on equal terms with their normal fellows; or (b) of managing themselves and their affairs with ordinary prudence.

NOTE.—This definition is, with slight verbal alterations, in the form suggested in evidence by the Royal College of Physicians of London to us, assuming, as we do, that the "prodigal" and the "facile" are included within the term.

(6) "Moral Imbeciles," *i.e.*, persons who from an early age display some mental defect coupled with strong vicious or criminal propensities on which punishment has little or no deterrent effect.

NOTE.—This definition is as recommended by the Royal College of Physicians of London, with the deletion of the words in brackets and the substitution in their place of the words "some mental defect coupled with"; "a person who displays from an early age [*and in spite of careful up-bringing*] strong vicious or criminal propensities on which punishment has little or no deterrent effect."

(7) "Epileptics," *i.e.*, persons who, being epileptics, are also mentally defective.

(8) "Inebriates," *i.e.*, persons who, being inebriates, are also mentally defective.

(9) "Deaf and Dumb" or "Blind," *i.e.*, persons who, being deaf and dumb or blind, are also mentally defective.

RECOMMENDATION V.

Title of the central authority.

That the central authority, which would deal with the whole class of mentally defective persons and the divisions of that class, be called "The Commission for the Care of the Mentally Defective," and that the members thereof be called the Commissioners for the care of the Mentally Defective.

NOTE.—In the case of England and Wales we have recommended that the central authority should be called the "Board of Control," but, owing to the fact that there was at one time in Ireland a body, with certain limited functions only, known by that name, we have thought it desirable that the central authority in Ireland should be designated as the Commission for the Care of the Mentally Defective rather than as the Board of Control.

RECOMMENDATION VI.

Constitution of the central authority.

That there be appointed to the post of Commissioners, according to the demands of the business of the Commission, persons who are specially qualified for that post, subject to these qualifications—(1) That the Registrar in Lunacy shall be an ex-officio member and Chairman of the Commission, and shall be paid such extra remuneration as the Treasury may sanction. (2) that with the exception of the Registrar in Lunacy the ordinary salaried members of the Commission shall be qualified medical men.

RECOMMENDATION VII.

Registration and visitation of cases.

That all cases of mentally defective persons dealt with under these Recommendations be registered at the office of the Commission; that the work of the Commission be so arranged as to allow of the frequent personal visitation of mentally defective persons, and that this visitation consist of not less than two visits a year paid to each such person, unless, in view of the circumstances of particular cases or classes of cases, the Commission determines that in regard to them this frequent visitation is unnecessary.

RECOMMENDATION VIII.

Mentally defective persons (including single patients) in private families and charitable establishments.

That in the case of all persons who are mentally defective or alleged to be mentally defective, including single patients, similar provisions to those of the English Lunacy Act, 1890, Section 206, be applied.

NOTE.—Section 206 of the English Lunacy Act, 1890, is reprinted below :—

206.—(1.) If it comes to the knowledge of the Commissioners that any person appears to be without an order and certificates detained or treated as a lunatic or alleged lunatic by any person receiving no payment for the charge, or in any charitable, religious, or other establishment (not being an institution for lunatics), they may require the person by whom the patient is detained, or the superintendent or principal officer of the establishment, to send to them, within, or at such time or times as the Commissioners may appoint, a report or periodical reports by a medical practitioner of the mental and bodily condition of the patient, with all such other particulars as to him and his property as they think fit.

(2.) Any one or more of the Commissioners may at any time visit any such patient and report the result of the visit to the Commissioners, and may exercise, with respect to such patient, all the powers (except that of discharge) given to them as to persons confined in any institution for lunatics, or as single patients.

(3.) The Commissioners may, if they think fit, transmit any reports received by them, or may report the results of any enquiries made by them under this section, to the Lord Chancellor, who may thereupon make an order for the discharge of the patient from the custody in which he is detained or for his removal to an institution for lunatics, or to such other custody as he may think fit, and the expenses properly incurred of carrying any such order into effect and of maintaining the patient, if so removed, shall if the order so directs, be paid by the guardians of the union in which the patient was found, until the authority legally liable for his maintenance has been ascertained; and such guardians shall have the same right to recover any such expenses paid by them against the lunatic and his estate, and the person or authority legally liable for his maintenance as in the case of orders for maintenance under this Act.

(4.) Where an order is made by the Lord Chancellor under this section for removal of a lunatic to an asylum, any justice of the county or borough in which the asylum is may exercise all the authorities conferred upon a justice by this Act, for the purpose of making the lunatic's property applicable to his maintenance and for maintaining him as a pauper.

(5.) All reports and particulars sent to the Commissioners under this section shall be kept by them, and shall be open to inspection only by the Commissioners and the Lord Chancellor, and by such persons as the Lord Chancellor directs.

RECOMMENDATION IX.

Registration, supervision and inspection of institutions or houses.

That the Commission undertake the registration, supervision and inspection of all institutions or houses, as defined in the Preamble, in which mentally defective persons are maintained, and of all arrangements made for their care, and visit all such institutions or houses at least twice a year.

See para. 1062.

RECOMMENDATION X.

Licensing of institutions or houses for mentally defective persons.

That all institutions or houses, as defined in the Preamble, for the care and maintenance of mentally defective persons be licensed solely by the Commission, and be registered at the office of the Commission, and at the office of the Committee of the County Council or County Borough within the area of which they are chargeable for the payment of rates; and that, in view of the special class or classes of mentally defective persons which are to be maintained in the several institutions, the Commission draw up such regulations as may be necessary in regard to the accommodation to be provided in such institutions, due regard being had to economy in outlay and in administration.

See para. 1062.

RECOMMENDATION XI.

Division of Ireland into districts and appointment of Inspectors.

That, if found necessary, Ireland be divided into districts suitable for purposes of supervision and visitation, and that the Commissioners be assisted by Inspectors, who should be qualified medical practitioners.

NOTE.—The division of Ireland into suitable districts and the number of Inspectors required would be matters upon which the Central Authority should advise.

RECOMMENDATION XII.

Duties of Inspectors.

That the duties of the Inspectors either in such districts as shall be assigned to them by the Commission or generally shall be such as the Commission may direct, but shall extend to all classes of persons under the supervision of the Commissioners. Such parts of their Reports as the Commission shall deem to be of public interest or importance shall be published in the Annual Report of the Commission.

RECOMMENDATION XIII.

Qualifications of Medical Commissioners and Inspectors.

That in any appointment of Medical Commissioners or Inspectors, special consideration be paid to the claims of persons who have expert knowledge in regard to the various classes of mental defect mentioned in Recommendation IV., or respecting institutional and other administration.

RECOMMENDATION XIV.

Qualifications of Honorary Commissioners.

That Honorary Commissioners may be appointed for a term of years, but so that a proportion of the number retire in each year, and that in making such appointments consideration be paid to the claims of persons who combine a general interest in the well-being of the mentally defective with special knowledge in regard to some branch of institutional or administrative work, or who have such other qualifications as are likely to be of special service to the Commission.

RECOMMENDATION XV.

Civil Service rule of retirement to apply.

That the tenure of office for Commissioners and Inspectors be that of ordinary civil servants and that the ordinary Civil Service rule of retirement at the age of 65 shall apply to the salaried members of the Commission, to the Secretary, and to the Inspectors, but that in determining the amount of the pension due consideration be paid to the comparatively short tenure of office which, in individual cases, might result in hardship owing to such retirement being enforced.

RECOMMENDATION XVI.

Visitation by single Member of the Commission.

That all duties respecting the visitation of institutions or houses for the care of the mentally defective, unless in the particular instance the Commission decide otherwise, be undertaken by one Medical Commissioner, or by one other Commissioner assisted by a Medical Commissioner or an Inspector, and that except where the Commissioners otherwise decide, a single member of the Commission be authorised to inquire and report in regard to any scheme advanced or any educational, custodial or other arrangement, proposed by any local authority or public or voluntary agency for the aid, support, or benefit of mentally defective persons.

RECOMMENDATION XVII.

Annual Report of the Commission.

That an Annual Report be issued by the Commission which should include particulars of methods of treatment for mental defect in Ireland and elsewhere, accounts of new results of medical science and progress in regard to the proper care and supervision of the several classes of mentally defective persons, with the necessary statements of expenditure, plans, etc., etc., and that economy in construction and management of Institutions should be a question considered and reported on by the Commission from year to year in their Annual Report.

B.—THE LOCAL AUTHORITIES.

(Recommendations XVIII. to XXXVI.)

(a) CONSTITUTION AND DUTIES.

(Recommendations XVIII. to XXIV.)

RECOMMENDATION XVIII.

See paras. 1054, 1090, 1095–1099.

Local Authority to make provision etc., for mentally defective persons.

That the Council of each County and the Council of each County Borough be the local authority under the proposed Act, and be required by Statute to make suitable and sufficient provision for the care and control of the mentally defective in the County or County Borough.

RECOMMENDATION XIX.

Local authority to act through a Committee.

That the local authority shall exercise the powers proposed to be conferred on them under the proposed Act through a Statutory Committee.

RECOMMENDATION XX.

Name of the Committee and transfer of duties of Committees under Sec. 9 of the Local Government (Ireland) Act, 1898.

That the Statutory Committee be called the Committee for the Care of the Mentally Defective and take over the duties of the Committee of the Council of the County or County Borough, as the case may be, under Section 9 of the Local Government (Ireland) Act, 1898.

RECOMMENDATION XXI.

Co-opted members of the Committee.

That the Committee for the care of the mentally defective be constituted so as to include within it by co-option additional members, of whom one at least if possible shall be a woman, who have special experience or knowledge.

RECOMMENDATION XXII.

Powers of local authority delegated to the Committee.

That all matters relating to the exercise by the Council of their powers (under the proposed Act for the care and control of the mentally defective) except the power of raising a rate or borrowing money shall stand referred to the Committee for the care of the mentally defective, and the Council, before exercising such powers, shall, unless in their opinion the matter is urgent, receive and consider the Report of the Committee for the care of the mentally defective with respect to the matter in question. The Council may also delegate to the Committee, with or without restrictions or conditions, as they think fit, any of their powers (under such an Act) except the power of raising a rate or borrowing money.

RECOMMENDATION XXIII.

Duty of Committee to receive requests as to provision and to report to Commission in case of refusal of requests.

That it shall be the duty of the Committee for the Care of the Mentally Defective to receive from parents and others in charge of mentally defective persons requests for the provision of care and control of those mentally defective persons, and on the receipt of such requests it shall be the duty of the Committee, after making any necessary enquiries as to the requirements of the mentally defective persons referred to, to arrange for the admission of those mentally defective persons into suitable institutions or houses or into suitable private care, and in the event of the Committee failing to provide such care for any such case it shall be a duty of the Committee to report the fact that they have not acted on such request and the reasons for not so acting, to the Commission.

RECOMMENDATION XXIV.

Discretion of Committee as to method of dealing with individual case.

That, subject to the Regulations of the Commission, it shall be at the discretion of the Committee, on the report of their Medical Officer, to deal with mentally defective persons on whose behalf they deem that intervention on their part is necessary as they shall think best in the individual case, either registering the case only, or having it certified also, or taking steps for its certification and detention, or placing it in an Institution or Home or House or under private care or family guardianship, or leaving it to the care of its parents or guardians, with or without the appointment of a friendly visitor, or taking any other measures that seem to them desirable.

(b) MEDICAL OFFICERS AND CERTIFYING MEDICAL PRACTITIONERS.

(Recommendations XXV. to XXVI.)

RECOMMENDATION XXV.

Medical officer to be appointed by the local authority.

That on the recommendation of the Committee, and subject to the approval of the Commission, the Council of the County or County Borough appoint a specially qualified medical officer or officers to assist them in the care and control of the mentally defective in the county or county borough, on the understanding that the internal management of institutions should remain in the hands of the Superintendents in charge of them, subject to the supervision and authority of the Committee.

RECOMMENDATION XXVI.

Appointment of certifying medical practitioners.

That in order that there may be a certifying medical practitioner at hand in different parts of the County or County Borough, the Committee divide the area of the County or County Borough into such districts as they may deem suitable, and that the Council of the County or County Borough, on the recommendation of the Committee and subject to the approval of the Commission, appoint in each of these districts the local dispensary doctor or one or more duly qualified medical men to act on behalf of the Committee as a certifying medical practitioner; and that such certifying medical practitioner be paid by the Council by fee for each case examined by him, and his services shall be "a public duty" so as to secure for him the benefit of the Public Authorities Protection Act, 1893. The Commission shall make Rules to be observed in respect of the appointment, and, amongst others, as to the medical qualification, and as to disqualifications from partnership or relationship or personal interest, and as to acting outside a district, and altering districts, and for the appointment of deputies.

(c) JOINT COMMITTEES

(Recommendation XXVII.)

RECOMMENDATION XXVII.

Joint committees of local authorities.

That with a view to promoting a common policy in the treatment and care of mentally defective persons and for the supply of sufficient and suitable accommodation at the least expense, it is desirable that advantage should be taken of Section 9 (7) to (9), of the Local Government (Ireland) Act, 1898.

(c) FINANCIAL ARRANGEMENTS.

(Recommendations XXVIII. to XXXV.)

RECOMMENDATION XXVIII.

Discontinuance of 4s. grant.

That the 4s. grant (Local Government (Ireland) Act, 1898, 61 and 62 Vict., Chap. 37, Section 58 (2) (c)) now payable to the Councils of Administrative Counties and County Boroughs towards the cost of certified lunatics admitted to

asylums, and the 2s. grant now payable to the Councils in respect of chronic and harmless lunatics in auxiliary asylums (Local Government (Ireland) Act, 1898, 61 and 62 Vict., Chap. 37, Section 76 (1)) be discontinued.

That the total cost of the maintenance, care and treatment, education, training and control of mentally defective persons and of the provision of suitable accommodation for them shall be borne by the County and Borough Councils aided by new grants from the Exchequer.

RECOMMENDATION XXIX.

Exchequer grant payable to local authorities.

A.—That substantial financial assistance be granted from the Exchequer to a Council of the County or County Borough for the care and maintenance of mentally defective persons, and of epileptics not mentally defective, and that this assistance be granted by one or other of the following methods, either:— *See* paras 1104-111

(i.) On the method of an annual bloc grant on the principle that the grant be greater or less according to the proportion of the local expenditure to an approved standard of proper and economical expenditure and also greater or less as the assessable value per head of the population of the district is smaller or larger;

or;

(ii) That in addition to the present Exchequer contributions there be paid by the Exchequer to the Councils of Counties and County Boroughs annually a grant based on the number of mentally defective persons, and epileptics not mentally defective, for whom provision is made beyond the numbers provided for on the 1st of January, 1908, and that such grant be the sum which the Commission certify to be equal to one-half of the cost properly incurred by such Councils in respect of such additional numbers of mentally defective persons.

B.—That this bloc grant or this maintenance grant be payable subject to the certificate of the Commission that the local authority has carried out its duties under Recommendation XVIII. satisfactorily, and that in the event of the Commission refusing to give such a certificate an appeal shall lie to the Lord Lieutenant, whose decision shall be final.

See para. 1086.

C.—That in addition to the above grant, whether it is a bloc grant or a maintenance grant, there be provided from the Exchequer annually for a term of years a grant in aid for the provision of necessary accommodation in the manner and in the locality advised by the Commission.

RECOMMENDATION XXX.

Use of grant by local authority, and power to contract with others to supply accommodation.

That, subject to the approval of the Commission, the Council of the County or County Borough, acting through the Committee for the care of the mentally defective, shall be authorised to use whatever grants may be made to them by the Exchequer, in any way they may think best for the well-being of the mentally defective, and epileptics not mentally defective, and may contract with any Poor Law or other public authority, public or voluntary agency, or private person, under such conditions as they may deem advisable, for the care, education, training, or maintenance of any mentally defective persons or of epileptics not mentally defective. *See* paras 1052, 105 1083, 109

RECOMMENDATION XXXI.

That the Commission be provided with such architectural advice and other technical assistance as may be necessary for the efficient execution of the provisions of Recommendation XXXII. 2.

Architectural assistance for Commission.

RECOMMENDATION XXXII.

1. That a local authority proposing to establish, alter, restore, or enlarge buildings, or to purchase or lease any estate or house for the accommodation of mentally defective persons shall send to the Commission all plans, specifications, and estimates, or other particulars which may be considered necessary.

Plans for buildings, and estimates.

2. That the Commission, with such assistance as they may consider necessary (see Recommendation XXXI), shall consider if these plans, specifications, estimates, etc., are such as may be approved by the Lord Lieutenant, and involve no unreasonable expenditure.

3. When the Commission have satisfied themselves that the plans, &c., are suitable for the purpose intended, they shall transmit them to the Local Government Board for report as to whether, subject to public enquiry, they are prepared to sanction the loan required. On receipt of an intimation that the Local Government Board are prepared to recommend a loan the Commission shall submit for the approval of the Lord Lieutenant the plans, &c., and when such approval is signified shall notify the local authority, who shall then make application to the proper authority for the loan.

4. That it be laid down clearly in the Act that plans, &c., shall not be approved which involve unreasonable expenditure.

Recommendation II.

5. The Lord Lieutenant, on the report of the Commission, shall have power to prohibit the use of any parts of buildings for purposes other than those which were approved by him, or which shall be deemed insanitary or unsuitable.

RECOMMENDATION XXXIII.

That the Commission have power to hold a public local enquiry in regard to any plan, scheme, or proposal which has been submitted to them for the care of mentally defective persons.

Public local enquiries by Commission.

RECOMMENDATION XXXIV.

That in view of the following consideration that under Recommendations XVIII. to XXIV. the obligation of dealing with mentally defective persons is imposed on the Committee of the Council of the County or of the

Settlement by counties.

e para. 59.

County Borough, as the case may be, it is desirable that a system of settlement based on residence by Counties and County Boroughs be introduced for the purpose of the administration now proposed.

RECOMMENDATION XXXV.

Time of residence in any institution for the mentally defective not to count for acquisition of settlement.

That residence in any institution, house, hospital, establishment or home licensed for the accommodation, maintenance, care, treatment, education, training or control of any of the classes of mentally defective shall not count as part of the period of residence necessary to the acquisition of settlement.

(d) ANNUAL REPORT.

(Recommendation XXXVI.)

RECOMMENDATION XXXVI.

Annual Report.

That the Committees for the Care of the Mentally Defective shall publish each year an annual report which shall be forwarded to the Commission, and the Commission shall publish such of these reports or such extracts from these reports as they may deem to be of public interest or importance, and in such a form as they may deem advisable; the Commission shall require, and the Committees shall furnish, such statistical and other information as may be required by the Commission or may be considered necessary in order to show the nature and extent of the work of the local authorities.

C.—GUARDIANSHIP AND SUPERVISION.

(Recommendations XXXVII. to XLII.)

(a) PERSONS UNDER 21.

(Recommendations XXXVII. to XL.)

RECOMMENDATION XXXVII.

Cases under 21 not under suitable parental or other control.

That in the case of persons under 21 years of age for whose care and control any Council is required to make suitable and sufficient provision who, in the opinion of the Committee, are not under suitable parental or other control, and are not receiving suitable training, or are cruelly treated or otherwise neglected, and who in the opinion of the responsible Medical Officer of the Committee come within any of the classes (3) to (9) inclusive of Recommendation IV., the Committee may resolve that until the child reaches the age of 21 all the rights and powers of the parent or parents or other person who is the guardian of the child or is liable to maintain the child or has the custody of the child, shall vest in the Committee until the child reaches the age of 21, and thereupon those rights and powers shall so vest. Provided (1) that the Committee may rescind the resolution if they think that it will be

for the benefit of the child that it should be rescinded, or may permit the child to be either permanently or temporarily under the control of the parent or of any relative or of any friend or of any society or institution for the care of children; (2) that a Court of Summary Jurisdiction, if satisfied on complaint made by a parent, or if there is no parent, by the legal—or, if there be no legal, then by the acting—guardian or the near relation of the child, that there was no ground for the resolution, or that it is for the benefit of the child that it should be permanently or temporarily under the control of its parent or guardian, or that the resolution of the Committee should be determined, may make an order accordingly, and the Committee shall comply with any such order; if the order determines the resolution, the resolution shall be thereby determined as from the date of the order, and the Committee shall cease to have the rights and powers of the parent as respects the child; (3) that an appeal from the Court of Summary Jurisdiction to the Quarter Sessions be allowed.

RECOMMENDATION XXXVIII.

That in all cases of mentally defective persons who are under the wardship of the Committee under Recommendation XXXVII., the Committee shall report to the Commission as to their condition when they reach the age of 21, and the Commission shall decide what further steps should be taken in view of the continuance of such persons under care and control.

Cases under wardship of Committee to be reported on at age of 21.

RECOMMENDATION XXXIX.

That in the case of persons under 21 years of age who, in the opinion of the Committee, are under suitable parental or other control, and are receiving suitable training, or are not cruelly treated or otherwise neglected, but in the judgment of the responsible Medical Officer of the Committee come within any of the classes (3) to (9), inclusive, of Recommendation IV., the Committee endeavour to make a voluntary agreement with the parent or guardian for the appointment of a Friendly Visitor who, with the Committee, shall be consulted as to any proposed removal of the person from his or her present residence or any change in regard to his or her education and training or any question of marriage, and generally in regard to any matter that may affect the well-being of the person at the time or in the future, so that the parent or guardian may have the benefit of the advice and co-operation of the Committee and of the Friendly Visitor.

Cases under 21 under suitable parental or other control.

RECOMMENDATION XL.

That any person under 21 years of age who comes within any of the classes (3) to (9), inclusive, of Recommendation IV. may be placed by the parents or guardians or by any person undertaking and performing towards him the duty of a parent or guardian, or by the Committee in any registered institution, or house for the mentally defective, upon the certificate in writing of a qualified medical practitioner, without the intervention of a Judicial Authority, as defined in Recommendation LVI. (sec. 6, i.), and on reaching the age of 21 may, with the consent of the Commission, be retained after he is of full age.

Mentally defective persons under 21 may be placed by parents in institutions on one medical certificate.

(b) PERSONS AFTER 21.

(Recommendations XLI. to XLII.)

RECOMMENDATION XLI.

Petition may be presented by the Committee as next friend in certain cases over 21.

That in the case of persons over 21 years of age for whose care and control any Council is required to make suitable and sufficient provision, who have not been under the wardship of the Committee or dealt with under Recommendation XL. above, and are alleged to be mentally defective as defined in Recommendation IV., the Committee shall deal with the case as they think fit with a view to the proper care, control, and safeguard of the mentally defective person, and may, if they deem it right by one of their officers, make an Urgency Order, present a petition as next friend of the said person, or apply for a Summary Reception Order, under Recommendation LVI. below.

RECOMMENDATION XLII.

Power to allow relation or friend to retain mentally defective person.

That if in the opinion of the Committee and of their Medical Officer it is desirable that any person over 21 years of age who is mentally defective as defined in Recommendation IV., and who might otherwise be taken charge of by the Committee, should be retained under the care of a relation or friend, nothing in the proposed Act shall prevent this.

D.—PROCEDURE IN REGARD TO MENTALLY DEFECTIVE PERSONS.

(Recommendations XLIII to LVII.)

(a) INQUIRY AS TO THE NUMBERS OF DEFECTIVE PERSONS AND NOTIFICATION.

(Recommendations XLIII. to XLIX.)

RECOMMENDATION XLIII.

Inquiry as to number of mentally defective persons.

That, with a view to facilitate the work of the Committee in the first instance, it shall be its duty in pursuance of regulations to be laid down by the Commission to ascertain as far as possible the number of mentally defective persons for whom the Council is liable to provide either by the Medical Officer of the Committee or by a well qualified medical man appointed for the purpose, acting under the supervision of the Medical Officer.

RECOMMENDATION XLIV.

Notification of mentally defective persons.

That it be the statutory duty of the Medical Officers of the Education Authorities, of the Guardians of the Poor, and of the Public Health Committees, the Relieving Officers of Board of Guardians, the Medical Officers of Convict and Local Prisons, and Medical Officers of Dispensary Districts, the Police, and the Managers of Reformatory and Industrial Schools, or of any Homes for Inebriates or any Charitable, Religious or other Voluntary Institutions or Societies, or any Naval or Military Authorities to notify to the Committee all cases of mental defect coming to their knowledge in the course of duty appearing to

come within Recommendation IV. above, provided always that the Lord Lieutenant may, on special grounds to be stated in the Annual Report of the Commission, by regulation exempt any particular authorities from the fulfilment of this duty.

RECOMMENDATION XLV.

That anyone who for profit shall receive to reside as a patient or maintain any person appearing to come within any of the classes of mentally defective persons defined in Recommendation IV. shall within seven days thereafter notify the same to the Commission.

Notification of mentally defective patients received for profit.

RECOMMENDATION XLVI.

That it shall be the duty of Medical Officers who are in charge of Institutions for persons of unsound mind, Receiving Houses, and Reception Wards, to report to the Committee for special consideration the cases of persons who are repeatedly certified and admitted and repeatedly discharged, or who are in such a mental condition as would be likely to occasion their relapse under the stress of life, with a view to care and control being exercised in regard to them, if desirable, in some other and more effectual manner; and in cases of doubt whether the patient should or should not be discharged there may be an appeal to the Commission on the question, and the decision of the Commission shall be final.

Report as to recurrent cases of unsound mind.

NOTE.—As to Receiving Houses and Reception Wards, see Recommendation LII.–LV.

(b) ADMISSION, CONTINUANCE ORDERS, TRANSFERS AND DISCHARGES.

(Recommendations XLVII. to LII.)

RECOMMENDATION XLVII

That as a condition of its licence every institution or house for the care of the mentally defective shall through its Committee of Management appoint an honorary or paid Medical Officer who shall give such attendance as may be directed by the Commission.

Medical Officer, honorary or paid, for every institution

RECOMMENDATION XLVIII.

(1) That at least once in every year there be a revision by the Committee of all cases of mentally defective persons who are being dealt with by them, and that any changes made be reported to the Commission; and that the certificate of the medical officer of the institution shall, under regulations to be made by the Commission, and subject to the approval of the Committee and the Commission, suffice for the continuance of residence of the mentally defective person in the institution.

Annual revision of mentally defective cases in institutions.

RECOMMENDATION XLIX.

That in the case of mentally defective persons dealt with by the Committee no transfer, except as mentioned in the proviso below, shall take place from one institution or home to another, or from an institution or home to private care or *vice versa* without the authority of the Committee and subject to their approval as to the selection of the institution or private care to which the mentally defective person is to be transferred,

Transfer from one institution to another or to private care and *vice versa* only to take effect with consent of Committee.

and the Commission shall make such regulations as may appear to them necessary in relation to the several classes of cases for reports of transfers being made to them, and for the granting or withholding of their consent, provided always that the Commission may order the transfer of any particular case where it appears to the Commission that such transfer is desirable.

RECOMMENDATION L.

Discharge of persons from institutions.

That in the case of discharges of mentally defective persons from institutions into which persons coming under classes (2) to (9), inclusive, have been admitted, the discharge may, if the Committee think fit, be ordered by the Committee on the certificate of the Medical Officer of the institution; and, if the Medical Officer of the institution be of a contrary opinion to that of the Committee in regard to the discharge, there shall be an appeal to the Commission, whose decision shall be final. The Regulations of the Commission to be made under Recommendation XLIX shall embody directions as to the principles on which discharges shall be ordered.

RECOMMENDATION LI.

Notification to the Committee and Commission of all admissions, transfers, etc.

That under regulations to be made by the Commission all admissions, transfers, continuance orders, discharges and deaths be at once reported to the Commission and to the Committee for the care of the mentally defective.

(c) RECEIVING HOUSES OR RECEPTION WARDS.

(Recommendations LII. to LV.)

RECOMMENDATION LII.

Receiving Houses or Reception Wards to be established.

That for the reception and observation and temporary treatment of cases of mental defect the Committee, under regulations to be made by the Commission, shall provide or contract with others to provide such Receiving Houses or Reception Wards in various parts of their area as may be necessary; and that such Receiving Houses or Reception Wards be exclusively used for that purpose and be licensed by the Commission and placed under the management of the Committee; and that they be available not only for poor persons but also, on payment, for persons who might be fully and sufficiently provided for otherwise at their own charges or at the charges of their relations or friends.

RECOMMENDATION LIII.

Statutory obligation on certain public authorities to provide accommodation for Receiving Houses or Wards on request of the Council of the County or County Borough.

That there be a statutory obligation imposed on public authorities within the area of the County or County Borough, such as Boards of Guardians and District and Borough Councils, on the request of the Council of the County or County Borough, to provide the necessary accommodation for Receiving Houses or Wards on such terms as may be arranged between them; and that in case of a difference of opinion between the Council of the County or County Borough and the other authority in respect of the necessity for such provision, or of the expediency of using any existing building for such purpose, there shall be an appeal to the Lord Lieutenant, provided that in the case of any building provided, or to be provided under the authority of the Local Government

Board, it shall be the duty of the Local Government Board, after inquiry, to determine if the building should be provided or used for the proposed purpose, and, if so, upon what terms; and the decision of the Board shall be final.

RECOMMENDATION LIV.

That in the case of all mentally defective persons taken to a Receiving House or Reception Ward it shall be necessary for the Medical Officer or one of the Medical Officers of the Committee, or a certifying medical practitioner, to attend at the Receiving House or Reception Ward, and act as one of the certifying medical officers.

Cases in Receiving Houses, etc., to be seen by Medical Officer representing the Committee.

RECOMMENDATION LV.

That under any immediate certificate or order that the Commission under its regulations may require, any person alleged to be mentally defective, as defined in Recommendation IV., may be at once admitted to a Receiving House or Reception Ward on application made either by the person himself or on his behalf, subject to the approval and order of the Medical Officer in charge, and (except in cases of payment under Recommendation LII.) all necessary expenditure for the maintenance of such persons shall be borne by the Committee. And further, that the Medical Officer in charge of the Receiving House or Reception Ward shall at once on the admission of such person report the fact to the Medical Officer of the Committee with a view to such sufficient action being taken on their part, as, in their opinion, the case may require.

Applications for admission of mentally defective persons to Receiving House.

(d) MODIFICATIONS OF THE LUNACY (IRELAND) ACTS, (1821-1901), AND STATUTORY REGULATIONS THEREUNDER.

(Recommendation LVI.)

RECOMMENDATION LVI.

ee para. 065.

That the procedure for authorising the admission of persons into Institutions or Houses and their detention therein be as follows:—

RECEPTION OF LUNATICS.

Reception Orders on Petition.

1.—(1.) Subject to the exceptions in this Act mentioned, a person, not being a person of unsound mind so found by inquisition, shall not be received and detained as a mentally defective person in an institution or house for mentally defective persons or as a single patient, unless under a reception order made by the judicial authority hereinafter mentioned. A relative of the person applying for an order under this section or of the mentally defective person, or of the husband or wife of the mentally defective person, shall not be capable of making such order.

Private patients not found persons of unsound mind by inquisition to be received only under order of judicial authority.

(2.) The order shall be obtained upon a private application by petition accompanied by a statement of particulars and by two medical certificates on separate sheets of paper.

2.—(1.) The petition shall be presented, if possible, by the husband or wife or by a relative of the alleged mentally defective person. If not so presented it shall contain a statement of the reasons why the petition is not so presented and of the connexion of the petitioner with the alleged mentally defective person, and the circumstances under which he presents the petition.

Petition for reception order.

(2.) No person shall present a petition unless he is at least twenty-one years of age and has within fourteen days before the presentation of the petition personally seen the alleged mentally defective person.

(3.) The petition shall be signed by the petitioner and the statement of particulars by the person making the statement.

(4.) Notwithstanding anything contained in this section the Committee of any Council of a County or County Borough for the care of the mentally defective, may authorise its Medical Officer or one of its Medical Officers to present a petition as next friend of the alleged mentally defective person in any case where the Committee deems it advisable so to do, either at the request of the relatives or in consequence of any failure for any reason on the part of any

husband, wife, or other relative of the alleged mentally defective person so to present a petition, and where the Committee is advised by its Medical Officer or one of its Medical Officers that such petition ought to be presented.

Procedure upon petition for a reception order.

3.—(1.) Upon the presentation of the petition the judicial authority shall consider the allegations in the petition and statement of particulars and the evidence of mental defect appearing by the medical certificates, and whether it is necessary for him personally to see and examine the alleged mentally defective person, and if he is satisfied that an order may properly be made forthwith, he may make the same accordingly; either directing the admission of the mentally defective person to a particular institution or house which the petitioner, his relative, or friend may desire, or failing that which, in his opinion, on the evidence submitted to him or his personal knowledge, is suitable for the admission of the said person, or directing the admission of the mentally defective person to an institution or house suitable for his proper care and control, as may be decided by the Committee for the care of the Mentally Defective, or if not so satisfied he shall appoint as early a time as practicable, not being more than seven days after the presentation of the petition, for the consideration thereof; and he may make such further or other enquiries of or concerning the alleged mentally defective person as he may think fit. Notice of the time and place appointed for the consideration of the petition (unless personally given to the petitioner) shall be sent to the petitioner by post in a prepaid registered letter addressed to him at his address as given in the petition.

(2.) The judicial authority, if not satisfied with the evidence of mental defect appearing by the medical certificates, may, if he thinks it necessary so to do, visit the alleged mentally defective person at the place where he may happen to be. And the order shall contain a statement that the patient has or has not been personally examined by such judicial authority.

(3.) The petition shall be considered in private, and no one except the petitioner, the alleged mentally defective person (unless the judicial authority shall in his discretion otherwise order), any one person appointed by the alleged mentally defective person for that purpose, and the persons signing the medical certificates accompanying the petition, shall, without the leave of the judicial authority, be present at the consideration thereof.

(4.) At the time appointed for consideration of the petition the judicial authority may make an order thereon or dismiss the same, or, if he thinks fit, may adjourn the same for any period not exceeding fourteen days for further evidence or information, and he may give notice to such persons as he thinks fit of the adjourned consideration, and summon any persons to attend before him.

(5.) Every judicial authority and all persons admitted to be present at the consideration of any petition for a reception order, or otherwise having official cognisance of the fact that a petition has been presented, except the alleged mentally defective person and the person appointed by the alleged mentally defective person as aforesaid, shall be bound to keep secret all matters and documents which may come to his or their knowledge by reason thereof, except when required to divulge the same by lawful authority.

Dismissal of petition.

4.—(1.) If the petition is dismissed, the judicial authority shall deliver to the petitioner a statement in writing under his hand of his reasons for dismissing the same, and shall send a copy of such statement to the Commission and shall also, where the alleged mentally defective person is detained under an urgency order, send notice by post or otherwise, to the person in whose charge the alleged mentally defective person is, that the petition has been dismissed.

(2.) Any judicial authority making or refusing a reception order, shall, if so required by the Commission, give to them all such information as they may require as to the circumstances under which the order was made or refused.

(3.) The Commission may communicate such information as they think proper, on the dismissal of the petition or the release of the alleged mentally defective person, to him or to any person who may satisfy them that he is a proper person to receive the information.

(4.) If after a petition has been dismissed another petition is presented as to the same alleged mentally defective person, the person presenting such other petition, so far as he has any knowledge or information with regard to the previous petition and its dismissal shall state the facts relating thereto in his petition, and shall obtain from the Commission at his own expense, and present with his petition, a copy of the statement sent to them of the reasons for dismissing the previous petition, and, if he wilfully omits to comply with this sub-section, he shall be guilty of a misdemeanour.

Right of mentally defective person to be examined by judicial authority.

5.—(1.) When a mentally defective person has been received as a private patient under an order of a judicial authority, without a statement in the order that the patient has been personally seen by such judicial authority, the patient shall have the right to be taken before or visited by a judicial authority, other than the judicial authority who make the order, unless the medical officer of the institution or house, or, in the case of a single patient his medical attendant, within twenty-four hours after reception, in a certificate signed and sent to the Commission, states that the exercise of such right would be prejudicial to the patient.

(2.) Where no such certificate has been signed and sent, the manager of the institution or house in which the patient is, or the person having charge of him as a single patient, shall, within twenty-four hours after reception, give to the patient a notice in writing of his right under this section, and shall ascertain whether he desires to exercise the right; and if he, within seven days after his reception, expresses his desire to exercise the right, such manager or person shall procure him to sign a notice of such desire, and shall forthwith transmit it by post in a prepaid registered letter to the judicial authority, who is to exercise the jurisdiction under this section, or to the justices clerk of the petty sessional division or borough, where the mentally defective person is, to be by him transmitted to such judicial authority, and the judicial authority shall thereupon arrange, as soon as conveniently may be, either to visit the patient or to have the patient brought before him by the manager or person as the judicial authority may think fit.

(3.) The judicial authority shall be entitled, if he desires so to do, to see the medical certificates and any other documents, upon the consideration of which the reception order was made, and shall after personally seeing the patient send to the Commission a report, and the Commission shall take such steps as may be necessary to give effect to the report.

(4.) For the purposes of this section the jurisdiction shall be exercised by any judicial authority having authority to act in the place where the person received is, and not being the judicial authority who made the reception order: and arrangements shall for that purpose from time to time be made amongst themselves by the persons having such authority as aforesaid.

(5.) If any manager of an institution or house for mentally defective persons, or any person having charge of a single patient, omits to perform any duty imposed upon him by this section, he shall be guilty of a misdemeanour.

Judicial authority defined.

6.—(1.) The powers of the judicial authority under this Act shall be exercised by a justice of the peace specially appointed as hereinafter provided, or a judge of county courts, or resident magistrate.

(2.) Every judicial authority shall, in the exercise of the jurisdiction conferred by this Act, have the same jurisdiction and power as regards the summoning and examination of witnesses, the administration of oaths, and otherwise, as if he were acting in the exercise of his ordinary jurisdiction, and shall be assisted, if he so requires, by the same officers as if he were so acting, and their assistance under this Act shall be considered in fixing their remuneration.

(3.) A judge of county courts and a resident magistrate shall not be required to exercise any powers under this Act so as to interfere with or delay the exercise of his ordinary jurisdiction.

Appointment of justices to make reception orders.

7.—(1.) The justices of every county and quarter sessions borough, shall annually appoint out of their own body as many fit and proper persons as they may deem necessary to exercise the powers conferred by this Act upon the judicial authority. In making such appointments the justices of every county shall have regard to the convenience of the inhabitants of each petty sessional division thereof.

(2.) The annual appointments under this section shall be made by justices of a county at their Michaelmas quarter sessions, and by justices of a borough at special sessions to be held in the month of October.

(3.) If in any year such appointments are not made, it shall be lawful for the Lord Chancellor, by writing under his hand, to make the same; and if, on any representation made to him that the number of justices so appointed for any county or borough is at any time insufficient, the Lord Chancellor is satisfied that such representation is well founded, he shall have power to appoint, by writing under his hand, any other justices of such county or borough to act, until the next Michaelmas quarter or special sessions, with the justices so appointed.

(4.) If in the case of a borough or place not having a separate quarter sessions, representation is made to the Lord Chancellor that public inconvenience is likely to result, unless power is given to the justices of such borough or place to exercise the powers conferred by this Act upon the judicial authority, it shall be lawful for the Lord Chancellor, from time to time, with or without a fresh representation, to appoint, by writing under his hand, one or more of the justices of such borough or place to exercise during such time as the Lord Chancellor thinks fit the powers aforesaid, together with any other specially appointed justices acting therein.

(5.) In the case of the death, absence, inability, or refusal to act of any justice appointed under this section the justices of the county or borough, or the Lord Chancellor, as the case may be, may appoint a justice to act in his place. Such appointment may be made by justices of a county at any quarter sessions, and by justices of a borough at special sessions to be held at the same time as any quarter sessions.

(6.) All appointments of justices under this section shall be recorded by the clerk of the peace of the county or borough, or in the case of a borough or place not having a separate quarter sessions, by the clerk of petty sessions, and it shall be the duty of every such clerk to publish the names of the justices so appointed in each petty sessional division of the county and otherwise for the information of all persons interested. In the case of quarter sessions boroughs, the clerk of petty sessions making the appointment shall forthwith notify the same to the clerk of the peace of the borough.

URGENCY ORDERS.

Urgency orders.

8. (1.) In cases of urgency where it is expedient, either for the welfare of a person alleged to be a mentally defective person, or for the public safety, that the alleged mentally defective person, should be forthwith placed under care and treatment, he may be received and detained in an institution or house for mentally defective persons, or in a receiving house or reception ward, or as a single patient upon an urgency order, made (if possible) by the husband or wife or by a relative of the alleged mentally defective person, accompanied by one medical certificate.

(2) An urgency order may be signed before or after the medical certificate.

(3) If an urgency order is not signed by the husband or wife or by a relative of the alleged mentally defective person, the order shall contain a statement of the reasons why the same is not so signed and of the connection with the alleged mentally defective person, of the person signing the order, and the circumstances under which he signs the same.

(4.) No person shall sign an urgency order unless he is at least twenty-one years of age and has within two days before the date of the order personally seen the alleged mentally defective person.

(5.) An urgency order may be made as well after as before a petition for a reception order has been presented. An urgency order, if made before a petition has been presented, shall be referred to in the petition, and if made after the petition has been presented, a copy thereof shall forthwith be sent by the petitioner to the judicial authority to whom the petition has been presented.

(6.) An urgency order shall remain in force for seven days from its date; or if a petition for a reception order is pending, then until the petition is finally disposed of.

(7.) An urgency order shall have subjoined or annexed thereto a statement of particulars.

(8) Notwithstanding anything contained in this section the Committee of any Council of a County or County Borough for the care of the mentally defective may authorise its medical officer or one of its medical officers to make an urgency order as next friend of the alleged mentally defective person in any case where it deems it advisable so to do, either at the request of the relatives, or in consequence of any failure on the part of any husband, wife or other relative of the alleged mentally defective person so to make an urgency order and when the Committee is advised by its medical officer or one of its medical officers that such urgency order ought to be made.

SUMMARY RECEPTION ORDERS.

Mentally defective persons not under proper care and control or cruelly treated or neglected.

9.—(1.) Every constable, relieving officer or medical officer of a union, or representative of the Committee of any Council of a County or County Borough for the care of the mentally defective, who has knowledge that any person within the district or parish of the constable, relieving officer, medical officer of a union or the Committee, who is not wandering at large, is deemed to be a mentally defective person and is not under proper care and control, or is cruelly treated or neglected by any relative or other person having the care or charge of him, shall within three days after obtaining such knowledge give information thereof upon oath to a justice being a judicial authority under this Act.

(2.) Any such justice, upon information on oath of any person whomsoever, that a person not wandering at large, is deemed to be a mentally defective person and is not under proper care and control, or is cruelly treated or neglected as aforesaid, may himself visit the alleged mentally defective person, and shall, whether making such visit or not, direct and authorise the Medical Officer, or one of the Medical Officers of the Committee of the Council of the County or County Borough for the care of the mentally defective, or a certifying medical practitioner, to visit and examine the alleged mentally defective person, and to certify his opinion as to his mental state, and the justice shall proceed in the same manner so far as possible, and have as to the alleged mentally defective person the same powers, as if a petition for a reception order had been presented by the person by whom the information with regard to the alleged mentally defective person has been sworn.

(3.) If upon the certificate of the medical practitioner who examines the alleged mentally defective person, or after such other and further inquiry as the justice thinks necessary, he is satisfied that the alleged mentally defective person is a mentally defective person, and is not under proper care and control, or is cruelly treated or neglected by any relative or other person having the care or charge of him and that he is a proper person to be taken charge of and detained under care and treatment, the justice may, by order, direct the mentally defective person to be received and detained in any Institution, or Receiving House, or Reception Ward, home, or house for mentally defective persons for not more than fourteen days, and the constable, or relieving officer, medical officer of a Union, or representative of the Committee, upon whose information the order has been made, or any constable whom the justice may require so to do, shall forthwith convey the mentally defective person to the Institution, home, or house or Receiving House or Ward named in the order, and the Medical Officer of the Committee of the County or County Borough for the care of the mentally defective shall, within the said fourteen days, ascertain to what Institution or house the mentally defective person may most suitably be admitted and shall, with the approval of the Committee, have him admitted to that Institution or house.

Mentally defective person wandering at large to be brought before a justice.

10.—(1). Every constable and relieving officer who has knowledge that any person wandering at large within the district or parish of the constable or relieving officer is deemed to be a mentally defective person, shall immediately apprehend and take the alleged mentally defective person, or cause him to be apprehended and taken before a justice.

(2.) Any justice, upon the information upon oath of any person that a person wandering at large within the limits of his jurisdiction is deemed to be a mentally defective person may by order require a constable, relieving officer of the district or parish where the alleged mentally defective person is, to apprehend him, and bring him before the justice making the order, or any justice having jurisdiction where the alleged mentally defective person is.

Mentally defective person wandering at large brought before a justice may be sent to receiving house, institution or house for mentally defective persons.

11. The justice before whom an alleged mentally defective person wandering at large is brought under this Act shall call in a medical practitioner, and shall examine the alleged mentally defective person and make such inquiries as he thinks advisable, and if upon such examination or other proof the justice is satisfied that the alleged mentally defective person is a mentally defective person, and was wandering at large, and is a proper person to be detained, and if the medical practitioner who has been called in signs a medical certificate with regard to the mentally defective person the justice may by order direct the mentally defective person to be received and detained in the Receiving House or Reception Ward, or other Institution or House for mentally defective persons named in the order, for not more than fourteen days, and the relieving officer or constable who brought the mentally defective person before the justice, or any constable who may by the justice be required so to do, shall forthwith convey the mentally defective person to such Receiving House or Reception Ward or other Institution or House for mentally defective persons, and the Medical Officer of the Committee of the County or County Borough for the care of the mentally defective shall, within the said fourteen days, ascertain to what institution or house the mentally defective person may most suitably be admitted, and shall, with the approval of the Committee, have him admitted to that institution or house.

Power to examine alleged mentally defective person at his own abode or elsewhere.

12. Where, under this Act, notice has been given to, or an information upon oath laid before a justice that a person wandering at large within the limits of his jurisdiction is deemed to be a mentally defective person, such justice may examine the alleged mentally defective person at his own house or elsewhere, and may proceed in all respects as if the alleged mentally defective person had been brought before him.

Suspension of removal under reception order.

13.—(1.) A justice making an order for the reception of a mentally defective person otherwise than upon petition, in this Act called a "summary reception order," may suspend the execution of the order for such period not exceeding fourteen days as he thinks fit, and in the meantime may give such directions or make such arrangements for the proper care and control of the mentally defective person as he considers proper.

(2). If a medical practitioner who examines a mentally defective person as to whom a summary reception order has been made, certifies in writing that the mentally defective person is not in fit state to be removed, the removal shall be suspended until the same or some other medical practitioner certifies in writing that the mentally defective person is fit to be removed, and every medical practitioner who has certified that the mentally defective person is not in a fit state to be removed shall, as soon as in his judgment the mentally defective person is in a fit state to be removed, be bound to certify accordingly.

Removal of mentally defective person to Receiving House or Reception Ward in urgent cases.

14. If a constable or relieving officer, is satisfied that it is necessary for the public safety or the welfare of an alleged mentally defective person with regard to whom it is his duty to take any proceedings under this Act, that the alleged mentally defective person should, before any such proceedings can be taken, be placed under care and control, the constable, relieving officer or overseer may remove the alleged mentally defective person to the receiving house or reception ward, and the master of the receiving house or reception ward shall receive and relieve and detain the alleged mentally defective person therein, but no person shall be so detained more than three days, and before the expiration of that time, the constable, or relieving officer, shall take such proceedings with regard to the alleged mentally defective person as are required by this Act.

Temporary removal of mentally defective person to Receiving House or Reception Ward under order of justice.

15.—(1.) In any case where a summary reception order might be made, any justice, if satisfied that it is expedient for the welfare of the mentally defective person, or for the public safety, that the mentally defective person should forthwith be placed under care and control, and if it appears to him that there is proper accommodation for the mentally defective person in the receiving house or reception ward may make an order for taking the mentally defective person to and receiving him in that receiving house or reception ward.

(2). In any case where a summary reception order has been made, an order under this section may be made to provide for the detention of the mentally defective person until he can be removed.

(3.) An order under this section shall not authorise the detention of a mentally defective person in a receiving house or reception ward for more than fourteen days, after which period such detention shall not be lawful, except in accordance with the provisions of this Act as to the detention of mentally defective persons in receiving houses or reception wards.

(4.) An order under this section may be made by any justice having jurisdiction in the place where the mentally defective person is.

RECEPTION ORDER BY TWO COMMISSIONERS.

Commissioners may send mentally defective person to an institution or house for mentally defective persons.

16.—(1.) Any two or more Commissioners may visit a mentally defective person who is in a house or institution, not registered as an institution, for the care and maintenance of such persons, or any mentally defective or alleged sane epileptic in a registered institution or house for epileptics, and may, if they think fit, call in a medical practitioner.

(2.) If the medical practitioner signs a medical certificate with regard to the mentally defective person, and the Commissioners are satisfied that the person is a mentally defective person, and a proper person to be detained, they may by order direct the mentally defective person to be received in an institution or house for mentally defective persons or a Receiving House or Reception Ward, and the relieving officer of the district or any constable who may by them be required to do so shall forthwith convey the mentally defective person to such institution or house for mentally defective persons or to a receiving house or reception ward.

(3.) The said Commissioners in such cases shall communicate with the Medical Officer of the Committee of the County or County Borough Council, or one of the Medical Officers of the Committee; or a certifying medical practitioner, and it shall be the duty of that officer to arrange for the reception of the mentally defective person in an institution, or house or receiving house, or reception ward, registered as suitable for the admission of such persons within the County or County Borough.

FORM A.

FORMS.

Order for the reception of a mentally defective person, to be made by the Judicial Authority appointed under the Act for the Care and Control of the Mentally Defective, Judge of County Court, or Stipendiary Magistrate.

I the undersigned, E.F., being a Justice for , specially appointed under the Act for the care and control of the Mentally Defective on the petition of C.D. of [1]

in the matter of A.B., a mentally defective person accompanied by the medical certificates of G.H. and I.J. hereto annexed, and upon the undertaking that the said C.D. do visit the said A.B. personally or by some one specially appointed by the said C.D. once at least in every six months, while under the care and control under this order [authorise you to receive the said A.B. as a patient into your

Hospital, Institution, Registered House or Home] [2] or [authorise the Committee for the Care and Control of the Mentally Defective in the County of , or in the County Borough of to place the said A.B. as a patient in such Hospital, Institution, Registered House or Home, as they may think best in view of this order and the certificates that accompany it].

And I declare that I have [or have not] personally seen the said A.B. before making this order.

(*Signed*) E. F.,
A Justice appointed under the above mentioned Act
[or the Judge of the County Court of
or a Stipendiary Magistrate].

To [4]

[1.] Address and description.

[2.] To be addressed to the medical superintendent or superintendent of such hospital, institution, or registered house or home selected; *or* to be addressed to the Committee for the Care and Control of the Mentally Defective for the county or county borough.

[3.] Here the name of the medical superintendent or superintendents; *or* the name and address of the committee of the county or county borough.

FORM B.

Certificate of a Medical Officer of the Committee for the care of the Mentally Defective of the Council of the County or County Borough, or of a Certifying Medical Practitioner, or of a General Medical Practitioner.

In the matter of A.B. [1] in the County or County Borough [2] of [3] a person alleged to be mentally defective.

I, the undersigned, C.D., do hereby certify as follows:

1. I am a person registered under the Medical Act, 1858, and I am [the Medical Officer of the said Committee] or [a Certifying Medical Practitioner appointed by the said Committee] or [in the actual practice of the Medical profession].

2. On day of , 19 , at [4] in the County or County Borough [5] of

[separately from any other practitioner] [6], I personally examined the said A.B., and came to the conclusion that he is mentally defective within the meaning of Section of the Act for the Care and Control of the Mentally Defective; and that he requires care and control accordingly.

3. I formed this conclusion on the following grounds, namely —

(*a*) Facts indicating mental defect ascertained by myself during [observation] [7] and

examination [8] namely:—

(*b*) Facts communicated by others: [9]

4. In my opinion the said A. B. comes within the class of mental defect defined in sub-section of section of the Act for the Care and Control of the Mentally Defective (see back).

[*If an urgency certificate is required it must be added here. See subjoined form.*]

5. The said A.B. was [or was not] in my opinion, in a fit condition of bodily health to be admitted or removed to such a Hospital, Institution, Registered House or Home as is suitable for

persons of mental defect coming under Clause of Section of the Act [10].

6. I give this certificate, having first read the sections of the Act of Parliament printed on the back.*

Dated (*Signed*) C.D. of [11]

* The schedule printed on the back would be as follows:

(1) Extract from Section 317 of the Lunacy Act, 1890, incorporated in the Acts for the Care and Control of the Mentally Defective.

Any person who makes a wilful misstatement of any material fact in any medical or other certificate or in any statement or report of bodily or mental condition under this Act, shall be guilty of a misdemeanor.

(2) Section of the Act for the Care and Control of the Mentally Defective containing the definitions of classes of mental defect (as defined in Recommendation IV.)

[1.] Insert residence of patient.

2.] County or county borough as the case may be.

3.] Insert profession or occupation, if any.

[4.] Insert place of examination, giving name of street, with number or name of house, or should there be no number the Christian and surname of occupier.

[5.] County or county borough, as the case may be.

[6.] Omit this where only one certificate is required.

[7.] "Observations include any observation of the patients at times other than the examination, for instance, at a Receiving House or Reception Ward.

[8.] If the same or other facts were observed previous to the time of the examination, the certifier is at liberty to subjoin them in a separate paragraph.

[9.] The names and Christian names (if known) of informants to be given, with their addresses and descriptions.

[10.] Strike out this clause in case of a private patient whose removal is not proposed

[11.] Insert full postal address.

FORM C.

Statement Accompanying Urgency Order.

I certify that it is expedient for the welfare of the said A.B. [or for the public safety, *as the case may be*] that the said A.B. should be forthwith placed under care and control.

My reasons for this conclusion are as follows: [*State them.*]

E.—EDUCATION AND TRAINING.

(Recommendations LVII. to LXIV.)

RECOMMENDATION LVII.

The Committee for the care of the mentally defective to be responsible for training, and education if necessary, of mentally defective children.

That the County Council or County Borough Council, as the case may be, acting through its Committee for the care of the mentally defective, be responsible for the manual and industrial and other training of all children who come under Classes (3) to (9) inclusive, in Recommendation IV., except such children who have not otherwise been properly and suitably provided for.

See pars. 1084–10

RECOMMENDATION LVIII.

Managers of National Schools or Education Authority to submit attendance register of children and notify mental defectives to Medical Officer of the Committee.

That the Managers of National Schools or the Education Authorities place at the disposal of the Medical Officer of the Committee the register and roll of children who are of age to attend school, and notify to him any cases of children of that age who are thought to be mentally defective, as defined in Recommendation IV., and that the Medical Officer of the Committee, or one of the Medical Officers of the Committee, after consultation with the Medical Officer of the Managers or of the Education Authority, report all such cases to the Committee with a view to action being taken under Recommendations XXXVII. or XXXIX.

RECOMMENDATION LIX.

Examination of alleged mentally defective child by Medical Officer of Committee.

That the Committee, in making their arrangements under the above Recommendation, shall provide facilities for enabling any parent who is of opinion that his child ought to be dealt with under the proposed Act to present such child to the Medical Officer of the Committee, or one of the Medical Officers of the Committee, or a certifying medical practitioner, to be examined, although the parent may not have been required so to do by the Committee, and any Committee failing to provide such facilities shall be deemed to have acted in contravention of the proposed Act.

RECOMMENDATION LX.

Report of Medical Officer of the Committee.

That the Medical Officer of the Committee, or one of the Medical Officers of the Committee, or a certifying medical practitioner, if he is of opinion that any such child is mentally defective as defined in Recommendation IV., shall report to the Committee to that effect.

RECOMMENDATION LXI.

Duty of parent to cause child to attend medical examination.

That it shall be the duty of the parent of any child who may be required by the Medical Officer of the Committee to attend at the place arranged for the purpose of examination, to cause such child to attend with that object, and any parent who fails to comply with such requirement shall be liable, on summary conviction, to a fine not exceeding five pounds.

RECOMMENDATION LXII.

Transfer of a child no longer mentally defective from care of the Committee to the care of Managers or the Education Authority.

That in the case of any child of school age who has been dealt with by the Committee as mentally defective, it shall be the duty of the Medical Officer, at any time, if the child, in his opinion, is not mentally defective, to report the case to the Managers of the National School of the district or the Education Authority, on whom the education of the child will from that date *ipso facto* devolve.

RECOMMENDATION LXIII.

That the duty of a parent under Section 1 of the Irish Education Act, 1892, to provide elementary instruction for his child shall, in the case of any child coming within classes 3 to 9 of Recommendation IV., include the duty to cause the child to attend a class or school, or to reside in any home or institution for the instruction or training of the mentally defective, from and up to such age as in the interest of the child may, on the report of their Medical Officer or one of their Medical Officers, seem necessary to the Committee, whether this instruction or training be provided by the Managers of National Schools or the Education Authority in contract with the Committee or by the Committee itself; and a parent shall not be excused from this duty by reason that a guide or conveyance is necessary.

Duty of parents to cause mentally defective child to attend for instruction or training.

RECOMMENDATION LXIV.

That in the case of children who, in the opinion of the Committee, cannot be trained suitably except at a special school or class, the Committee shall provide guides or conveyances if, in the judgment of the Committee and its Medical Officer or one of its Medical Officers or of a certifying medical practitioner, the children without this provision would be unable to attend the school or class in question.

Guides or conveyances to be provided.

F.—CRIMINAL MENTALLY DEFECTIVE PERSONS.

(Recommendations LXV. to LXVII.)

RECOMMENDATION LXV.

I. That in cases which may be determined summarily, and in which a court of summary jurisdiction is of opinion that the person charged is mentally defective, the court may adopt any of the following courses:—

Criminal mentally defective persons. Summary Jurisdiction.

(1) The court may remand the person charged to a receiving house or reception ward or other institution maintained or controlled by the Committee, or to the custody of an officer of the Committee, or, if in the particular case it appears necessary, to prison.

(2) The court may adjourn the hearing of the charge, pending the report of a medical officer of the Committee, and it may subsequently adjourn the case *sine die*, if on the certificate of the medical officer it makes a summary reception order for the reception of the accused person in a suitable institution which is under the committee's control.

See Recommendation LVI.

(3) After conviction any officer or representative of the Committee, may, on their behalf, become a surety for the offender, and in that case the court may bind him over to come up for judgment at some future time, or when called upon.

(4) After conviction, the court instead of sending the offender to prison, may on the report and certification of the medical officer, or one of the medical officers of the Committee, or a certifying medical practitioner order his reception under a summary reception order in any institution that the Committee may determine, being maintained by the Committee or under its control.

Recommendation LVI.

(5) After conviction the court, instead of sending the offender to prison, may accept recognisances from a surety or sureties on his behalf, on condition that he remains under the control of the Committee until they discharge him.

Procedure on committal for trial

II. That in cases triable by indictment, justices, if satisfied that the person charged is mentally defective, shall have power when committing for trial to accept recognisances on behalf of the committee from any officer or other representative of the committee, or to order the accused to the custody of the committee, instead of to prison, until the trial takes place.

Cases tried at Assizes and Quarter Sessions.

III. That in cases tried at assizes and quarter sessions the court shall in regard to mentally defective persons including persons of unsound mind, have the powers referred to above in I (3), (4), (5).

IV. That in cases tried at assizes and quarter sessions the court should be empowered to direct that the accused be submitted to examination, and if necessary, certification, notwithstanding that he has been acquitted of the offence charged, if, in the opinion of the court, it is desirable that his mental condition should be ascertained with a view to provision being made for his care.

Duty of police in cases of apparent mental defect or recurrent short sentences.

V. That in cases of apparent mental defect or recurrent short sentences which are brought before the courts, the police should be under statutory obligation to apply to the Commission, and to the committee for the care of the mentally defective, for any information they may have with regard to the person charged, and to lay the same before the court.

RECOMMENDATION LXVI.

Mentally defective persons under sentence or order of detention.

That subject to the approval of the Lord Lieutenant, any officer having in custody any person under sentence, or order of detention, shall at any time during detention hand over such person if certified to be mentally defective to the care of the Committee responsible for him, and it shall be the duty of the Committee to maintain that mentally defective person in a suitable institution.

RECOMMENDATION LXVII.

Discharge from Institutions.

That the consent of the Lord Lieutenant be necessary for the discharge from any institution maintained by or under the control of the Committee of any person dealt with in accordance with the procedure proposed in Recommendations LXV. and LXVI.

G.—MISCELLANEOUS.

(Recommendations LXVIII. to LXXIV.)

RECOMMENDATION LXVIII.

Epileptics not mentally defective.

That the Commission be empowered to register inspect and report on institutions or houses for the care of epileptics not provided for as mentally defective, and to regulate the same if they form part of an institution for the mentally defective, and that the Committees for the care of the mentally defective be authorised to consider and deal with the cases of these epileptics and to provide for their accommodation and maintenance, care, treatment, education, training and control, and with regard to these epileptics shall have the powers referred to in Recommendations XXII.-XXIV. (inclusive), XXVII. and XXVIII., XXXII.-XXXV. (inclusive), XXXVII.-XXXIX. (inclusive), and in Recommendations from LVIII. to LXIV. (inclusive), so far as may be necessary.

See Paras 1082, 1083

RECOMMENDATION LXIX.

The Inebriates Acts.

That as it appears that mentally defective cases to a large extent are at present dealt with under the Inebriates Acts, it is desirable that those

Acts should be amended so far as may be necessary to make it clear that the Committees shall be under the obligation of dealing with such inebriates as are mentally defective.

RECOMMENDATION LXX.

Avoidance of disabilities.

That a person who has received for any mentally defective, or epileptic, though not mentally defective, member of his family any assistance towards the accommodation and maintenance, care, treatment, education, training and control of such member of his family at the expense of any rate, shall not by reason thereof be deprived of any franchise right or privilege or be subject to any disability or disqualification.

RECOMMENDATION LXXI.

Contributions by parents.

That where the Committee incur any expense in respect of any mentally defective person the parent or guardian or other person who is liable to maintain or has the actual custody of such person shall be liable to contribute towards this expense a weekly sum such as may be agreed upon between the Committee and the party or parties so liable, or in default of agreement, as may, on the application of the Committee or the party or parties so liable, be settled by a Court of Summary Jurisdiction, and any sum so agreed upon or settled may without prejudice to any other remedy, be recovered by the Committee as under Section 25 of the Irish Reformatory Schools Act, 1868, and that this Recommendation shall apply to any persons who are epileptic though not mentally defective.

NOTE.—Section 25 of the Irish Reformatory Schools Act, 1868, is as follows :—

Provisions in case of Default in Payment by Parents.

"In case default be made for the space of fourteen days in payment of any sum of money which may have become payable by such parent or step-parent under any such Order, such sum of money shall in every such case be levied upon the goods and chattels of the defendant by distress and sale thereof; and if it shall appear to the said Justices, on confession of the defendant or otherwise, or if it shall be returned to the warrant of distress, in any such case that no sufficient goods of the party against whom such warrant shall have been issued can be found, it shall be lawful to the Justices or Magistrate to whom such return is made, or for any other Justice of the Peace for the same county, riding, division, liberty, city, borough, or place, by his warrant as aforesaid, to commit the defendant to the House of Correction or common goal for any term not exceeding ten days, unless the sum to be paid, and all costs and charges of the distress, and of the commitment and conveying of the defendant to prison (the amount thereof being ascertained and stated in such commitment), shall be sooner paid."

RECOMMENDATION LXXII.

Accounts of Boroughs relating to the mentally defective, to be audited by Local Government Board.

That the accounts of boroughs relating to the care and control of the mentally defective, including the accounts of asylums, should be audited by the Local Government Board auditor, and that the specification for tenders and the contract prices in all institutions for the mentally defective should be examined by the Commission, or be investigated by the Local Government Board auditor and form part of his report to the Local Government Board.

RECOMMENDATION LXXIII.

Protection of mentally defective persons under existing law as to sexual crimes, etc.

That the Lord Lieutenant and the Lord Chancellor have their attention called to the Evidence before us on the subject of the protection of mentally defective persons against sexual crime and immorality, and be invited to consider whether the existing law provides adequate protection for such persons.

RECOMMENDATION LXXIV.

Management and Administration of property of mentally defective persons.

That the powers vested in the Lord Chancellor by section 68 of 34 & 35 Vict., c. 22, be extended to the property (irrespective of amount) of all mentally defective persons, as defined in Recommendation IV., or that a procedure should be instituted analogous to that provided by the English Lunacy Act, 1890, relating to management and administration, and that the same should be applicable to all mentally defective persons as defined in Recommendation IV.

See para 1071.

NOTE.—Section 68 of the Lunacy Regulation (Ireland) Act, 1871, is as follows:—

> "Where it is established to the satisfaction of the Lord Chancellor intrusted as aforesaid that any person is of unsound mind and incapable of managing his affairs, and that his property does not exceed two thousand pounds in value, or that the income thereof does not exceed one hundred pounds per annum, the Lord Chancellor intrusted as aforesaid may, without directing any inquiry under a Commission of Lunacy, make such order as he may consider expedient for the purpose of rendering the property of such person, or the income thereof, available for his maintenance or benefit, or for carrying on his trade or business; provided, nevertheless, that the alleged insane person shall have such personal notice of the application for such order as aforesaid as the Lord Chancellor shall by general order to be made as after mentioned direct."

CONCLUDING PARAGRAPHS AND SIGNATURES TO THE REPORT.

We have now set out in separate sections of our Report our opinion on the matters submitted for our consideration so far as they relate to England and Wales, to Scotland, and to Ireland respectively; and we have appended to each section a detailed statement of our Recommendations.

We desire to record our great indebtedness to our Secretary, Mr. H. B. N. Mothersole, Barrister-at-Law, whose services have been of very material assistance to us in our work. His legal qualifications, and the wide knowledge which he has acquired of the subject-matter of our investigation, together with the ability and tact which he has shown in arranging for the provision of evidence and in dealing with the other business of the Commission, have greatly facilitated our task.

All which we humbly submit to your Majesty.

(Signed) RADNOR. (L.S.)
W. P. BYRNE. (L.S.)
C. E. H. CHADWYCK-HEALEY. (L.S.)
*CHARLES E. H. HOBHOUSE. (L.S.)
*F. NEEDHAM. (L.S.)
H. B. DONKIN. (L.S.)
*JAMES C. DUNLOP. (L.S.)
*HENRY D. GREENE. (L.S.)
H. N. BURDEN. (L.S.)
*W. H. DICKINSON. (L.S.)
C. S. LOCH. (L.S.)
ELLEN F. PINSENT. (L.S.)

HARTLEY B. N. MOTHERSOLE,
Secretary,
July 10*th*, 1908.

* These Commissioners sign subject to the reservation or reservations in the Memoranda which bear their signatures.

MEMORANDUM BY HONORARY ASSISTANT IRISH COMMISSIONERS.

So far as the Recommendations in this Report affect Ireland we are in full accord with them.

(Signed) GEO. PLUNKETT O'FARRELL.

JOSEPH MOONEY.

Honorary Assistant Commissioners.

MEMORANDUM BY MR. C. E. H. CHADWYCK-HEALEY, C.B., K.C.

Although I have expressed my concurrence with the Report as a whole, I desire to add that I am not satisfied that it would be expedient to withdraw the question of the degree of mental responsibility in criminal cases from the verdict of a jury and to leave that question to the Court, except where an order of a probationary character, such as we have recommended where possible, is made by a Court of Summary Jurisdiction, or a higher Court.

If the prisoner was in fact irresponsible when he committed the offence, that fact should, in my opinion be so found, and by a jury. If he was only "partly responsible" the question whether his mental condition had, or had not any relation to the crime should equally, I think, be determined by a jury.

In view of the possibility that now obtains of an appeal in criminal cases it does not seem to be prudent to run the risk of obscuring the issues. Moreover, it is doubtful to my mind whether possible confinement for remedial purposes for an indefinite period in this class of cases should be left to the decision of the Secretary of State without the assistance of the verdict of a jury based on evidence upon which an appeal might lie to the Superior Court.

The finding of a jury upon the evidence, with the assistance of the judge, would leave the latter free to impose a sentence, either: (1) punitive; or (2) remedial or curative; or (3) partly punitive and partly remedial.

(Signed) C. E. H. CHADWYCK-HEALEY.

MEMORANDUM BY MR. C. E. H. HOBHOUSE, M.P.

I have signed the Report, being in general agreement with my colleagues as to the necessity for dealing with the difficult problems which surround the control of the feeble-minded. The present arrangements are neither satisfactory nor sufficient. I cannot, however, be held as subscribing to the details—administrative, legislative, or financial of their proposals. My continuous absence in India for a considerable portion of the time when evidence was taken and the Report discussed, has prevented me from following with the necessary attention either principles or details during the later stages of our inquiry.

(Signed) C. E. H. HOBHOUSE.

MEMORANDUM BY F. NEEDHAM, ESQ., M.D.

Although I thoroughly agree with the Recommendations generally, I desire to express my dissent from the proposal in Recommendation XVI. that the Assistant-Commissioners should have specific districts assigned to them in which they should reside.

In my opinion they should be placed, as respects their work, under the unfettered direction of the Board of Control who should allot to them from time to time districts in which they should discharge such duties as were required of them, but in which they should not necessarily reside.

If these new officials are, as is suggested, to be qualified to discharge, if required, all the duties of Commissioners except that of central administration they should possess, and have continued opportunities of acquiring, varied experience such as one district only would be unable to afford them. They should be able to compare district with district and institution with institution and in virtue of this wide experience be qualified to give valuable advice and assistance to lunacy officials whether in asylums or elsewhere.

Moreover, the Recommendation would be needlessly expensive, for if the country were divided into districts to each of which an assistant Commissioner was allotted, many more appointments would have to be made than would be required while the new work was only growing.

I am also unable to concur in the desirability of Recommendation XXI., which brings the Commissioners of the Board of Control within Civil Service limits of retirement at the age of sixty-five. I am also unable to concur with the similar Recommendation XV. as to Ireland.

It would, in my opinion, greatly circumscribe the area of selection by almost necessarily excluding a large proportion of the medical superintendents of asylums, who alone have long and wide practical experience of this special form of institutional administration.

If appointed when of ripe experience, say at fifty years of age (and it must be remembered that men are not usually appointed medical superintendents at an early age) they would not be able, in their years of office, to earn pensions at all equal to those to which a continuance in the asylum service would usually entitle them. They would not therefore be likely to become candidates. Even at present, without the age restriction, this difficulty has frequently prevented the applications of eligible men.

In their absence the Commission must consist largely of men with much less experience than those whom it became their duty to supervise and without adequate practical acquaintance and familiarity with the administration of institutions for the mentally defective. Its expert consultative value and status would, therefore, suffer materially.

It must be remembered that assistant medical officers of asylums take no necessary share in their administration however highly skilled they may be in the treatment of their patients.

I am strongly of opinion that the Lunacy Commission or Board of Control should be left in its present comparatively independent position, and that its members should not be appointed by the Head of any State Department which is more or less practically subject to the control of the public as voters.

(Signed) F. NEEDHAM.

MEMORANDUM BY DR. DONKIN DR. DUNLOP, THE REV. H. N. BURDEN, MR. W. H. DICKINSON, DR. C. S. LOCH, AND MRS. PINSENT.

We are of opinion that the members of the Board of Control should be appointed by and directly responsible to the Secretary of State for Home Affairs.

(Signed) H. B. DONKIN.
JAMES C. DUNLOP.
H. N. BURDEN.
W. H. DICKINSON.
C. S. LOCH.
ELLEN F. PINSENT.

MEMORANDUM BY J. C. DUNLOP, ESQ., M.D.

It is with great regret that I find myself unable to express unqualified concurrence with all stated in the Commission's Report, and find it necessary to write this memorandum expressing dissent from some of the Commission's conclusions and Recommendations. But before stating and explaining the differences of opinion, I desire to record that I am in entire agreement with much in the Report, including some of the principal Recommendations, among which I may mention the urgent necessity of legislation to secure that proper care and control be provided for certain classes not at present habitually provided for under the lunacy laws, the necessity in England of strengthening and unifying the central authority for the supervision and inspection of mentally defective persons whose liberty is in any way interfered with, the increase of medical inspection of institutions for the care and treatment of mentally defective persons, and the diminution of legal inspection of such institutions, the introduction into England of greater elasticity of method of dealing with mentally defective persons after certification, and the limitation of relief at public cost to those mentally defective persons who are not, and who cannot be, efficiently cared for by their relatives or guardians. With these and other principles I agree, and it is mostly as to the method of giving practical effect to them that I am at variance with the majority of the Commission.

In this memorandum I shall endeavour to explain my views on subjects on which I differ in opinion from the majority, and which subjects, by being incorporated in the Recommendations appended to the Report, are of importance. I find it necessary to entirely disassociate myself from the Commission's Recommendations applicable to Scotland, and shall state at some length my views as to what alterations of the lunacy law in Scotland are necessary to give effect in that country to the general principle that proper care and control be provided for all mentally defective persons whose condition is such as to require care and control.

English Recommendations.

Certification and Definition.—I am in agreement with the majority of the Commission that some changes in the procedure of certification and some changes of nomenclature will be necessary for the success of the general scheme, but there are two alterations suggested in the Commission's Recommendations with which I cannot agree.

The first of them is in the Commission's Recommendation LXVIII. which advises an amendment of Section 6 (1) of the Lunacy Act, 1890, by which the judicial authorities would be given some discretionary power as to the method of disposal of mentally defective persons ; and the second is in the Commission's Recommendation LXX., which suggests some alterations of the statutory form of certificate, including the insertion in that certificate of an expression of opinion as to the nature of the mental defect from which the alleged mentally defective person suffers.

The amended Section 6 (1) would read thus : " Upon the presentation of the petition the judicial authority shall consider the allegations in the petition and statement of particulars and the evidence of mental defect appearing in the medical certificates, and whether it is necessary for him personally to see and examine the alleged mentally defective person ; and, if he is satisfied that an order may properly be made forthwith, he may make the same accordingly either directing the admission of the mentally defective person to a particular institution or house which the petitioner, his relative, or friend may desire or failing that, which in his opinion, on the evidence submitted to him or his personal knowledge, is suitable for the admission of the said person or directing the admission of the mentally defective person to an institution or house suitable for his proper care and control,

as may be decided by the Committee for the Care of the Mentally Defective, etc." The unamended Section 6 (1) of the Lunacy Act, 1890, runs : " Upon the representation of a petition the judicial authority shall consider ——— and if he is satisfied that an order may properly be made forthwith, he may make the same accordingly." The wording of the amended clause is somewhat ambiguous, as the words, " or failing that " which occur in the middle of the clause, and which limit the discretionary power, have two possible interpretations ; acording to one interpretation, the interpretation intended by the Commission, these words imply that the discretionary power is only to be exercised by the judicial authority when the petitioner fails to name an institution or house in the petition ; but according to the other interpretation, an interpretation which I fear is very possible, the words imply that the judicial authority may order the admission of the mentally defective person to an institution of his own selection, or to one subsequently selected by the Committee, when he fails to be satisfied that he may make the order as petitioned for; or in other words the judicial authority in all cases by declaring himself dissatisfied may overrule the petitioner's selection of an institution, and order the admission of the mentally defective person to an institution other than the one named in the petition.

I disagree with the clause whichever way it may be interpreted, as I hold the giving of such discretionary power to justices of the peace is both unnecessary and undesirable. In the case of a " private " patient, a mentally defective person who will be supported and paid for privately, it is inconceivable that a responsible petitioner would ever fail to name the institution or house in the petition, or that he would willingly leave the selection to the wisdom of a justice of the peace or to the wisdom of a county council committee, and when the responsible petitioner has selected an institution for the care and treatment of his afflicted relative, which selection includes the selection of the medical man to whose care the afflicted relative is to be entrusted, and named the institution in the petition, interference by a justice of the peace as to that selection would be simply intolerable. I hold that a person who provides for the care and treatment of an afflicted relative is entitled to the selection of the institution in which his afflicted relative is to be treated, and to the selection of the medical practitioner by whom the afflicted relative is to be treated, and I fail to see any reason why the discretion should be taken from that person and given to a justice of the peace. I am of opinion that when dealing with private cases the naming of the institution in the petition should in the future be as necessary as it has been in the past, and that the power of the judicial authority in the future as in the past should be limited to granting or refusing the order as petitioned for.

In the case of "public" cases, cases which will be paid for out of public funds, I consider the discretionary power equally undesirable. In those cases it is conceivable that the petitioner, an official of the county council committee, may not name the institution, and consequently whichever way the clause be interpreted the justice of the peace might have power to hand over the afflicted person to the committee to be placed in any institution which that committee may subsequently select, and such an order would to a great extent deprive those mentally defective persons of the safeguard of having a judicial sanction to the method of treatment decided for them by the local authority. Were the clause interpretated as meaning that the justice could overrule the committee's selection of an institution in all cases such interference on the part of the judicial authorities, more especially as justices of the peace need not be experts in mental therapy, would be as intolerable in " public " cases as the interference of justices of the peace in the disposal of " private " cases.

I accordingly dissent from the recommendation of the Commission that the above named discretionary power, however interpreted, should be given to the judicial authorities, and hold the opinion that in the future as in the past the function of the judicial authority in this matter should be limited to the granting or refusing of an order as petitioned for

The incorporation of a statement by the certifier in the certificate regarding the nature of the defect according to a certain series of definitions is suggested in the Commission's Recommendation LXX. With that suggestion I disagree, holding that such a statement is both unnecessary and undesirable, and that the definitions themselves are so faulty as to be useless for practical purposes.

The essential points for a certifier to consider, and on which to express opinion, are two, the existence of mental defect and the requirement of care or protection or control.

These two points will be as essential in the future as they have been in the past, for it is on them, and on them alone, that the question of granting or refusing a detention order will depend, and any addition to them, such as an expression of opinion as to the nature of the defect, would not only tend to mask the two cardinal points, but would tend to make the certificate more into something of the nature of a clinical note than a responsible opinion as to the requirements of the sufferer. More than that, a full and complete diagnosis of a case of mental defect is a matter which cannot always be made at the time of examination for the purpose of certificate, for not only is the time for observation often limited, but the history of the case is not always available. For instance, a certifier may examine a case and satisfy himself that it is a case of dementia, blunting of the intellect, and readily recognise that it is a case requiring care and control, but without a history it would be frequently impossible for the certifier to satisfy himself whether such a case was one of acquired dementia or one of imbecility, and without such decision he could not place the case in its proper category, and according to the Commission's scheme of certification could not complete the certificate.

The definitions themselves are faulty in several respects, but as I advise their omission from the statutory certificate on other grounds, a full criticism is probably unnecessary. I would, however, point out that they are faulty in that the classification is a cross one, in some depending on the cause of the defect, in others on the duration of the defect, and in others on concomitant symptoms; that some of the differences between the classes are such as would be inapplicable in practice, for instance, the ability to earn a living is the suggested difference between an imbecile and a feeble-minded person, and that difference cannot be used as a test in one very important group of cases, namely, children of school age; and another great fault in the definitions is the use of such undefined and ambiguous terms as "earning a living," being "epileptic," or "inebriate," no indication being given of what "earning a living" means, or of the severity of the epilepsy, or the degree of inebriety, which would exclude a mentally defective person from one class, and include him in another. Several witnesses of great experience have criticised a series of definitions very similar to what the Commission suggest; Sir James Crichton-Browne did so, so did Dr. John Macpherson, and so did Dr. Clouston. Crichton-Browne, 6010. Macphers on, 21314. Clouston, 24331.

Having indicated my reasons for dissenting from the use of the definitions included in the Commission's Recommendations, or any such series of definitions, it remains for me to express an opinion as to how the desired object, the removal of a certain conventional restriction of the application of the lunacy certificate, can be best brought about. The Commission recommends that the use of the word "lunatic" in the certificate should be abolished, and the term "mentally defective" used in its place; with that I agree, and with that Recommendation I think it necessary that the term "mentally defective" should be carefully defined, making the term so comprehensive as to include all varieties of mental defect and exclude all possibility of a statement ever being made that a person is mentally defective and requiring care and control, but uncertifiable by reason of the nature of the mental defect not being included in the definition. Such a definition might be constructed as follows: "The term 'mentally defective' shall be applicable to all persons afflicted with mental defect; whether that defect be congenital or acquired; whether it be due to disease, or to age, or to any other cause; whether it be acute or chronic; whether it be curable or incurable; and whether it be such as might be described as lunacy, or idiocy, or unsoundness of mind, or imbecility, or feeble-mindedness, or by any other term indicating mental unsoundness, or mental disorder, or mental incapacity, or mental infirmity." Such definition would, I think, serve the purpose well, it would remove all doubt as to the applicability of the certificate to all classes of mentally defective persons, and it would do so without raising the difficulties inherent to a system of definition by classes as advised in the Commission's Recommendations. I hold that such a definition would be an assistance to the certifier, while a definition by classes would be a difficulty to him.

These remarks indicate my dissent, either total or partial, from the Commission's Recommendations regarding England, III., IV., VIII., X., XLIX., LI., LII., LIII., LIV., LVI., LVII., LXII., LXVIII., LXIX., LXX., LXXI., LXXV., LXXVII., LXXXV., and from Paragraph (4) of preamble.

Care of Certified Mentally Defective Persons by Local Authorities.—I am in agreement with the majority of the Commission in holding that with an extended use of the certificate there must be greater elasticity of method of dealing with certified mentally defective persons, but take exception to the Commission's Recommendation XXXIV., which refers

to this matter, because in my opinion that Recommendation advises as methods of care and control methods which provide neither care nor control, and because the Recommendation gives little if any indication of what should be the approved methods of relief of certified persons. The Recommendation referred to states: "That subject to the Regulations of the Board of Control it shall be at the discretion of the Committee to deal with mentally defective persons in whose behalf they deem that intervention is necessary as they shall think best in the individual case, either registering the case only, or having it certified also, or taking steps for its certification and detention, or placing it in an institution or home or house or under private or family guardianship, or leaving it to the care of its parents or guardians with or without the appointment of a friendly visitor, or taking any other measures that seem to them desirable."

The first method of care and control advised by the Commission is simple registration. I dissent from such advice, as I utterly fail to see how simple registration can provide care and control in a practical form, and I hold that the acknowledgment of simple registration as an authorised means of relief would provide local authorities with an ever-ready excuse for failing to provide practical relief for necessitous cases.

The next method advised by the Commission is registration combined with certification. From this I also dissent, as I fail to see how previous certification can convert registration into practical relief, and I also fail to see what useful purpose could be served by such certification, or how the expense of such useless certification could be justified.

The third method advised by the Commission, and the all-important one, is certification followed by an order of detention and by maintenance in an institution or otherwise, but from this Recommendation I also dissent, my reason being that it is too vague, and gives too little indication of what suitable provision should be. The nature of the necessary provision is a matter about which many witnesses have spoken, it is a matter of great practical importance, and consequently I shall indicate what, in my opinion, the nature of the provision should be, or in other words, indicate my opinion as to what are the justifiable and proper methods of providing for the requirements of certified mentally defective persons.

Without the least doubt asylums such as now exist for the treatment of acute insanities and for the safe custody of dangerous lunatics, will be as necessary in the future as they have been in the past, but assuming that the certificate will be more freely used, and that a greater variety of case will be certified, it is reasonable to anticipate that those asylums will not be suitable for the reception and treatment of all certified mentally defective persons in future.

Special asylums will be required. For the proper treatment of mentally defective children special asylums of the nature of imbecile training institutions will be required so will special asylums of the nature of labour colonies for reception and treatment of mentally defective adults whose condition is such as not to require the more elaborate treatment of an ordinary asylum, and who will be benefited by work rather by idleness. In populous districts other special asylums may be found to be both economical and desirable, as for instance special asylums for senile dements, for mentally defective habitual offenders, for epileptics, and for habitual inebriates. There would appear to be no reason why some of these special asylums should not be provided in separate and specially licensed portions of workhouses, and by using them doubtless some economy would be affected. The special asylums I refer to have been spoken of by witnesses under a great variety of names: labour colonies, boarding-schools, intermediate asylums, asylum annexes, and homes for permanent detention, are some of the terms which have been used; all of them may be included under the general term special asylum, and all of them are justifiable methods of treatment of certified mentally defective persons.

The establishment of observation wards, or reception houses, is another most desirable and necessary form of provision for mentally defective persons. The Commission in Recommendation LXIV., advises the establishment of them, and with that Recommendation I agree.

A properly regulated system of the boarding-out of mentally defective persons is also a method of giving relief to mentally defective persons which is desirable. Recommendation XXXIV., quoted above, refers to it in general, though not in specific, terms. For such a system to be satisfactory it must be properly controlled, and the patients must be

efficiently inspected, but the Recommendation gives no indication of how these two requisites are to be fulfilled, and is therefore in my opinion faulty. There are two systems of boarding-out which secure proper control and inspection, the one is the congregate, or colony, system, as in force in France, Belgium and Holland, and the other is the segregate system, as in force in Scotland. Both of them are such as might be used in England, and I am of opinion that both of them might be included in the permissible methods of dealing with mentally defective persons after certification. Such systems of boarding-out are very different from the unsatisfactory system of boarding-out "quarterly" lunatics as at present practised in England, and on which Dr. Cunningham Brown gave very clear, important, and condemnatory evidence. Cunningham Brown, 8964–9145.

The remaining method of dealing with mentally defective persons suggested in the Commission's Recommendation XXXIV., is after certification to leave the case "to the care of the parents or guardians with or without the appointment of a friendly visitor." Leaving a case to the care of the parents or guardians would either be not providing for the case at all, or it would be boarding-out the case under the care of the parents or guardians. If it were the former, the local authority would be doing nothing for the case, and the appointment of an inspector by the local authority, even though styled a friendly visitor, would be nothing short of inquisitorial interference. If it were the latter, the appointment of a friendly visitor, or special inspector, would be unnecessary, as the case, being a boarded-out one, would be otherwise inspected.

The use of so-called special classes is another practical method of relief for mentally defective persons of young age. Their educational value may be small, but they are of value in that they are of the nature of day nurseries, where the children are cared for, cleaned, often fed, and taught manners and other conventional matters. As day nurseries they give practical relief for a certain number of hours daily, and thus are a practical method of dealing with mentally defective persons. The question of the compulsory establishment of these classes I shall discuss later.

I accordingly disagree with the Commission's Recommendation XXXIV., and hold that the methods by which local authorities should provide for mentally defective persons should be the following—

(1) Treatment in ordinary asylums.

(2) Treatment in special asylums, including—

(*a*) Imbecile training institutions.

(*b*) Working asylums, or labour colonies.

(*c*) Asylums for the care of special classes of mentally defective persons, including senile dements, epileptics, inebriates, and mentally defective habitual offenders.

(3) Treatment in observation wards or reception houses.

(4) Treatment by boarding-out.

(5) Treatment in "special classes" or day nurseries.

Notification.—Being of opinion that the duties of the local authorities in respect of mentally defective persons should be strictly limited to the cases of those mentally defective persons who are not suitably provided for privately, and who thereby become a charge on the local authority, I cannot agree with the principle advised in Recommendation LVI., that there should be a system of compulsory notification of mentally defective persons to the local authority by certain officials of public and charitable institutions independent of any requirement on the part of the mentally defective persons of public assistance. Were the notification limited to those cases which require public assistance, as in Section 13 (1) of the Lunacy Act, 1890, I would be in agreement with the Recommendation, but as the Recommendation contains no such limitation I cannot agree with it. It is most desirable that all mentally defective persons whose surroundings are such that they require care and treatment should be reported or notified to the local authorities, but I see no useful purpose to be gained by the notification of other mentally

defective persons, even though they may go to some charitable institution for advice or assistance. I accordingly express dissent from the Commission's Recommendation LVI.

Local Authority.—I express no individual opinion as to the desirability of the transfer of the duty of granting relief to mentally defective persons from the Poor Law authorities to the county councils, but I desire to express my dissent from the Commission's Recommendation XCVI., which advises that the duties of the Metropolitan Asylums Board relative to the care of mentally defective persons should be transferred to the London County Council, as I am of opinion that in some ways the Metropolitan Asylums Board would be the better local authority of the two for this purpose. My reasons for holding this view are two, the one being that the institutional care of the mentally defective is a matter closely akin to other duties of the Board, such as the institutional care of persons suffering from other disease, and the second being that the Board has proved itself to be a progressive and efficient local lunacy authority. It is the only local lunacy authority in England which has established a training school for imbecile children, and the only local lunacy authority which has established a special asylum for the relief of senile dements. I may also point out that the Metropolitan Asylums Board in other sections of their work deal with both non-pauper as well as with pauper cases, they do so in their infectious diseases hospitals, and that the retention of the Board as the local mentally defective authority in London would not cross the general principle advised by the majority of the Commission, that the relief of mentally defective persons in England should be separated from poor relief.

Education of Mentally Defective Children.—The Commission in Recommendation LXXII. advises that the Elementary Education (Defective and Epileptic Children) Act, 1899, should no longer apply to mentally defective and epileptic children, and in Recommendation LXXIV. advises that the provision of manual and industrial and other training of all mentally defective children, including idiots and imbeciles, should be a statutory duty imposed on county councils acting through their committees for the care of the mentally defective, and in subsequent Recommendations partly explain how these Recommendations may be given effect to. These two recommendations imply two changes, the one a transfer of the duty of caring for mentally defective children from one local authority, the education authority, to another local authority, the authority for the care of the mentally defective ; and the other the conversion of what was an optional duty applicable to selected children only, into a compulsory duty applicable to all mentally defective children, no matter the degree of the defect or the educability of the children. I do not dissent from the first of the two proposed changes, the transfer, but I do dissent from the second of the proposed changes, that making the provision of training, or education, of mentally defective children of all grades a public duty, because in my opinion the advantages which would be gained are not sufficient to justify the enormous cost which would be involved.

Educational facilities for mentally defective children under the above-quoted Act may be either in boarding schools or in special day schools. The equivalent of the former are anticipated by the general scheme of the Commission and might be provided in terms of Recommendations XXVIII. and XXXIV., and definitely so were my suggestions as to methods of providing for mentally defective persons given effect to. The transfer of the duty of providing such would be necessary for the carrying out of the Commission's general scheme. The urgent want of such institutions, no matter whether they be styled boarding schools, or imbecile training institutions, or idiot asylums, has been very clearly proven in the evidence laid before the Commission, and there can be no doubt but that the institution of such asylums for the care, treatment, training, and control of those mentally defective children who are not properly cared for at home is a most desirable, and indeed necessary, change of the lunacy law.

But the provision at public cost of training, or education, for mentally defective children of all grades, is quite another matter, and is one with which I cannot agree. In my opinion to give practical effect to such a Recommendation it would be necessary to establish special schools or classes of some sort in every district of the country, for without such schools I cannot conceive how the special training, or education, contemplated by the Recommendation can be provided, and holding that opinion I consider that the Commission's Recommendation LXXIV. amounts to a Recommendation that special schools

or classes for the education and training of mentally defective children of all grades should be compulsorily provided in all districts of the country. That special schools are useful I have no doubt, but I hold that there is a limit to their utility. They are not curative, they do not convert mentally defective children into mentally sound adults, it is in exceptional cases only that they make mentally defective children fit to support themselves in after life, and in exceptional cases only do they obviate a requirement of after-care, institutional or otherwise. Were they curative, or did they obviate the necessity for later relief, there would be no doubt but that money spent on them would be well spent, and that the compulsory establishment of them would be economically sound, but failing such advantages I am not prepared to advise a compulsory establishment of them. The Commission's Recommendation which, in my opinion, implies a compulsory establishment of special schools or classes, implies an expenditure which may be roughly estimated at more than half a million of public money annually, and I fail to see any commensurate advantages.

When expressing my opinion as to the justifiable methods of dealing with certified mentally defective persons, I stated that I considered special classes were of considerable value in acting as day nurseries, and thus giving relief for so many hours a day. By so doing, they may obviate in some cases the necessity of the more expensive institutional relief, and thus may be economically sound. But this argument in favour of special schools cannot apply to rural districts where the number of mentally defective children must be small, and where no economy would arise from their establishment, for almost certainly a few defective children could be cheaper and more efficiently dealt with by placing them in institutions than by establishing a special school with its expensive teaching staff for their daily care. Allowing that special schools are economically sound and of value in districts where mentally defective children exist in considerable numbers, but not economically sound in districts where mentally defective children exist in small numbers only, it follows that a compulsory establishment of those schools might be justifiable in the larger urban districts, but could not be justifiable in the less populous rural districts.

I accordingly dissent from the Commission's Recommendations LXXII. to LXXXVI., which, in my opinion, imply the compulsory establishment of special schools in all districts and for all grades of mental defect, and hold the view that their establishment should either be compulsory for large urban areas only, or that their establishment should be optional as under the present Act.

Care of the Property of Mentally Defective Persons.—I take exception to Recommendation X. on the ground of incompleteness. That Recommendation advises that powers and provisions of the Lunacy Act, 1890, relating to the management and administration of the property of lunatics should apply to the property of all mentally defective persons, and I hold that such Recommendation would be quite impractical without a great change of the present legal procedure for bringing the property of lunatics under the care of the court.

The powers and provisions relating to the management and administration of the property of lunatics are stated in Sections 116 to 130 of the Lunacy Act, and are strictly limited to certain classes of lunatics, the classes being defined by Section 116, and dependent on the legal procedure mentioned in that section of the Act. It is by removal of such restriction by definition, and by simplification of procedure, and not by a mere change of nomenclature, that the powers and provisions may be extended to all mentally defective persons whose position is such that the protection of their property is necessary.

Putting aside two exceptional classes of lunatics, those for whom an order for the care of their property was made prior to 1890 and criminal lunatics, there are four classes of lunatics provided for under the 1890 Act, those so found by inquisition, those under detention in an asylum, those whose lunacy is dependent on mental infirmity arising from disease or age, and those whose property does not exceed £2,000 or the income of which does not exceed £100 per annum. These four classes no doubt include the greater number of mentally defective persons whose condition is such as to require that their property be protected by court, but they exclude a very considerable and important class, namely, mentally defective persons whose property exceeds £2,000, or £100 per annum, and who are neither detained nor so found, and whose mental defect is not due to infirmity arising from disease or age. The substitution of the term mentally defective for lunatic in the Act as advised by the Commission cannot be expected to give the neces-

sary protection to the class referred to, but what is required is the introduction of a simple method of obtaining the necessary Order of Court, which method should be applicable to all classes of mentally defective persons, no matter the amount of their estates or the pathology of the defect. Sub-section (*e*) of Section 116 of the Lunacy Act contains such simple procedure as I refer to. It states that the powers, etc., shall apply "to every person with regard to whom it is proved to the satisfaction of the Judge in Lunacy by the certificate of a Master, or by the Report of the Lunacy Commissioners, or by affidavit, or otherwise, that such a person is of unsound mind and incapable of managing his affairs, and that his property does not exceed two thousand pounds in value, or the income thereof does not exceed one hundred pounds per annum." Were the money restriction removed, and the term mentally defective inserted in place of "of unsound mind," a term which according to some has acquired a restricted meaning, that sub-section would be so comprehensive as to include not only the classes named in the remaining five sub-sections, and also every conceivable case where public protection of the property of mentally defective persons is necessary, and, that being so, the retention of the other five clauses would be unnecessary. I accordingly venture to suggest, in order that effect may be given to the Commission's Recommendation X., that a clause be inserted in the proposed Act for the Care and Control of the Mentally Defective to the effect that the powers and provisions of the Lunacy Act, 1890, relating to the management and administration of the property of lunatics should apply to every person with regard to whom it is proved to the satisfaction of a judge of the Chancery Division of the High Court of Justice, by the certificate of a Master, or by the Report of the Commissioners, or by affidavit or otherwise, that such person is mentally defective and incapable of managing his affairs.

I may add that the use of a simple procedure such as that now suggested for use in all cases has stood the test of experience, for many years there has been such a procedure in Scotland, and it has been found to answer well, giving protection to those requiring it, and not leading to any known abuse; that I have reason to assume that the majority of the Commission hold that their Recommendation implies the introduction of a simple method applicable to all cases, and that thus I am not in any serious disagreement in the principle involved; and also that the Commission in the Irish Recommendation LXXIV. advises the introduction in that country of single simple procedure applicable to all classes.

Irish Recommendations.

The Commission's Recommendations regarding the necessary amendments of the lunacy law in Ireland are based on the same principles as the Commission's English Recommendations, and contain most of the suggestions from which I have expressed dissent in the English section of the Memorandum. I do not consider it necessary to again explain my reasons, but desire to express my dissent from the Commission's Irish Recommendations in so far as they include principles I have objected to in the English Recommendations, and which I have discussed in this Memorandum under the following headings:—Certification and Definition, Care of Certified Mentally Defective Persons, Notification, and Education of Mentally Defective Children.

Scottish Recommendations.

I am in complete agreement with the majority of the Commission in holding that in Scotland, as in England, there are some mentally defective persons who at present are not receiving the care, protection and control which their condition necessitates, and that to meet their wants some amendment of the Scottish lunacy law and administration is urgently required. I agree with some of the conclusions expressed in Chapter XLIII. of the Report, the chapter dealing with the Scottish evidence, and with a few of the individual Recommendations, but my views as to the general conclusions to be derived from the Scottish evidence, and as to the general scheme of amendment, are so essentially different from those of the majority of the Commission that I am compelled to disassociate myself from all stated in Chapter XLIII., and from the Commission's Recommendations regarding Scotland, and to separately express my views as to the reasons for amendment, and scheme of amendment.

My principal reason for dissent from the Commission's Recommendations are that I consider them to be much more extreme than are called for, and it will be my endeavour in this Memorandum to show a scheme of amendment which, in my opinion, while being better suited to meet the wants of the neglected classes, is simpler, and does not involve the almost complete reconstruction of the Scottish lunacy administration advised in the Commission's Recommendations. The scheme of amendment which I shall describe is essentially different from that which the Commission advises for adoption in England, but I hold that the differences between the Scottish and English lunacy laws and administrations are so great, that it is quite consistent to advise different schemes of amendment in the two countries. I do not intend to offer any criticism of the Commission's Recommendations, but to limit myself to an explanation of the alternative scheme which I venture to suggest.

Dr. John Macpherson, in his full and carefully considered evidence, states: "The administrative machinery in Scotland is, in my opinion, sufficient for dealing with the care and treatment of all mentally unsound in the country who require care, provided only that some additional means can be organised for bringing more easily within the scope of the machinery certain classes who at present, unfortunately, are more or less neglected," and specifies the classes he refers to. The general trend of all the evidence of the Scottish witnesses has been to support Dr. Macpherson's conclusion, and it is on that principle that I found the scheme which I now suggest. The classes of mentally defective persons which he describes as "more or less neglected" are four in number, and are: (1) Children of unsound mind, using that term as including all mentally defective children; (2) mentally defective delinquents; (3) vagrants, loafers, and ins-and-outs of poorhouses; and (4) inebriates. It may, perhaps, be hardly necessary to consider inebriates as a class by themselves, for, with few exceptions, the neglected ones who require relief by some public authority are included among mentally defective delinquents, or among mentally defective "ins-and-outs," but the evidence about them having been separate from the evidence about the other classes, it is a matter of convenience to retain them in a separate class. Macpherson, 21198

Adopting Dr. Macpherson's classification of the neglected mentally defective in Scotland, I shall consider the classes *seriatim*, and express my views as to the changes of the lunacy law and administration which are required to meet the wants of each. I shall afterwards express my opinion on a few other matters arising from the evidence of other witnesses.

Mentally Defective Children.—Mr. Spence, in describing the Scottish lunacy law, stated that theoretically the duty of parish authorities to provide for the care of mentally defective children is similar to the duty of parish authorities to provide for the care of adult mentally defective persons, but that in practice parish authorities do not look on imbecile children as in quite the same position as adult persons of unsound mind. This opinion may be interpreted as meaning that the Scottish lunacy law is not such as to secure that parish authorities shall provide care and treatment for all necessitous mentally defective children. Dr. Macpherson, in his evidence, corroborates that opinion, for he includes mentally defective children among those mentally defective persons who, "owing to certain legal imperfections of a slight character, and also to certain administrative anomalies, are unfortunately excluded from the operation of the present system." The result of this imperfection of the lunacy law is very evident in the evidence submitted by Dr. John Thomson, who states: "I have been strongly impressed with the difficulty that the parents of such children generally have in getting assistance, however much they may need it, and with the great hardships often suffered on this account by both parents and children;" and the same is also evident in the statement of Dr. Clarkson, who gives an analytical description of the present condition of affairs at Falkirk, and in the Report of the local investigators who describe the present position of affairs in Glasgow. To further show that the parish authorities at present consider the giving relief to imbecile children to be optional and not similar to their duty of providing relief for adult mentally defectives, I may draw attention to a system of bargaining for payment by the parents before relief to imbecile children is granted, such a system being referred to in the evidence of Dr. Thomson, and in that of Dr. Macpherson. Dr. Thomson gives a striking example of such bargaining and of how failure on the part of the parent to pay an impossible sum was the cause of the afflicted child being neglected. (*See* case James B., Question 24381) Spence, 20935. Macpherson, 21198. Thomson, 24381. Clarkson, 21989. Macpherson, 21198. Thomson, 24381.

The first obvious change required to meet the wants of mentally defective children is thus a statutory declaration that the duty of parish councils to provide for the necessary care and treatment of mentally defective persons includes the provision of care and treatment of mentally defective children whose home surroundings are such as to necessitate such care and treatment at public cost. Such a declaration implies no new principle, but only removes any misconception that may exist.

Thomson, 24381.

This suggestion is not intended to imply that it should be a duty of parish councils to provide for all mentally defective children, but is intended to strictly limit the duty to the provision of care and treatment to those children whose home conditions necessitate public relief, and to supplement that suggestion it is necessary to indicate what is meant by that limitation. The question of what are the conditions which necessitate public relief for mentally defective children is a matter dealt with in Dr. Thomson's evidence, and as he has set forth these conditions in a manner which is clear and comprehensive, I cannot do better than repeat them here, and to state my agreement with his opinion. He states the case thus :—

A.—On the child's account.

(1) Unkindness at home, as in the case of the illegitimate (or other) children of bad women.

(2) The impossibility of getting liberty in their home surroundings for healthy occupations and exercise and fresh air.

(3) The impossibility of getting training at home which will occupy their energies and turn them from mischievous into innocent and happy channels.

(4) Inadequate protection from the injuries inflicted on them by unscrupulous persons.

B.—On the parent's account.

(1) The exacting demands on their time and energy on the part of an idiot child who causes unjustifiable interference with their earning a livelihood, and with the training of other children.

(2) The constant anxiety caused to the parents by the child living at home when circumstances make it impossible to keep him or her under safe control (mischief, injury to younger children, fire raising, injury to child himself in a fit, danger of immoral conduct, etc.).

But such a declaration by itself would be insufficient to meet the wants of such children, because at present in Scotland there is an insufficiency of suitable accommodation for their reception and treatment, and it would be necessary to make it a statutory obligation on some public authority to provide the accommodation. There is no likelihood of philanthropic effort meeting the demand.

Spence, 20939. Macpherson, 21198. Motion, 21645, 21738. Carswell, 21884. Urquhart, 24435, 24478. Macpherson, 21198, 21330.

The insufficiency of the present accommodation has been amply attested by many witnesses, including Mr. Spence, Dr. Macpherson, Mr. Motion, Dr. Carswell, Dr. Bruce, and Dr. Urquhart. The present available accommodation consists of two training institutions jointly capable of receiving about 240 cases, and a custodial home for unimprovable cases, which is an annex to one of the Glasgow District Lunacy Board's asylums. The training institutions are both provided by philanthropic effort, the custodial home is the only special institution for the care and treatment of mentally defective children in Scotland provided by public funds.

Motion, 21748.

The amount of necessary provision is a matter dealt with in the evidence of Dr. Macpherson and of Mr. Motion. Dr. Macpherson's opinion is that an enlargement of the two existing training institutions, and the establishment of two additional training institutions, would meet the requirements of the country, and that to begin with 1,000 beds in all should suffice. Mr. Motion estimated the requirement at a higher figure. He stated as his opinion that it would require an institution of 500 beds to meet the requirement of a million of the population, and that is that between 2,000 and 2,500 beds would be required to meet the requirements of Scotland, a figure twice as large as Dr. Macpherson's estimate These estimates are too widely different to found any very definite conclusion on, but

I think the opinions of these two experienced men may be taken as indicating that the requirement will probably be found to be something between a minimum of 1,000 and a maximum of 2,500, and probably nearer the former than the latter figure.

If these necessitous mentally defective children are to be provided for in the same manner that mentally defective adults are at present provided for, it follows that the provision of the necessary accommodation should be a duty of the district boards in the same manner as the provision of accommodation for adult mentally defective persons is a duty of those boards. But there is a practical difference between the provision of institutions for the care of these children and the provision of institutions for the care of adult defectives, and that is that the number to be dealt with is much smaller. Assuming that at the present time Scotland is divided into districts of a size suitable for the establishment of asylums for adults of an economical size, and I know of no reason to doubt that, it does not follow that the districts are suited for the establishment of imbecile training institutions of an economical size. The general trend of the evidence taken in England as well as in Scotland is to the effect that for economical and efficient working institutions should be capable of holding at least 500, and consequently the establishment of imbecile training institutions by each of the twenty-seven district boards would be economically wrong. To obviate that Dr. Macpherson's suggestion, and a suggestion which I endorse, is that these training institutions should be provided, not by the district boards separately, but by them in suitable combination. Probably four such institutions should meet the requirements of the country, and the arrangement of combination of lunacy district boards to establish these four institutions is a matter which well might be entrusted to the General Board of Lunacy, and my recommendation is that it should be so.

The above are the essentials of the scheme which I venture to suggest for ensuring that necessitous mentally defective children are in Scotland provided with the care control and treatment which their condition requires. Their relief should be similar to that of adult mentally defective persons, the institutions being provided for them by district boards, the maintenance of them in the institutions and the selection of suitable means of treatment for them being a duty of the parish councils.

The present mode of admission into imbecile training institutions in Scotland is, in my opinion, such as to meet all the requirements of the situation. There is no statutory order of detention, but when public money is being expended there is a double medical certificate. I see no reason whatever to make any change, an order of detention when dealing with children appears to be quite unnecessary, while the double certificate in a case involving the expenditure of public money is required to safeguard that money, and to secure that it is being spent on suitable cases only.

The present rule in Scotland that mentally defective children should only be allowed to remain in these institutions up to the age of eighteen is, I consider, also sound. The great reason for having the institutional provision for juvenile mentally defectives separate from that for adult mentally defectives is that the latter in many ways is unsuited for the special requirements of young mentally defective persons. But when the children grow up the same reason no longer exists, and the general provisions are as suited for their requirements as they are for the requirements of other mentally defective persons. In advising the continuance of this rule of discharge at eighteen, I do not wish it to be inferred that in my opinion the entire responsibility of parishes to provide care, etc., for congenitally mentally defective persons should cease at that age. My assumption is that the responsibility of the parishes to provide for them at eighteen would be the same as to provide for them at a younger or at an older age, and that if their condition remained such as to require care and treatment at public cost, the parishes would be bound to provide for them in one of the other approved methods, namely, by boarding-out, by placing in an asylum, or by placing in licensed poorhouse wards.

I have in the earlier portion of this Memorandum expressed my opinion as to the utility of special schools for mentally defective children, and how I consider them of value in acting as day nurseries and thus giving relief for a certain number of hours daily, but of little value as educational institutions in any way likely to improve the chances of the mentally defective children becoming self-supporting. These schools in terms of a recent Act have been established in some of the principal towns in Scotland and are serving a useful purpose, and will continue to do so by limiting the number of cases requiring the more expensive institutional relief, and I hold that there is no good reason whatever

for in any way interfering with the present Act. I entirely disagree with the majority of the Commission in advising that the establishment of special schools all over the country should be a duty of district lunacy boards, as is implied by the Commission's Recommendation XXIV. regarding Scotland. I hold that the expense of carrying out that Recommendation would be enormous, and the advantages gained comparatively small.

Macpherson, 21198.
Russell, 23650. Fyfe, 24668. Crombie, 24852. McNaughton, 24963.

Mentally Defective Delinquents.—These form the second group of mentally defective persons described by Dr. Macpherson as at present more or less neglected in Scotland, and that they are so is a fact fully corroborated in the evidence of other witnesses, including Sir James Russell, Sheriff Fyfe, Mr. Crombie, and Dr. McNaughton, and all of them are in a position to have special knowledge of the requirements of the class of mentally defective person referred to. Indeed, the cases described by some of them reveal an extremely sad, if not scandalous, state of affairs. No one can read the cases detailed in the evidence of Dr. Macpherson, and in that of Mr. Crombie, without realising the neglect of this helpless and irresponsible class, and without appreciating the necessity of making some special provision for them.

The repeated presence of these mentally defective persons in prison may be accepted as proof that the machinery for securing the recognition of their condition outside prison is faulty, and the fact that when dealt with in prison on account of their mental defect, and sent to district asylums, they frequently return to prison within a short time is ample proof that the method of dealing with them when their condition is recognised in prison is also faulty. Dr. Macpherson describes the case of a mentally defective person who, in the course of two years, was nine times certified to be insane, and during the same two years was fourteen times sentenced to imprisonment (*see* case R.C., page 31 of Vol. III. of Evidence), and Mr. Crombie describes a case who, in the course of four years, was six times certified to be insane during sentences of imprisonment (*see* case C.K., page 254 of Vol. III.).

The administrative factors which tend to aggravate this present unsatisfactory state of affairs are :—

Crombie, 24852.

(1) The fact that the usual order of detention obtained for the admission of mentally defective prisoners to asylums, that given in terms of Section 6 of the Dangerous Lunatics (Scotland) Act, 1871, is valid only for the period of the sentence, and that at the time of expiry of sentence fresh certificates are required. Many of the mentally defective persons found in prison suffer from the milder forms of mental defect, and it frequently happens that after a few days or weeks of treatment their condition is so far improved as to make the necessary re-certification a matter of difficulty, more especially when that re-certification is not by the prison medical officers, who know something about the histories of the cases, but by the parish medical officers, who may know very little about their histories.

Macpherson, 21198.
Motion, 21785.

(2) There is a prejudice against the presence of these "gaol birds" in asylums which receive for treatment the respectable poor, a prejudice common to the medical superintendents, to the parish and district boards, and to the asylum patients.

(3) The knowledge that certification in prison is frequently useless as a means of securing care and protection of this class of person limits the action of the prison authorities, including the medical officers, to dealing with the more extreme cases only.

Macpherson, 21198, 21335. Motion, 21645, 21785. Carswell, 21858, 21919. Russell, 23650, 23736. Bruce, 24120. McNaughton, 24963, 24972. Clouston, 24349. Urquhart, 24503. Fyfe,;24698. Crombie, 24864.

To correct these obvious faults the necessaries are; (1) separate accommodation; and (2) a special order for detention suited to their special requirements.

A special asylum for the reception and detention of this neglected class of mentally defective persons is the first of these essentials. The provision of such an institution is a change of the lunacy administration in Scotland which has been advocated by many witnesses, including Dr. Macpherson, Mr. Motion, Dr. Carswell, Sir James Russell, Dr. Bruce, Dr. McNaughton, Dr. Clouston, Dr. Urquhart, Sheriff Fyfe, Mr. Crombie and others, and it is a change of lunacy administration which, in my opinion, is essential to the success of any scheme for providing the necessary care and protection for this

presently neglected class of mentally defective persons. The obvious and great advantages of a special asylum for them are: (1) That it could be so regulated to meet the special requirements of this class of person without in any way interfering with the treatment of ordinary pauper lunatics, the discipline would probably require to be stricter than that in an ordinary asylum, and certainly the means of obviating escape would have to be stricter; (2) the power of discharge by the medical superintendent could be restricted without in any way interfering with the power of discharge of all the inmates of an ordinary asylum by the medical superintendent on recovery, a point laid great stress on by Mr. Spence and Dr. Macpherson; and (3) it would meet the presently existing, and perhaps well-founded, objection to admitting these "gaol birds" to ordinary asylums. Spence, 20790. Macpherson, 21339.

There is unanimity of opinion as to the desirability of a central asylum for the reception of these prison cases, but there is a division of opinion as to what authority should be responsible for its establishment and management. Dr. Macpherson's opinion is strongly in favour of management by one of the presently existing public departments, arguing that the duty would be too small to justify the creation of a special department, and by exclusion argues that the General Board of Lunacy is the best suited of the public departments to undertake the new responsibility, and his opinion is supported by the opinions of Mr. Motion, Dr. Carswell, Sheriff Fyfe, and Dr. McNaughton, though these witnesses do not go into the matter in the same detail; but Sir James Russell expresses a very decided opinion against the management of the proposed central asylum being given to the General Board of Lunacy, and strongly advocates the creation of an *ad hoc* board elected by parish councils for the purpose. I have carefully considered both views and satisfied myself that Dr. Macpherson's suggestion is the better one, as I am of opinion that the value of the expert knowledge of the General Board of Lunacy more than fully compensates for any possible disadvantages of adding administrative duties to the present inspectorial duties of that Board, and I accordingly suggest that the establishment and management of the suggested central asylum for the detention of mentally defective delinquents should be a duty of that Board. Motion, 21790. Carswell, 21920. Fyfe, 24699. McNaughton, 24973. Russell, 23650.

While seeing good reasons for advising that these mentally defective delinquents should be cared for and detained in an asylum established and managed by a Government Department, I also see a strong reason why the maintenance of the inmates should not be a charge on the Treasury, for if such were the case there would be an inducement to local authorities to neglect their cases, to let them fall into the hands of the police, and thus to get them cared for at the expense of the Treasury, instead of at local cost. The method of obviating that disadvantage of the scheme is obvious, and is that the cost of the maintenance of the mentally defective persons detained in the suggested central asylum should be a charge on the same authority as it would be if they were detained and treated in district asylums, and that is on parish councils. Such an arrangement would not only remove any possible inducement for parishes to neglect their cases, but would tend to promote the contrary, for the parishes would be in this position, if they cared for their cases themselves they would retain control over them, but if they neglected their cases, if their cases were found in prison and sent to the central asylum, they would still have to pay for them, but would have lost all control over them. The feasibility of such a scheme was put to Mr. Motion, the inspector of poor of the most populous parish in Scotland, a man fully cognisant of parish council opinions in general, and he stated that parish councils "ought to pay for them no matter where they are," and that "parishes would gladly pay for these patients in a State reformatory if they could get rid of them and get them cared for elsewhere!" Local payment to prevent abuse is, in my opinion, as essential a feature of the scheme which I venture to suggest as is the establishment of a special asylum to meet the special requirements of the classes now under consideration. Motion, 21702

The requisite size of a central asylum to meet the present requirements of the country is a matter which is extremely difficult, or indeed impossible, to estimate with confidence, but the matter received, so far as it goes, tends to show that the accommodation need not be very great. Dr. Sutherland estimates that there are in Scotland 2,500 mentally defective delinquents who require special provision, but his estimate is so far in excess of that of others that in all probability it is an over-statement. Dr. Macpherson, from observations made by himself in Edinburgh and Glasgow, assesses the number of mentally defective persons among habitual offenders at about 60 per cent., a figure indicating a total in Scotland of about 750 to 800. Mr. Crombie in his evidence gives the result of an inquiry made in the prisons in 1901, which inquiry showed that eighty-five such persons were found in prison during a period of six months. Dr. MacNaughton states that 4 per Sutherland, 24756. Macpherson, 21198. Crombie, 24852. McNaughton, 29463.

cent. of the prisoners in Perth Prison were such as required special observation as to their mental condition. And the local investigators who examined the prison population of Glasgow for the purposes of this Commission reported that they found thirty-five mentally defective persons, which in round numbers means about 2½ per cent. of the Glasgow prison population. From such widely varying figures I do not care to commit myself to any concise estimate, but I think I may go so far as to express an opinion that an asylum of from 200 to 400 beds should more than meet present requirements, at all events if the present method of sending cases of acute insanity which occur in prison into district asylums be continued.

Vol. VI., page 395.

The other essential for the satisfactory relief of these mentally defective delinquents is that their detention should not be terminable at the discretion of the medical superintendent, but regulated by some higher authority. A precedent for such a mode of detention exists in Section 89 of the Lunacy (Scotland) Act, 1857, and as the procedure described in that section appears to be admirably adapted to meet the wants of this special class of mentally defective persons, I think I cannot do better than suggest its adoption for this purpose. The procedure is quite different from that of an ordinary order for admission to an asylum, it does not require a double medical certificate based on observations some of which must be made at the time of examination, but instead requires a sheriff with the assistance of two medical practitioners to inquire as to the prisoner's mental condition, and to report to the Secretary for Scotland, and he, if satisfied that the prisoner is mentally defective, then orders his detention in the asylum, and the order is effective until such time as the Secretary for Scotland is satisfied that the person is sane, and in a fit state for discharge. This procedure is, I hold, better adapted to the requirements of these mentally defective delinquents than the ordinary order of reception, for while efficiently safeguarding the liberty of the subject, it obviates the technical difficulties of ordinary certification, and ensures that the care and protection provided shall continue as long as it may be required. I may add that this procedure is very similar to that advised for adoption by the Commission in England, for in Recommendation regarding England, LXXXIX., it is suggested that the consent of the Secretary of State for the Home Department should be necessary before the discharge of any mentally defective persons from an institution to which they may have been admitted from a court of justice or from a prison, or from a reformatory. The Commission's English Recommendations go a good deal further in dealing with these mentally defective delinquents than does my suggestion for the efficient dealing with them in Scotland, for the Commission's English Recommendation LXXXVIII., suggests that the detention of these persons should be ordered by the Home Secretary on medical certificate only, and without any judicial inquiry. Whatever may be the case in England I consider a sheriff's inquiry in Scotland would be advantageous, for it would not only more completely safeguard the liberty of the subject, but it would also help to obviate any doubt on the part of the parish councils as to the justification of the cost which would follow the order.

The above scheme for the treatment of mentally defective persons in Scotland, a State asylum, local payment, and detention during the Secretary for Scotland's pleasure, is designed to meet the requirements of those mentally defective persons found in prison whose mental defect is of a chronic or recurring form, but such a procedure is uncalled for in many of the cases of insanity found in prison, cases where the insanity is acute, and in which there is no prolonged history of repeated imprisonment. Experience has shown that the treatment of such acute cases is quite satisfactorily procured by the simpler method of transfer from prison to a district asylum under a warrant in terms of Section 6 of the Criminal and Dangerous Lunatics (Scotland) Act, 1871. In advising the retention of this Section 6 to meet the requirements of these more acute cases, I agree with the suggestion of the majority of the Commission as expressed in the latter part of their Scottish Recommendation XXXVI.

Macpherson, 21198.

There is a suggestion made in Dr. Macpherson's evidence to which I desire to draw attention, even though the matter may be outside the terms of reference to the Commission, and that is that the central asylum for the care and protection of mentally defective delinquents might with advantage be combined with the criminal lunatic asylum and with the State inebriate reformatory. The histories of the inmates of these three institutions may in some respects be different, but the inmates are all similar in that they are all mentally defective and in that they require very similar treatment, and I believe an amalgamation of the three institutions into one larger institution would be both economically and administratively sound.

In describing this scheme for dealing with the mentally defective persons found repeatedly in prison I have purposely avoided expressing any opinion as to whether the class of prisoner to be thus dealt with should include that class who may be described as morally mentally defective. From personal observation in prison I know that the cases who most urgently call for relief are cases who show unmistakable evidence of ordinary mental defect, and I feel sure that if they were cared for the present neglect would almost completely cease. I am not prepared to allow of the existence of pure moral insanity, insanity in which the moral sense is absent or altered, the other senses being intact, my experience being that in all such cases there is some symptom of insanity, or mental defect, over and above the alteration of the moral sense, but I am not in a position to deny that such a form of insanity is possible. However, if in future the existence of a moral insanity is accepted, the now suggested method of providing for the care and the treatment of mentally defective prisoners is such as would fully meet their requirements.

Mentally Defective Poorhouse Inmates.—I use this term to describe the third class of mentally defective person stated by Dr. Macpherson to be at present more or less neglected, and in doing so refer only to the inmates of ordinary poorhouse wards, and not to pauper lunatics in licensed poorhouse wards. The latter I exclude for two reasons, the one being that as they are being dealt with under the lunacy law they are outside the reference to the Commission, the other being that there is no reason to doubt but that they are being properly treated.

In Scotland, treatment in an ordinary poorhouse ward is not one of the authorised methods of dealing with mentally defective persons, and to prevent ordinary poorhouse wards being used for that purpose, every pauper before admission to those wards must be certified by a medical practitioner not to be lunatic or insane, or idiot or of unsound mind. But from the personal observation of the members of this Commission, from the evidence of the witnesses, and from the report of the local investigators, there can be no doubt but that in practice this exclusion of mentally defective persons from the ordinary poorhouse wards fails, and that a very considerable number of mentally defective persons are provided for in these wards. As evidence in support of this contention I may quote that of Dr. Macpherson, Dr. Leslie Mackenzie, Mr. Motion, and Mr. Barclay.

Macpherson, 21198. Mackenzie, 23272. Motion, 21707. Barclay, 23428, 23460.

That mentally defective persons are dealt with in unauthorised manner may be attributed to two facts, the one being that the certificate on admission is faulty, the other being the absence of medical inspection to secure that this, the exclusion, is given effect to. In the certificates of suitability of a pauper for admission to the ordinary wards of poorhouses, there is required a categorical answer to the question: "Is applicant or any dependent 'lunatic, insane, idiot, or of unsound mind,'" and it is pointed out on the certificate that "No person so described can be legally sent to, or received in, a poorhouse, unless it possesses licensed lunatic wards, and then only with the sanction of the General Board of Lunacy." The certificate is intended to exclude certain classes of persons from the poorhouses, but the instruction appended to the certificate indicates how that restriction can be avoided, for the certificate is to be founded on the *description* of the person rather than on the *condition* of the person, and nothing is easier than that to describe mentally defective persons by other than the forbidden terms. I know that course to be adopted, and that persons are admitted into poorhouses who are undoubtedly of unsound mind, but who are not *described* as of unsound mind, but who are *described* as feeble-minded, as weak-minded, or as suffering from mental debility or from mental asthenia, or by some other of the many possible evasive terms.

Barclay, 23428.

The absence of medical inspection in poorhouses is a matter referred to in evidence by Mr. Barclay and by Dr. Leslie Mackenzie, and without some skilled inspection, there can be no assurance that the illegal detention of persons of unsound mind in poorhouses is not taking place.

Mackenzie, 23339. Barclay, 23505.

There can be no doubt but that the ordinary wards of poorhouses are not suitable places for the treatment of mentally defective persons, the obvious objections being:—

(1) The absence of power of detention when the inmate demands discharge.

(2) The hardship which the close association of the sane and insane inmates in the same institution entails on the sane inmates; and

(3) The absence of control by the General Board of Lunacy.

The necessary amendments to secure that the wants of this class of mentally defective person are more fully met in the future than they have been in the past are :—

(1) Efficient medical inspection of poorhouses to ensure that persons of unsound mind (or mentally defective persons, the terms are synonymous) are not admitted or detained in the ordinary wards of poorhouses. The majority of the Commission advise that this duty be imposed on the General Board of Lunacy, and with that Recommendation I concur, that Board doubtless being the most efficient inspectorial authority for the purpose. To make the inspection effective, the Board should have power to order the transfer of mentally defective persons from workhouses into suitable institutions, such as asylums or licensed wards.

(2) An alteration of the form of certificate required before admission of a pauper to a poorhouse, abandoning the present unsatisfactory terminology and replacing it by a comprehensive term applicable to all forms of mental defect.

I do not consider it necessary to advise any new method of dealing with this class of mentally defective person, as I am of opinion that the Scottish lunacy administration is already sufficiently elastic to meet their requirements. The provision of care by treatment in an asylum, or by treatment in licensed wards, or by boarding-out, should meet the requirements of them all. Mr. Motion has suggested labour colonies as a requisite for the proper provision for this class, but I cannot agree with him, as I cannot see any difference between the hypothetical labour colony and certain departments of the Scottish asylums and licensed lunatic wards. The farms attached to the Glasgow District Asylum at Lenzie, to the licensed lunatic wards of New Monkland Poorhouse, are in no way essentially different from the hypothetical labour colony, and as such farms can be provided under the present lunacy administration I see no reason for advancing the establishment of them as a new and separate method of dealing with the insane.

Motion, 21645.

I cannot leave the subject of the treatment of mentally defective persons in the ordinary wards of poorhouse without making some reference to one exceptionally pitiable class referred by several witnesses, and that is mentally defective girls and young women who are unable to care for themselves, whose mental weakness is taken advantage of by unscrupulous men, and who irresponsibly become the mothers of families when they are both unable and unfit to take charge of children. From the evidence submitted there is no reason to suppose that this class of case is frequent, but that it exists is undoubted, and its existence is a very strong argument in favour of making some change such as these now suggested to secure that all mentally defective paupers are efficiently protected. In my opinion the above suggested amendments would efficiently meet the requirements of this class. The recorded cases are practically all poorhouse cases, and were proper treatment for all poorhouse mentally defective inmates insisted on as now suggested these mentally defective mothers along with other mentally defective persons would, be provided for and protected.

Habitual Inebriates.—These form the fourth group of mentally defective persons described by Dr. Macpherson as at present more or less neglected, but he qualifies their inclusion in a separate group by stating "that the distinction which is drawn between them and the classes I have already referred to (mentally defective persons in prisons and in poorhouses) appears to me to be an artificial one," and that among them "alcoholism is but an incident—an important one certainly—but not the main factor in the majority of the cases." He gives some instructive cases in support of that opinion. The habitual inebriates he referred to are the more extreme cases, cases such as are found habitually in prison, and are occasionally provided for under the Inebriates Acts.

Macpherson, 21198

The general trend of the Scottish evidence, and indeed also of the English evidence, has been to support his contention that the essential condition of habitual drunkards, and the condition which necessitates special care and control, is mental defect. Sheriff Fyfe, in his evidence, stated : "My own opinion is derived from my observation of the people that I have committed to an inebriate reformatory, and it is that a good many of them, if perhaps not the whole of them, were fit subjects for an asylum." Dr. Carswell describes the majority of habitual inebriates, and more especially those who become "habitual" while still in the adolescent period of life, as feeble-minded or confirmed neurotics. Dr. Donald states that after careful study of the condition he has concluded that inebriety and narcomania are mental diseases, and that inebriates are mentally defective. And both Dr. Cunningham and Dr. McNaughton have given similar opinions.

Fyfe, 24702.

Carswell, 21858.

Donald, 24516.
Cunningham, 24548.
McNaughton, 25026.

The constant, or practically constant, association of habitual inebriety with mental defect may be accepted as an established fact, and as such indicates the nature of the statutory provision required to meet the necessities of habitual inebriates, and that is that the statutory provision for them should be similar to that for other classes of mentally defective persons. Thus cases of habitual inebriety whose circumstances are such as to demand relief at public cost, whether with a view to cure or with a view to protection and control, should be a charge on the same local authority as is responsible for the provision of relief for other classes of mentally defective persons, namely, the parish councils; when the parish councils for any reason fail to provide the necessary care and control for habitual inebriates, and they become public nuisances, and are frequently in and out of prison, they should be committed to a central asylum, and there detained at the cost of the parishes; and when their circumstances are such as not to necessitate public relief, those specially interested or responsible for them should have power to procure an order for their admission to an institution suited to their treatment, and for their detention in such an institution for as long as may be required.

Any division of responsibility in this matter, such as would result in one authority being responsible for the care of habitual inebriates and another authority responsible for the care of other classes of mentally defective persons, would inevitably result in the defeat of the much to be desired object, the provision of care and control for all mentally defective persons whose circumstances necessitate care and control, for if parish councils were not responsible for the care and control of these mentally defective persons who are of drunken habits and who might be styled inebriates, constant difficulties of allocation of cases between the parish councils and the other authority would arise, and the parish councils would be supplied with an ever ready excuse for failing to provide for a large number of necessitous mentally defective persons. In dealing with mentally defective delinquents and with mentally defective "poorhouse ins-and-outs" the adoption of this principle, the same authority to be responsible for the provision of care for habitual inebriates as is responsible for the provision of care for other mentally defective persons, is essential; for among them the discrimination of the cases to be provided by the one authority from those to be provided for by the other authority would be an impossibility.

Many of the Scottish witnesses have spoken as to the necessity of some means of securing that proper care and control be provided for the worst of habitual drunkards, both of cases which must become a public charge and of cases which can be provided for privately, and I believe the above suggested scheme generally meets the opinions expressed by them. Among such witnesses I may mention Dr. Macpherson, Mr. Motion, Dr. Carswell, Mr. Barclay, Dr. Urquhart, Dr. Donald, Dr. Cunningham, Sheriff Guthrie Sheriff Fyfe, and Dr. Sutherland.

Macpherson, 21198.
Motion, 21242.
Carswell, 21858.
Barclay, 23488.
Urquhart, 24435.
Donald, 24516.
Cunningham, 24548.
Guthrie, 24592.
Fyfe, 24659.
Sutherland, 24756.

And I may add, that although differently worded, my suggestion is essentially the same as that implied by the Commission's Scottish Recommendation XXXV., and that therefore in this matter I am in agreement with the majority of the Commission.

Other Desirable Amendments.—Over and above the special provision for the four classes of mentally defective persons described by Dr. Macpherson as at present more or less neglected, there are a few other matters arising from the evidence which deserve special consideration.

Epileptics are a class of persons who frequently, though not invariably, are mentally defective, and at least two witnesses, Dr. Ireland and Dr. Thomson, have drawn attention to their special requirements, and there can be no doubt but that some of them are at present not receiving proper care and treatment. I, however, see no good reason for advising any separate provision to be made for them, as I believe that if the foregoing Recommendations are given effect to their requirements should be fully met. If epileptics are mentally defective they should be relieved on account of their mental defect, being dealt with in imbecile training schools, or in asylums, or in licensed wards, or by boarding-out, but if they are not mentally defective then their relief should be similar to the relief of other persons suffering from physical infirmity, in poorhouses, or in parish or other hospitals.

Ireland, 23992.
Thomson, 24381.

The lunacy certificate will require some change in form to meet presently existing limited conception as to the meaning of the term "lunatic," and I agree with the majority of the Commission that the term "mentally defective" should be used in the certificate

in place of the term "lunatic." I, however, disagree with the majority of the Commission in advising that the term "mentally defective" should be defined by compartments, but hold that it should be defined in a comprehensive manner. But in this matter I need not repeat my opinions as they are fully set out earlier in this Memorandum, in the portion of it dealing with the Commission's English Recommendations.

The protection of medical certifiers against unreasonable and vexatious prosecution is another matter which I consider essential to the success of a scheme for securing that proper care and control be provided for all these mentally defective persons who require care and control. It is a matter dealt with in the evidence of Sir James Russell, who points out the difficulties that exist at present in getting certain cases certified on account of the risk of vexatious actions to which medical certifiers are exposed. The difficulty he points out is undoubtedly a real one, and for the freer use of the certificate in future, for the applicability of the certificate to all cases of mental defect who are in requirement of care and control, it is essential that this difficulty should be removed. Obviously this can only be brought about by protecting medical men against unreasonable actions for opinions stated in the certificates. This is no new principle, the 1890 English Lunacy Act gave them some protection, and the Commission advises that in England those acting in a public capacity should be further protected by bringing them under the Public Authorities Protection Act, 1893, and I hold that protection in some form should be given them in Scotland. Sir James Russell suggests as the best means of protecting medical practitioners against these actions, that the consent of the Lord-Advocate should be required before any action against a medical certifier for any statement made in a lunacy certificate be brought into court, and with his suggestion I concur.

Russell, 23650.

Dr. Ireland, in evidence, drew attention to the fact that in Scotland the General Board of Lunacy has no power to license imbecile training institutions other than those established by philanthropic associations, and that the want of such power prevents medical men from establishing such institutions for the care and training of the mentally defective children of the well-to-do classes. This, though perhaps a small matter, is one well worthy of correction, because every possible facility should exist for the proficient care and training of all such children, and I suggest that the General Board of Lunacy be given the necessary power.

Ireland, 23992.

If the Commission's English Recommendations are adopted, English local authorities will receive an increased grant from the Treasury to assist them in fulfilling their duty towards mentally defective persons. If that is done, doubtless an increased grant will also be given to the Scottish local authorities for the purpose. I refrain from discussing the intricacies of what the exact form of that increased grant should be; but I desire to express the opinion that it should be sufficiently generous to be an inducement to parish councils to treat all mentally defective persons in institutions suited for their requirements rather than in the ordinary words of poorhouses, and that it should be such as the poorer parishes might get exceptional assistance. The Commission in the chapters of the Report dealing with England have referred to the removal of senile dements and of some other mentally defective person from poorhouses to asylums as an abuse of public funds, and one dependent on the present English system of State subsidy for lunatics treated in asylums only, but from that opinion I dissent, as I hold that one of the good purposes to be served by subsidising the legitimate methods of treatment of mentally defective persons and of not subsidising their treatment elsewhere, is to encourage their treatment in approved manner, and in approved manner only, and I fail to see why demented persons of old age should not have the same nursing and other advantages as mentally defective persons of younger age. I fail to see how ordinary poorhouse treatment should be held to be good enough for the one class, but not good enough for the other.

In Scotland inspectors of poor are required to report to the General Board of Lunacy when they fail to provide within a few days for any lunatic for whom application for relief has been made, but this duty on account of the present definition of the term lunatic (a person certified by two medical practitioners to be lunatic, insane, idiot, or of unsound mind) restricts that duty to reporting only those cases who are doubly certified but not provided for. These Reports are of value in that they give the General Board of Lunacy a chance of intervening in case of the failure of the parishes to provide relief should that Board see fit to do so, and I am of opinion that the restriction, the limitation to certified cases only, should be removed. I would accordingly suggest that it should be a duty of inspectors of poor to report to the General Board of Lunacy all cases in which they

have received application for relief on the grounds of mental defect, but have for any reason not provided that relief, no matter whether the mentally defective persons were certified or not. In suggesting this I am in agreement with the majority of the Commission, for in their Scottish Recommendation X. a similar suggestion is made.

The constitution of the General Board of Lunacy is a matter which is not included in the reference to the Commission, and I do not intend to discuss it, but I desire to draw attention to the fact that if either the scheme of amendment embodied in the Commission's Scottish Recommendations or the scheme of amendment described in this memorandum be adopted, there will be a very large increase of duty put on that Board, and that the appointment of an additional medical Commissioner will be required. The small expense which that appointment would entail would be a very small price to pay for the advantage to be gained from efficient medical inspection of poorhouses, and skilled management of a central asylum.

The scheme of amendment which I venture to suggest as an alternative to that suggested in the Commission's Scottish Recommendations, and which I consider not only less extreme but also better fitted to secure that care and protection and control be provided for those classes of mentally-defective persons in Scotland who at present are improperly cared for, or not cared for at all, may be summarised as follows :—

(1) That parish councils should be responsible for the provision of care, treatment, and control of mentally-defective children as they now are for the care and treatment of adult mentally-defective persons.

(2) That the provision of imbecile training institutions should be a duty of the district lunacy boards as it is now a duty of those boards to provide asylums for adult mentally-defective persons, and that for reasons of economy the provision of these training schools should be by those boards in combination and not separately.

(3) That there should be a central asylum for the reception of mentally-defective habitual offenders, the management to be by the General Board of Lunacy, the cost to be borne by the parishes of the mentally-defective persons there treated, the procedure of admission to be that described in Section 89 of the Lunacy (Scotland) Act, 1857, and that for reasons of economy and good management this asylum might be combined with the criminal lunatic asylum and with the State inebriate reformatory.

(4) That care, treatment, protection and control be provided for habitual inebriates by the same authorities and under a similar procedure as the care, treatment, protection and control of other mentally defective persons is now provided.

(5) That the term "lunatic" be taken out of the lunacy certificate and the term "mentally defective" inserted in its place, the latter term being defined as "applicable to all persons afflicted with mental defect, whether that defect be congenital or acquired ; whether it be due to disease, or to age, or to any other cause ; whether it be acute or chronic ; whether it be curable or incurable ; and whether it be such as might be described as lunacy, or idiocy, or unsoundness of mind, or imbecility, or feeble-mindedness, or by any other name indicating mental unsoundness, or mental disorder, or mental incapacity, or mental infirmity."

(6) That medical certifiers should be protected from vexatious prosecution, and for this purpose that no action against a medical practitioner for any opinion expressed in a lunacy certificate should be brought before a court without the consent of the Lord Advocate.

(7) That it should be a duty of the General Board of Lunacy to inspect the ordinary wards of poorhouses and order the transfer of any mentally defective persons found in them to institutions suited to their requirement.

(8) That the General Board of Lunacy should be given power to license private institutions for the care and training of imbecile children.

(9) That an additional medical lunacy commissioner be appointed to enable the General Board of Lunacy to efficiently overtake the increased duties.

(10) That inspectors of poor be required to report to the General Board o Lunacy all cases in which they have received applications for relief of mentall defective persons and have not provided that relief, no matter whether th mentally defective persons be certified or not.

(11) That the Treasury Grant towards the cost of maintenance of mentall defective persons when treated in an approved manner be sufficiently generou to be an inducement to the parishes to treat those persons in approved manne only, and be such that exceptional assistance can be given to poorer parishe on which the lunacy assessment is exceptionally onerous.

(Signed) JAMES C. DUNLOP.

MEMORANDUM BY MR. H. D. GREENE, K.C.

I.—AS TO PARAGRAPH 469, AND RECOMMENDATION XCV.

1. I do not agree to abstain from making a definite pronouncement on what I consider to be one of the most important points disclosed by the evidence, viz., the state of the law as to the protection of the mentally defective from the sexual allurements and attacks of vicious persons.

2. The Warrant directed that: "In view of the hardship or danger resulting (amongst others) to feeble-minded or defective persons not certified under the Lunacy Laws and to the community from insufficient provision for their 'care' a Report should be made as to the amendments in the law and other measures which should be adopted in the matter."

It appears to me to be well within the mandate and by no means "to lie outside our main arguments" for a clear and certain opinion to be expressed as to whether the law does or does not provide due protection for these persons against sexual crime and immorality, and if necessary to offer suggestions for its amendment. It is a matter which I hold essentially relates to their "care" and deserves and certainly requires something more than mere incidental reference.

"Care" includes protection by every means from danger of every kind, and cannot be limited to the means of control, education and maintenance. One kind of protection that can be afforded is punitive preventive protection, by means of an improvement of the Criminal Law. This may not and probably would not give complete protection, since undetected and unpunished crime must always exist, but it might be valuable as an auxiliary, and would often be effective as a deterrent. Admitting that it is not desirable to turn all sins into crimes, yet it can hardly be claimed that the moral and physical degradation of weak and unintelligent persons by those of sound mind and understanding is a matter in which the State may not justly interfere with a very strong hand.

The Statute Law supplies the moral standard of many people, who regard as permissible whatever is not prohibited. For such as these a positive and unqualified prohibition with punitive sanction is absolutely necessary.

3. So far as they go, I do not dissent from this Paragraph and this Recommendation. I do not object to exalted officers of State having their attention called to the evidence and being invited to consider "whether the existing law provides adequately for the protection of mentally-defective persons against sexual crime and immorality," but I do object to transfer to them the responsibility which it seems to me has been placed on this Commission of advising whether or not the law is sufficient. The exact form and extent of any remedial legislation doubtless requires careful consideration by those who initiate it, but I claim that it is the privilege of this Commission to estimate the evidence and offer a positive opinion as to whether legislation is or is not required.

Although the matter is of great importance it is not of such complexity or profundity that it can only be determined by the Lord Chancellor and the Secretary of State, and I am sanguine enough to hope that success might attend an appropriate measure even if it was not introduced into Parliament by a member of the Government. It involves no party question. No proper freedom would be curtailed. All classes would be benefited.

4. A greater number of witnesses, I believe, gave evidence on this matter than on any one topic in the whole inquiry. Upwards of thirty persons coming from England, Scotland and Ireland supported the opinion that the criminal law does not sufficiently protect the purity of feeble-minded persons, especially

females. Nor is it alone the volume of the evidence that deserves attention, but the weight of it also. The opinions of such well-known societies as Dr. Barnardo's Homes, the Metropolitan Association for Befriending Young Servants, the National Society for the Prevention of Cruelty to Children and the Salvation Army were conveyed to us by their representatives.

Local government and Lunacy officials, members of Education Committees and Boards of guardians, Magistrates, Medical men, Prisons and Asylums officers, Social workers, lay and clerical, male and female, also bore their testimony. The accumulated force of this evidence, I think, puts beyond all doubt the urgent need, on Moral, Religious, and Social grounds, for legislation to protect the purity of these people, though as to the precise form it should take some diversity of views naturally exists.

5. Apart from the opinions of these witnesses there is one extensive branch of the evidence upon which any one may form an opinion, viz., as to the expediency of legislation on economic grounds in relief of the ratepayer. I refer to that which deals with the production of illegitimate children by idiot, imbecile and feeble-minded parents and the expense of their maintenance by the public. If the law distinctly made it a punishable offence for any sound-minded individual to have immoral relations with such persons there might, I submit, be some hope of reducing a revolting and costly scandal. I am not unmindful of the difficulty of always enforcing such a law owing to the occasional inability of the outraged party to give evidence in court or the delay in discovering the injury or in identifying and tracing the culprit, but that prosecutions may not always succeed is not a sound reason for not passing a prohibitive and protective law.

The number of illegitimate children, the offspring of feeble-minded parents, who are themselves provided for at enormous public expense, and whose children grow up to be throughout their lives an additional burden to the State, constitutes an evil of intolerable magnitude.

It was not possible to obtain reliable statistics, either of the number or the cost of them, but the facts revealed in the evidence and in the reports of the Medical Investigators indicate that the figures would be startling.

Vol. I., p. 312.

6. I will take a few illustrations from both sources. Sir Edward Fry says :—

"Everyone knows that a large number of the mothers of illegitimate children are of weak intellect; that their issue are frequently of the same type."

"One of the Poor Law inspectors saw in a workhouse in Somerset an imbecile woman with an illegitimate imbecile daughter who had her own illegitimate daughter in her arms. Precisely the same picture has been seen in the county of Cornwall, and these are but pictures in small of a fact which is to be seen in many of our workhouses.'

Vol. I., p. 132

Mr. Bagenal, a Local Government Board inspector, says :—

"Feeble-minded women are particularly open to the seductions of men. They seem to be deficient in will power and the power of resistance to attacks upon their virtue. In some the moral sense is altogether absent. The consequences we see in the frequency of this class in the lying-in wards of the workhouse."

Vol. I., p. 500.

Dr. R. Turner states that out of 127 children in homes for feeble-minded children, 19, that is 14·9 per cent., were illegitimate.

Vol. II., p. 223

Mrs. Wills and many others confirm this evidence.

Vol. III., p. 201.

7. As to Scotland, Dr. Clouston, Physician Superintendent of the Royal Edinburgh Asylum, tells us :—

"I have come to the conclusion that such persons in a large city are subject to overwhelming temptations and pressure towards sexual immorality. I find, as a matter of fact, that it is an exception for any of them not to have been sexually tampered with among a certain class of society. Many of them have had illegitimate children, and this often at very early ages. One had seven such children. I look on this source of immorality as an extremely grave one in our social life. In a way it is more disgusting and degrading than prostitution or sexual lapses through passion. When illegitimate children are borne by such young women, the chances are enormously in favour of their turning out to be either imbeciles or degenerates or criminals."

Vol. III., p. 240.

8. Dr. Sutherland, Deputy Commissioner in Lunacy in Scotland, referring to the connection between illegitimacy and imbecility and feeble-mindedness says :—

"That there is a close connection between the two I have personally, in my sojournings up and down the land, had abundant evidence, corroborated by interviews I have had with inspectors of poor who have to contend with both evils, which are costly to parishes, especially to the poorer

parishes in which it is most in evidence. Again and again I have seen in the same district, and even under the same roof, three generations of "soft" or "feeble-minded" women with illegitimate broods, some of whom are imbecile or "soft" or feeble-minded. No doubt the environmental factor counts here for something, but the real factor is the feeble-minded state of the women, lost to and evidently not possessing any real sense of shame, and regardless of the life-long burden to themselves and to the parishes. Among these broods of illegitimate children there is, in proportion, a vastly larger number of imbecile and feeble-minded children met with than among the offspring of normal and healthy wedlock. These remarks have reference to the inveterate, not so much to the accidental rearers of illegitimate children, and there are generations of the former who are not in the true sense bad or immoral, but are lacking in resistive power, and incapable of forming a proper estimate of the ethical wrong done to society and themselves. One *faux pas* is intelligible, and if all the circumstances were known, perhaps excusable; but repeated breaches of the moral law, and all the hardships it entails on the woman, not to speak of society, is suggestive of feeble-mindedness of the female parent. The feeble-minded male is not an offender in this respect; it is the female taken advantage of by unscrupulous men, and the female who is actively erotic."

9. Dr. Barclay, General Superintendent of Poorhouses, Edinburgh, testified :— Vol. III., p. 163.

"There are women who have had several illegitimate children, and who are of low mental type and facile disposition. I may note a case where I had recently to examine a woman of this class. She is known to have had ten illegitimate children. She can neither read nor write. She could not tell me, counting on her fingers, how many children she had. In this same poorhouse there is a feeble-minded mute who has had seven illegitimate children. Another illegitimate woman has had ten illegitimate children; her eldest daughter is following in her footsteps, and two of the young children (twins) show signs of weakness. In another small poorhouse with nineteen female inmates, thirteen were infirm and sick, four were epileptics, and three weak-minded; one of the latter has had three illegitimate children, and all the three women are not allowed out as they are sent there for protection. In another small poorhouse there are five women. Two sisters, one weak-minded, have three illegitimate children each—one to a near relative. One woman is a deaf and dumb mute of low intelligence, and two are infirm. I may mention the case of a woman now in a small poorhouse suffering from disease. She has an ungovernable temper, and is destitute of any feelings of modesty. Her husband is also in this poorhouse, a mental and physical nonentity. Her father put her out of the house one night for her bad conduct, when she was sixteen years of age, and this man, who was passing at the time, took her to his house and married her. She has had six children, and has been prosecuted for neglecting and ill-treating them.

"My experience leads me to say that the class of women who come to our poorhouses with more than one illegitimate child are generally of feeble mind."

The same witness thus describes the mental condition of women in two of the smaller poorhouses :— Report, Par. 951.

"These women, twenty-two in number, had had eighty-eight illegitimate children. Of the mothers all were feeble-minded except five, and these were described as low and coarse, father weak-minded."

10. The Memorandum on the Reports of the Medical Investigators and the Reports themselves more fully convey an idea of the extent of this evil, but I will only refer to that of Dr. Tredgold of Somersetshire, and two others He says :— Reports of Investigators, p. 235.

"The only aspect of this question which I shall consider is the propagation of children by women who are actually feeble-minded."

Then follows a table showing that from a group of 165 feeble-minded women sixty-one children were born. Of these nineteen were legitimate and forty-two illegitimate.

"This table," he says, "shows two striking facts; first that nearly two-fifths of the total number of feeble-minded women have given birth to children; and, secondly, that two-thirds of these are illegitimate. I think these facts are sufficient to justify the view that these women are particularly in need of efficient control. In some instances they undoubtedly have pronounced erotic tendencies, but more often this state of affairs is due to the fact that they are of facile disposition, which makes them a ready prey to the first sexually disposed man with whom they come into contact. Often they have no sense of either modesty or ordinary decency, and one girl of this class I met (who had four children) was systematically made use of in this way by her mother in order to procure the latter drink. Indeed, many of the particulars ascertained in this connection are too revolting for publication."

Dr. Melland, of Manchester, remarks :—

"They (the feeble-minded) are perfectly free to leave the workhouse at will, and when it is borne in mind how many young women who have already had illegitimate children there are amongst them it will be recognised what grave risk there is in both sexes of the further propagation of their defect." *Id.*, p. 170

Dr. Pearse, Wiltshire, says :—

Id., p. 257. "Many young women of this type (mentally incapable) enter the lying-in ward of the workhouse and there remain as inmates."

11. These extracts give rise to many serious reflections, and not the least Important of them is concerned with the economic aspect of the problem. In the face of them, it seems to me impossible to argue that profligacy which entails such expense on the community should not be made a readily punishable offence. If the probability of punishment will act as a deterrent, and check the production of degenerates, it is manifest that the prevention of the evil will be economically better than having to mitigate its effects.

12. The inference I draw from the evidence is that mental defect which is found to prevail so largely amongst illegitimate children is to be attributed to the feeble-mindedness of one or other of the parents, but usually to the mother. Although such children are usually born amid the surroundings of privation and shame such conditions are not proved to be the cause of mental defect. My view as to this is confirmed by my being in a position to state that in the Foundling Hospital, where there are maintained upwards of 620 illegitimate children ascertained to be the first offspring of mentally capable women, not more than $\frac{1}{4}$ per cent. would be termed idiot or imbecile, and not more than 1 per cent. are such as would be classified as feeble-minded or dull. Although I infer that the mental defect is usually on the mother's side, I am persuaded that the erotic tendencies of mentally-defective males renders them such a source of danger that their protection also should not be overlooked if any alteration is made in the criminal law.

13. Two points arise for consideration :—

(1.) What is the present law ?

(2.) What should it be ?

As to (1).—Lunatics, idiots and feeble-minded people, of course, have the same protection for their persons from assaults, and acts not consented to, etc., as those who are not so afflicted.

But beyond this there are two special statutory provisions, viz. :—

48 & 49 Vic., c. 69. (*a.*) By the Criminal Law Amendment Act, 1885, it is a misdemeanour to have carnal knowledge or to attempt to do so of any female idiot or imbecile woman or girl under circumstances which do not amount to rape, but which prove that the offender knew at the time of the commission of the offence that the woman or girl was an idiot or imbecile.

There is no definition of "idiot" or "imbecile" in the statute, but the onus is thrown on the prosecution of proving that the offender knew that the female was an "idiot" or "imbecile." Persons whose defective mental condition falls short of whatever these words may mean are not protected. In an Irish Court the words have been interpreted to refer only to persons congenitally weak-minded. If the prosecution fails to prove the offender's knowledge the charge fails. Experience shows that this onus is often a difficult one to discharge.

14. Women and girls too helpless to earn their living—whose minds would not be deemed capable of entering into a binding contract of a trivial character—whose marriages might be annulled, and whose wills would be invalidated, may be defiled and even become the mothers of children, for neglecting to support whom they may be punished, while their assailant or tempter is suffered to satisfy his lust with impunity unless the prosecution can convince a jury that he knew she was an "idiot" or "imbecile !"

Surely a state of law under which it is so difficult to prevent such persons from being taken advantage of by those who are sound and strong in mind falls short of the standard of humanity which this country should set up !

15. It has been suggested that : "You could not possibly punish a man for taking advantage of an imbecile woman unless he knew she was imbecile."

Vol. II., p. 66. "You cannot go against the general principle of the whole of English legislation."

The answer to such an argument is obvious. If a person capable of knowing that the probable consequences of his immorality would be harmful both to an individual and to the community chooses notwithstanding to misconduct himself he must take all the risks. No man has a right to complain if as a result of his misconduct punishment falls upon him. It is for him to ascertain if a woman is mentally defective before he seduces her. If he likes to risk it so much the worse it may be for him. If both parties are capable of intelligently consenting to immoral conduct their equality of guilt if the community is not put to expense may be a reason for not punishing either of them for acts which many regard as only sin. But where owing to mental disparity there cannot be equality of guilt in a joint transgression the one who is mentally capable, and therefore certainly is to blame, may not unjustly be made to suffer alone for the injury caused to the individual and the loss inflicted on the community.

That a male parent may be ordered to make a payment towards the support of his illegitimate offspring by a feeble-minded woman is not a sufficient punishment. He might be compelled to do this if the mother possessed mental capacity and understanding equal to his own. Everyone should be taught that it is a serious offence for a person of sound mind to violate the purity of those whose deficiency puts them at a disadvantage and who require protection both against him and against themselves.

16. The second special statutory provision is as follows :—

> (*b*) By the Lunacy Acts, 1890–1, it is a misdemeanour if any manager, officer, nurse, attendant, or other person employed in any institution for lunatics (including an asylum for criminal lunatics) or workhouse, or any person having the care or charge of any single patient or any attendant of any single patient, carnally knows or attempts to have carnal knowledge of any female under care or treatment as a lunatic in the institution or workhouse or as a single patient ; and no consent or alleged consent of such female thereto shall be any defence. 53 & 54 Vict. c. 5, s. 324.

This does not apply to officers and patients in idiot asylums. It is only directed against officials of certain institutions and persons actually having charge of or attending upon single patients. The defence of consent may be set up by any offender unless he belongs to the enumerated limited class.

As regards both (*a*) and (*b*) it may be observed that the acts of impropriety made punishable are very narrowly restricted and are not inclusive of much impure conduct to which such persons of both sexes may be and often are subjected.

I hold that these provisions are totally inadequate.

17. *Now as to* (2).—What should be the law ?

I think an answer is to be found in the precedents of the criminal law concerning offences upon children of tender age who presumably cannot give an intelligent consent or who, on grounds of public policy, ought not to be allowed to consent to their own defilement. Their immaturity, their inexperience, and their weakness of mind or body call for protection, and the law in response imposes upon them a statutory disability to give their consent.

Thus in 1880 it was provided that :—

> "It should be no defence to a charge of indecent assault on a young person under the age of thirteen to prove that he or she consented to the act of indecency." 43 & 44 Vict., c. 45, Sec. 2.

Five years later the Criminal Law Amendment Act was passed for the purpose of protecting women and girls against themselves. At the time it was passed there was a discussion as to what point should be fixed as the age of consent. That discussion ended in a compromise, and the age of consent was fixed at sixteen. A girl under that age was treated as so immature in mind as not to be capable of consenting to carnal knowledge or the attempt to commit it. The presumption of inability to consent was carried so far that it was not even made an offence for a girl under sixteen to abet or incite a male person to commit the crime with her. R. *v.* Tyrrell 12 Q.B.D., 710. 48 & 49 Vict., c. 69.

Under this Act the unlawful carnal knowledge of any girl under thirteen years is felony, while the attempt to commit it is misdemeanour. If over thirteen and under sixteen the same unlawful conduct is a misdemeanour but with this proviso :—

> "That it shall be a sufficient defence to the charge if it shall be made to appear to the Court or jury before whom the charge shall be brought that the person so charged had reasonable cause to believe that the girl was of or above the age of sixteen years."

The effect of this is to throw the onus on the accused of satisfying the jury that he had reasonable cause to believe that the person he had outraged was over the age of disability to give consent. The word unlawful points to criminal abuse. The section does not apply to the marital relation.

18. The power of consenting to unlawful defilement which on the grounds stated has been taken from girls under sixteen should, I suggest, be taken from feeble-minded persons of all ages. The reason for such a law is the same in the cases of infants in age and infants in mind—of the child and the childish.

Upon this point two questions arise.

(1) How is the feeble-mindedness to be ascertained, and what is to be the measure or extent of it ?

(2) (*a*) Should the onus rest on the prosecution to show that the accused knew of the mental defect ?

(*b*) Or should the onus rest on the accused of showing that he had reasonable cause to believe that the female was not mentally-defective or feeble-minded ?

(*c*) Or should the knowledge by the accused of the sufferer's mental state be as immaterial to the inquiry as his knowledge is of the age of a child under 13 who has been assaulted ?

19. *As to* (1).—At present the idiocy or imbecility of the person injured is determined by the jury on the evidence presented either after seeing or even without seeing the alleged imbecile. Certification is not essential. In future anyone who under the law in force at the time is in fact certified, should *ipso facto* be absolutely protected. Any woman also who is certifiable or of such weakness that under the will of her aggressor there was no fair chance for her, or if she is incapable of resisting pressure, of exercising an act of her own will, or of properly giving or withholding her consent should be statutorily disabled from giving it. The production of the certificate should be sufficient proof where the victim is certified and where not certified evidence of mental defect should be given as at present.

20. *As to* (2).—There is some difference of opinion on these questions (*a*) (*b*) and (*c*), but the inclination was to hold that the law should be assimilated to the provision for the protection of girls over thirteen and under sixteen, and that the accused should in cases where uncertified persons have been tampered with, have a sufficient defence if it should be made by *him* to appear to the court or jury that he had reasonable cause to believe that the female was not mentally-defective, etc., so as to be subject to the statutory disability to consent.

As prisoners on their trial may now give evidence it is perhaps better that such a defence should be open to the accused in non-certified cases, and that thereby the whole of the circumstances may be elicited. At all events, it may be best to strengthen the law gradually until public opinion accepts the true principle, viz., the absolute and unqualified protection of the weak from the passions and power of the strong.

Persons who have been certified, and who for the purpose of protecting their property and controlling their person are supposed to be under the protection of the law, and are somewhat in the position of Wards of Court, should be inviolate and apart from any question of knowledge of their mental

state the aggressor should be punishable. Under our suggested scheme there will be many more persons certified, and they should be guarded from evil, whether they are in Asylums, Homes, Institutions, Boarded-out or even resident with relatives.

21. I do not see why an amendment of the law should be deferred until the Lunacy laws are reformed or until fresh measures for educating and maintaining mentally-defective persons have been adopted. The arm of the criminal law should be promptly raised to shield as far as possible those whose mental weakness makes a mute appeal to manhood and whose pitiable condition ought to provoke pity rather than produce passion.

I, therefore, as a first step recommend that: The criminal law should be extended so as, irrespective of sex or age over thirteen, to impose :—

(1) On all persons certified or certifiable as mentally-defective or as of unsound mind (including lunatics, idiots and imbeciles) and also on persons too weak in mind or will to withhold consent—a legal disability to consent to unlawful acts of personal impurity of any description ; and :—

(2) To impose the liability to punishment on all persons who, not being themselves mentally-defective, etc., unlawfully commit such acts with or upon those who are certified, and in the case of those who are not certified wherever the accused fails to satisfy the court or jury that he or she had reasonable cause to believe, and believed, that the outraged person was not mentally afflicted so as to be subject to disability or was not otherwise disabled from consenting and did in fact consent to the commission of the acts charged.

II.—AS TO PARAGRAPH 809 AND PART OF RECOMMENDATION VI.

22. I desire emphatically to dissociate myself from the statements and suggestions contained in this Paragraph concerning the relative positions of the Lord Chancellor and the Home Secretary, but I concur with the Commission in refraining from making a Recommendation thereon.

The paragraph does not present to my mind an accurate idea of the functions of the Home Office and the Lunacy Commission under the Lunacy Act.

The character and importance of the duties of the Home Secretary are, I think, unduly magnified, and I cannot accept the reasoning or the conclusion based on these premisses.

The suggested *status* of the Board of Control does not appear to me to be clear—but at all events it is not practicable. It is not to be made " a part of the Home Office " and " it is to be detached from the Home Office "—The Home Secretary, however, it is said should appoint the Board, " because the official who is ultimately responsible for the work should appoint the persons who are in turn responsible to him." He is to represent the Board in Parliament and be expected to explain and defend its policy. A position at once of detachment and of subordination I am unable to understand. If the Board is to be detached and have a " a policy " of its own it is not easy to see how the responsibility of the Home Secretary for it comes in.

23. No suggestion has been made that the present or any previous Lord Chancellor has failed or been wanting in the discharge of his duties in respect of lunatics or has made improper appointments of Lunacy Commissioners ; on the contrary, the evidence clearly shows the exceeding vigilance and anxious care with which those duties have been performed. It is true that, in 1828, the Home Secretary was for three years empowered to appoint annually, for the Metropolitan area, fifteen Commissioners for licensing and visiting lunatic asylums within the City of London and Middlesex and 7 miles thereof, but this in no respect interfered with, or curtailed the jurisdiction of the Lord Chancellor. The statute was an experiment. In 1831, however, a Bill was brought by private Members, two of whom were Commissioners, appointed by the Home Secretary in 1828 into the House of Commons, to continue and in some ways

Hansard 1831, Vol. VI., p. 448. Vol. VII. pp. 603, 877.

to extend the provisions of the Act of 1828. Upon this Bill reaching the House of Lords, it was stated by Lord Kenyon in moving amendments to substitute the Lord Chancellor for the Home Secretary that "originally the Commission was placed under the control of the Home Secretary and although the duty had been as well done by the Home Secretary as it could be done by a person in that situation, it was found expedient to make some change in the constitution of the Commission and it was thought for obvious reasons that the control should be vested in the Lord Chancellor." It was considered by Lord Chancellor Brougham that the Bill would effect a desirable improvement if it brought matters of lunacy more immediately than they were by the former law under the superintendence of the Great Seal. He thought it most proper that a near connection should subsist between the Lord Chancellor for the time and the Commissioners of Lunacy and he approved of the amended Bill which brought the superintendence of those cases immediately under the House and the Great Seal.

Upon these amendments returning to the House of Commons for consideration, on a Motion being made to disagree with the Lords' Amendments, the Attorney-General and the Solicitor-General supported the Amendments and urged the transfer of the affairs of lunatics to the Lord Chancellor, who was the admitted guardian of that unfortunate class of person. On the other hand, it was suggested that the control by the Home Secretary's office during three years had been made at the request of, and for the convenience of, the Lord Chancellor, presumably Lord Lyndhurst. It was suggested by one speaker that the Lord Chancellor could not give sufficient attention; by another that the superintendence of these unhappy persons should be placed in the Home Secretary's hands as being a matter of police; and by another, that the appointments should rest with the Home Secretary, with whom, at all times, the Commissioners could have free communication, which they could not have with the Lord Chancellor, and, on a division this was carried by a majority of eleven, the figures being sixty-six to fifty-five, and a Committee was appointed to confer with the Lords. Sir R. Peel, who had between 1828 and 1830 served at the Home Office, supported the attempt to hold the appointment for his former office.

In 1832 the Bill was again introduced into the House of Commons by private Members, two of whom were Commissioners appointed by a Home Secretary, leaving the appointment of Commissioners in the hands of the Home Secretary. Upon its going to the House of Lords it appears, by the Journals of the Houses of Parliament, that amendments transferring the control of matters provided for by the Statute of 1828 to the Lord Chancellor, were agreed to by the Commons, and no trace is to be found of any further attempt at that time to differ from the House of Lords.

This, so far as I can ascertain is the solitary instance. and that an unsuccessful one, of a proposal in Parliament to limit the jurisdiction of the Lord Chancellor in relation to lunatics or to restrict his selection of Commissioners. It was, of course, quite natural for appointees of a Home Secretary to struggle for the continuance of his patronage, and it was even more so when they were doubtless smarting under the public censure administered in Court by the Lord Chancellor "for their presumption and undue interference with the authority of the Court."

Hansard, 1831, Vol. II, p. 915

24. In 1845, the Lunacy Act, establishing a permanent Lunacy Commission, was passed giving the appointment of its members as previously to the Lord Chancellor, and imposing the obligation to report to him, and giving him powers which have been continued and extended by various Statutes up to the present time.

25. I can find no Recommendation by any Royal Commission or Select Committee since 1845 recommending that any one should take the place of the Lord Chancellor. I look in vain to the evidence adduced before us, for any testimony which in my opinion would justify the displacement of the Lord Chancellor from the position which he has held in the Lunacy Acts since 1832, although certainly the Assistant Under-Secretary of State for the Home Department, with laudable Departmental ambition and *esprit de corps*, gave

Vol. IV., 33,404.

his opinion that it would be a great improvement if the Lunacy Commission could be put under the Home Office in the sense of its being a sort of sub-department, and if the selection of the Commissioners was taken away from the Lord Chancellor and given to his chief. On fuller consideration, however, he thought that as the duties of the Lunacy Commissioners towards the Royal Courts of Justice would be very important, it might be considered reasonable that the Lord Chancellor should appoint some of them. *Id.* 33,410.

At present the Lord Chancellor appoints the Masters in Lunacy from barristers of not less than ten years standing, and the legal Commissioners from practising barristers of not less than five years standing. The holding of inquisitions by masters affects interests of persons and often also property interests of great value. The duties of legal members of the Board of Control will be so closely associated with the High Court and of so judicial a character that it is manifest that the Lord Chancellor should be responsible. It is true the Home Secretary submits the names of Recorders to the Sovereign to appoint, but his own appointing power at present does not extend to offices of the dignity and importance mentioned and not even to Metropolitan police magistrates.

26. The question who should be head authority for the care and protection of those who it is held by us have the same claim upon the protection of the Sovereign—the *parens patriæ*—as idiots and lunatics have always had, is an important question. It seems to me most fitting that the highest Temporal officer of the realm, should in this matter continue to be the deputy to represent the Sovereign, Removed from constant personal contact with Party politicians in the House of Commons, the Lord High Chancellor is freer from the Party claims for patronage than a more political and less powerful officer. From his legal attainments he is able to consider and promote legislation for the benefit of helpless people who cannot clamour for it, and being invariably a very influential Cabinet Minister he is in a position to influence its progress. With a staff of officials at his disposal, to conduct visitations, described by Lord Westbury as " the eyes and ears of the Chancellor," he can readily obtain information and opinion concerning any person whose affairs he may have reason to believe require investigation. Without the calls upon his time, which are consequential upon Parliamentary and Departmental prominence, he is able to devote to the work energy which experience proves has usually been born of sympathy. Hansard, 1830, Vol. I., p. 1342. Hansard, 1831, Vol. II., p. 838.

For seventy-five years and upwards the Lord Chancellor has appointed the Commissioners and has been receiving annual reports from them, and every month he has had communications from his own visitors reporting in the course of each quarter on all lunatics specially under his charge. These reports, we have been told, by one whose testimony extends over twenty-eight years in the service of several Lord Chancellors, are carefully read and directions are given by the Lord Chancellor, who it also appears is almost daily resorted to by patients in their own interest, whether they are under the control of the Commissioners or not. Sir K. Muir Mackenzie, Vol. IV., p. 392.

27. It must not be forgotten that the public mind has in past times been occasionally disturbed by agitation concerning the improper detention and treatment of insane persons, or persons alleged to be insane, and the present quietude, I think, is in no small part due to the care with which the Lunacy Commission was devised, principally by the late Earl of Shaftesbury, and with which its administration has been conducted. It is probably also owing to the opportunity of access by all insane persons and their friends to the personal attention and influence of so exalted a person as the Lord High Chancellor that there now exists a contentment which would not exist if the authority so long exercised should be removed from him or be placed in the hands of a more actively political officer.

Whatever feeling has in the past arisen with reference to the supposed improper detention of lunatics, it may safely be predicted that a stronger and more widely spread feeling would soon arise when a larger number of persons suffering from a lesser degree of mental defect are subjected to detention unless the utmost care is taken.

The public will not be and ought not to be satisfied to give the power to incarcerate and detain their feeble-minded relatives to the paid servants of any public office however experienced and honourable, unless they are assured that no political or such like considerations have entered into their appointments. The Board of Control, moreover, if it is to enjoy public confidence, must not be merely a "home of rest" for worn-out wire pullers, or a haven of repose for exhausted civil servants.

28. I have not the advantage of the official experience in the working of the Home Office possessed by some of my colleagues, and so it is with regret and diffidence that I venture to convey my own views, which unfortunately do not accord with theirs. I confess I do not at all agree with the suggestion that the Home Office is, or should be, responsible for the administration of the Act of 1890 in the ordinary sense of the word. Whatever duties the Home Office has, I do not see that the Lunacy Commissioners are subject to it. The relative position of the Lord Chancellor, the Home Office, and the Lunacy Commissioners was well described in the evidence given before the Select Committee on Lunacy Law in 1877 by Lord Shaftesbury (Report, p. 551.)

> *Question.*—Of what department are the Lunacy Commissioner's officers; are they officers of the Home Department or of the Local Government Board, or of the Lord Chancellor?
>
> *Answer.*—They are an independent board; they are not subject either to the Home Office, or to the Local Government Board, and they are only subject to the Lord Chancellor to the extent that he exercises a general supervision over lunatics, and has the appointment of the Commission.
>
> *Question.*—The Home Office has the control over County Lunatic Asylums and so has the Local Government Board?
>
> *Answer.*—The Home Secretary would have a control over us of course, as a man of high authority, but there is no official or statutory control. We do not report to him; he does not interfere with our proceedings; we never think of referring to him. In all county matters relating to county expenditure and so on, he refers to us for our opinion; all the plans for buildings, and everything of that kind. and if any controversy arises he generally refers it to us. To that extent we are in connection with the Home Office, but he has no jurisdiction over us beyond that which belongs to his high office.

29. Although the Act of 1890, in some matters, changed the previous law, I cannot see that any subordination of the Lunacy Commissioners to the Home Office has been imposed upon them, and although there is an obligation on the Commissioners to make, on special request, certain reports and visitations, I do not find that the Home Office can, under the Act, require anything from the Lunacy Commissioners beyond visitations, reports and information. I would point out that in the scheme recommended here no subordination is really involved in the duties of the Board of Control.

30. Any argument for establishing the subordination of the Lunacy Commission to the Home Office, or I might say its annexation by the Home Office, I think, must be based on a misapprehension of the functions of the Home Office under the Lunacy Act, 1890. It by no means follows that the control of local authorities in a few matters should give the right to the Home Office to create and control the independent body that is to look after the interests of the patients and advise the local authorities. The two spheres are distinct, and I confess I cannot follow the reasoning that the Home Secretary should have the right to appoint the Commissioners and should represent the Board in the House of Commons, and be expected to explain and defend their policy when, at the same time it is pointed out that the Board of Control should not be made a part of the Home Office. If the Lunacy Commission, as reconstituted, is to remain a detached and independent body without any administrative, compulsory or spending powers or any subordination to the Home Office, I cannot see why the Home Office should represent "its policy" in Parliament. It requires no representative. It has no "policy." It is, and is to be, an

advisory body only, and it is not for the Home Office, or any other Department to defend it for giving such advice as it offers. The Home Secretary could not justly be made responsible for the opinions of this detached body and perhaps he would not agree with their views, and could not, therefore, be expected to defend them efficiently. Whether or not a Member of Parliament should be allotted to represent the Board of Control in the House of Commons, as at present is the case with regard to the Ecclesiastical Commissioners and the Charity Commissioners respectively, is a matter upon which opinions may be divided. For my own part, I think that an Honorary Commissioner might well be invariably selected to be their mouthpiece, if necessary, in the House of Commons. The main matters on which the affairs of the Board would be likely to come before Parliament would be with reference to the salaries of its paid Members and its expenses which have been supported on the estimates hitherto by the Home Secretary. As a matter of fact since 1845 I believe there have only been a very few years when there have not been Honorary Lunacy Commissioners with seats both in the Lords and Commons, and hardly ever when the Lunacy Commission was entirely unrepresented.

I cannot trace in the evidence anything to justify the inference that the independent constitution of the Lunacy Commission should be changed. The existence on the Board of several Honorary Members distinguishes it from other bodies such, for instance, as the Prison Commission, which consists entirely of salaried members subordinate to the Home Office, appointed on Civil Service terms. One great object in appointing honorary members is to give an assurance to the public that mental defectives who are not criminals will be supervised by competent fearless independent persons—responsible to no department and free from official direction and control—persons who are bound to make public reports, criticising if necessary even a Department of State and its highest officers.

31. In 1845 when the Permanent Lunacy Commission was established, it was carefully designed that the Commissioners who had to carry out the duties of inspection should be placed in an entirely independent position, and should be subject to no incentive to yield to popular outcry. They were appointed to serve during their good behaviour, and not for a term of years nor at the will of a Minister. After the first appointments which were made by Parliament itself their successors were to be selected by the Lord Chancellor. Moreover, in order still more to secure the independence of the Commission, the appointment of honorary Commissioners during good behaviour was made one of its features. They represent, apart from technical knowledge and experience, the general common-sense of the public, and afford a security that professional hobbies and experiments will not be introduced into the administration of asylums and institutions under their supervision, and that officialism shall not reign supreme.

32. The position of the unpaid or honorary Commissioners has been more than once the subject of consideration by Commissions and Committees.

In his evidence before the Select Committee of the House of Commons on Lunatics in 1859, Lord Shaftesbury said : —

"They were to have powers pretty nearly co-ordinate with the rest of the Commissioners, to go upon visitations in lunacy, and to take part in all the business of the commission; but what are called the statutory duties, that is, the necessity of visiting—which necessity or duty in the metropolis is imposed exclusively upon the professional Commissioners—these statutory duties must be performed by a medical man and a legal man, in conjunction. The lay element was considered to be of very great importance indeed, in the working of the commission, and I can say, from very long experience in this matter, that the non-professional element, not only upon the commission, but among the visiting magistrates in the country, and in every possible department relating to the care and treatment of lunatics, is of the most indispensable importance, and without it I am quite certain that the whole system of the management of lunatics would fall into the greatest disorder, and we should relapse into many of the errors from which we have been extricated."

33. At the time of giving his evidence before the Select Committee on Lunacy Law in 1877, when Lord Shaftesbury had been on the Commission thirty-two years, it does not appear that he had reason to suggest any change. I think that the importance of having unpaid Commissioners is as great now as

it was in 1859 when the opinion which I have just quoted was given. I think it is desirable that the Chairman should continue to be an unpaid Commissioner. The Commissioners at present have to elect a permanent chairman, being a member of their body and not being a paid Commissioner. In Scotland, there is also an unpaid Chairman of the Commission. I see great advantage in providing that the Chairman should not be of the purely official class. The initiative of much in the office depends upon him. He can bring new ideas, and fresh energy to the work beyond anything which can be expected from ordinary salaried officials, however good. A person who is content to spend his life in ambitionless routine, with a pension for its goal, cannot often be credited with the power to originate or the enthusiasm to carry out great schemes for social betterment. I am disposed to think that the selection of Chairman should be made by the Lord Chancellor and not by the Commissioners. It can hardly be denied that since Lord Shaftesbury's influence was withdrawn, the Lunacy Commission has not increased the reputation earned in his day. Unpaid members have been appointed since he left, but their interest seems to have lessened in the work which is practically now left to the six paid members only. The result, as I find it, is that the Commission is not as energetic and powerful as it was. We were told by the Lord Chancellor's Secretary that since 1898 the unpaid Commissionerships, numbering five, have not been fully filled up, and we were also informed that the opinion of the existing Commissioners is rather varied on the matter of filling up the appointments, though applications had been made to the permanent Secretary of the Lord Chancellor with a view to filling them up. All the Honorary Commissioners should, I agree, be appointed for a term of years, and be eligible for re-appointment.

I am not satisfied that there has been any serious attempt to fill them up by the introduction of persons previously unassociated with the Commission. To my mind fresh blood is of the utmost importance. It has been the practice too often for a Secretary to be promoted to the office of Commissioner and upon retirement from serving as a Commissioner for him to become an honorary Commissioner.

Of the last eleven legal Lunacy Commissioners appointed, I believe, seven had previously served as secretaries to the Commission, and out of twenty-two Honorary Commissioners appointed since 1845, no less than seven have been paid Commissioners. Valuable, no doubt, as it is to have continuity of knowledge and experience in an office, it is worthy of consideration whether, in future, greater variety may not be introduced with advantage. I think that retirement from the office of paid Commissioner should involve complete official severance.

Notwithstanding this criticism I am convinced that the excellent selection of the Commissioners hitherto is of itself a justification for leaving the appointment with the Lord Chancellor. It would be impossible to find more accomplished, considerate, high-minded Commissioners than those at present in office, and I think that it would be a grave public misfortune to diminish their dignity and independence by turning them or their successors into a mere branch of a Department to be appointed and removed by the head of their office.

34. Instead of the Home Office being made the central authority in connection with mentally defective persons, I venture to think that the Local Government Board would be more suited to be associated with the Lunacy Commissioners. It must be remembered that at the great epochs of lunacy legislation, viz., in 1828, 1832, and 1845, the Local Government Board was not in existence. Its position has developed largely during the last few years and at present it has important duties to discharge in connection with the finances of local bodies. If economy and efficiency are to be sought for, the vigilant observation and control of the purse are essential. Various schemes which the local authorities have in view, and for which they require loans, are known to the Local Government Board, who can estimate the relative urgency in each locality of the various projects which are in contemplation. The Local Government Board is familiar with assessable values and pecuniary resources.

For duties connected with sanitation, real property and the construction and maintenance of works of various kinds, the Local Government Board is better equipped than any other public department. Whatever building or construction work has to be done, it has the best means of forming an opinion upon the sufficiency (or efficiency) of what may be proposed.

As regards the approval of plans, etc., for the works of local authorities I cannot see that the Home Office has any concern, whereas the Local Government Board is interested in it, and has a staff of experts, engineers, medical advisors, and an architect. The Home Office has not the same amount of assistance. The Local Government Board, moreover, has before it the reports of the medical officers of health in the localities.

There is much to be said for the view of Mr. Davy that the Home Office has "nothing to do with it really. The Home Office originally seems to have been brought into the matter because it had to do with the Justices of the Peace, who were then the local authority. The same reason which led to the Home Office being selected in those days would be a reason for making the Local Government Board responsible now." The suitability of the Local Government Board has been urged by other witnesses.

Vol. IV., p. 354.

Vol. II., Index title: Authority for Care of Feeble-minded. Vol. IV., Index title: Local Government Board.

35. I consider that the Lunacy Commission so long as it lasts (and the Board of Control if it comes into existence) should be an absolutely detached independent advisory body—not controlled by or subordinate to any Department, and able as at present fearlessly to report what they deem right about any Department. I prefer that the duties of the various high functionaries concerned should remain as at present. The Lord Chancellor should continue head over all. The Home Office should still be the protector of certain public interests with executive powers to enforce the performance of their duties by local authorities. The Local Government Board should still watch over the interests of ratepayers, while the Lunacy Commissioners or Board of Control, as an independent consultative and advisory authority, should still act as the guardians of the patients, and claim for them from local authorities and see that they receive all the benefits which the law allows.

III.—AS TO SCOTLAND AND IRELAND.

The remarks I have made are intended to relate so far as applicable to Scotland and Ireland.

IV.—AS TO RECOMMENDATION XLI.

36. I am unable to concur with this Recommendation. It involves the subject of Local taxation, which in my opinion was not submitted by the Warrant for the consideration of this Commission nor was the apportionment of State aid towards the care and control of mentally defective persons a subject on which I think we have received much (if any) assistance from the oral evidence.

The first suggested scheme it may be remarked is not in accordance with the Report of the Majority of the Royal Commission on Local Taxation. It is taken from the separate Recommendation of Lord Balfour of Burleigh and Lord Blair Balfour. Although Sir E. Hamilton, and Sir G. Murray joined in recommending its adoption they explained that: "As it bears a somewhat complicated appearance they desired to offer their own explanations of it and to support it with some illustrations," while two other members of that Commission who "would not reject it as a possible ultimate solution of the problem," added that "the novelty and the obscurity of so much of the scheme as relates to the distribution of the proposed relief made it in their opinion necessary that it should be subjected to the test of public discussion."

The second suggested scheme is only one of sundry plans that might be proposed, and is by no means the only alternative to the first scheme. In addition to the present Exchequer contribution it contemplates the making of a fresh grant of the sum which the "Board of Control" should certify to be equal to "one-half of the cost properly incurred" in providing for a greater number of mentally defective persons and epileptics not mentally defective than

were provided for on January 1st, 1908. This is open to the objection that it would leave the amount of the annual Exchequer contributions for this purpose to be fixed by the "Board of Control" and not by Statute nor by the Government Department charged with the responsibility for finance. Moreover, it deals with the question as if it was an isolated matter, and as I think without sufficient regard to the general principles and considerations which should be applied in determining how relief to local rates should be provided, distributed and paid. I do not find any evidence to justify "fixing one half the cost" as the proper proportion on which to base the grant of state aid.

As I regard the question: "How Exchequer contributions should be distributed?" as outside the matters referred to us, I refrain from offering any suggestion, though I differ from the schemes which are here recommended.

V.—AS TO RECOMMENDATION XCII.

37. I am unable to concur in this Recommendation which relates to the removal of disability to exercise franchise rights by reason of the receipt by a voter of assistance for mentally defective members of his family. The subject of the political privileges of the *relatives* of mentally defective persons might suitably be considered in connection with general measures concerning the representation of the people, when the exercise of the franchise at all events by certified mentally defective persons might also be considered, but it does not appear to me to bear closely enough on the "care, training and control of the feeble-minded" to have a place in these Recommendations, or to be dealt with in this Report.

(Signed) HENRY DAVID GREENE.

MEMORANDUM BY THE REV. H. N. BURDEN.

I am in complete agreement with the Report as a whole. But I should like to give prominence to the need for economy in and strict Government control over the establishment of institutions for the reception of mentally defective persons.

The cost of establishment of institutions for mentally defective persons not requiring special medical treatment should not cost the ratepayer anything approaching the amount expended on present day-asylums. The erection of institutions at an expenditure involving the payment of 8s. to 10s. per bed per week for interest, repayment of loans, and such-like charges alone should, I am convinced, be wholly a thing of the past.

I am of opinion that the cost of building an institution for the mentally defective (other than for "persons of unsound mind") should never exceed £150 a bed, and for many of the classes of the mentally defective suitable provision can be made at a cost not exceeding £100 a bed.

(Signed) H. N. BURDEN.

MEMORANDUM BY MR. W. H. DICKINSON, M.P.

I am in accord with the Recommendations of the foregoing Report with one exception. I do not agree with Recommendation XLIV. The effect of this Recommendation if carried out would be to distribute duties relating to the care of the mentally defective amongst no fewer than three central departments, viz. : The Board of Control, the Home Office, and the Local Government Board.

In my opinion this multiplication of central authorities will prove to be very objectionable. It will delay and hamper the efforts of the county councils if they have to satisfy three distinct boards in London, and it will, moreover, tend to lessen the feeling of responsibility entertained by each of those central authorities below that which one body would exhibit if charged solely with these duties.

I therefore recommend that the Board of Control should be charged with all duties of a central character arising under the proposals of this Report, and that in order to ensure the ultimate control of Parliament over its proceedings the Board should be appointed by and directly responsible to the Secretary of State for Home Affairs.

(Signed) W. H. DICKINSON.

I concur in the above Memorandum.

(Signed) H. B. DONKIN.

ROYAL COMMISSION ON CONGESTION IN IRELAND.

SIXTH REPORT

OF

THE COMMISSIONERS.

Presented to both Houses of Parliament by Command of His Majesty.

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ROYAL COMMISSION ON CONGESTION IN IRELAND.

WARRANT APPOINTING THE COMMISSION.

EDWARD *R. & I.*

EDWARD THE SEVENTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, to

Our right trusty and right well-beloved Cousin and Councillor WILLIAM HUMBLE, EARL OF DUDLEY, Knight Grand Cross of Our Royal Victorian Order;

Our right trusty and well-beloved Councillor SIR ANTONY PATRICK MACDONNELL, Knight Grand Commander of Our Most Exalted Order of the Star of India, Knight Commander of Our Royal Victorian Order, Under Secretary to Our Lieutenant-General and General Governor of that part of Our United Kingdom of Great Britain and Ireland called Ireland;

Our right trusty and well-beloved Councillor SIR JOHN CHARLES READY COLOMB, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George;

Our right trusty and well-beloved Councillor SIR FRANCIS MOWATT, Knight Grand Cross of Our Most Honourable Order of the Bath, Companion of Our Imperial Service Order; and

Our trusty and well-beloved :—

The Most Reverend PATRICK O'DONNELL, Doctor in Divinity;

JOHN ANNAN BRYCE, Esquire;

WALTER INCH KAVANAGH, Esquire;

CONOR O'KELLY, Esquire; and

ANGUS SUTHERLAND, Esquire; Chairman of the Fishery Board for Scotland;

GREETING!

Whereas We have deemed it expedient that a Commission should forthwith issue to inquire into and report upon the operation of the Acts dealing with Congestion in Ireland, the working of the Congested Districts Board, and the Land Commission under these Acts, and the relations of the Board with the Land Commission and the Department of Agriculture and Technical Instruction; what areas (if any) outside the districts now scheduled as congested, require to be dealt with as congested; what lands are most conveniently situated for the relief of congestion; what changes in law or administration are needed for dealing with the problem of congestion as a whole, for facilitating the migration of the surplus population from congested areas to other lands, and generally for bettering the condition of the people inhabiting congested areas.

Now know ye that We, reposing great trust and confidence in your knowledge and ability, have nominated, constituted and appointed, and do by these Presents nominate, constitute and appoint you the said William Humble, Earl of Dudley (Chairman); Sir Antony Patrick MacDonnell; Sir John Charles Ready Colomb; Sir Francis Mowatt; Patrick O'Donnell; John Annan Bryce; Walter Inch Kavanagh; Conor O'Kelly; and Angus Sutherland to be Our Commissioners for the purposes of the said Inquiry.

And for the better effecting the purposes of this Our Commission, We do by these Presents give and grant unto you, or any three or more of you, full power to call before you such persons as you shall judge likely to afford you any information upon the subject of this Our Commission; and also to call for, have access to, and examine all such books, documents, registers and records as may afford you the fullest information on the subject; and to inquire of and concerning the premises by all other lawful ways and means whatsoever.

And We do by these Presents authorize and empower you, or any three or more of you, to visit and personally inspect such places as you may deem it expedient so to inspect for the more effectual carrying out of the purposes aforesaid, and to employ such persons as you may think fit to assist you in conducting any inquiry which you may hold.

And We do by these Presents will and ordain that this Our Commission shall continue in full force and virtue, and that you, Our said Commissioners, or any three or more of you, may from time to time proceed in the execution thereof and of every matter and thing therein contained, although the same be not continued from time to time by adjournment.

And We do further ordain that you, or any three or more of you, have liberty to report your proceedings under this Our Commission from time to time, if you shall judge it expedient so to do.

And Our further will and pleasure is that you do, with as little delay as possible, report to Us under your hands and seals, or under the hands and seals of any three or more of you, your opinion upon the matters herein submitted for your consideration.

Given at Our Court at *St. James's*, the 20th day of July, 1906, in the sixth year of Our Reign.

By His Majesty's Command.

H. J. GLADSTONE.

Appointment of Secretary.

DUBLIN CASTLE,
July 24, 1906.

WALTER ERNEST EVERARD CALLAN, Esquire, B.L., The Castle, Dublin, has been appointed to be Secretary of the Royal Commission appointed to inquire into and report upon the operation of the Acts dealing with Congestion in Ireland.

ROYAL COMMISSION ON CONGESTION IN IRELAND.

SIXTH REPORT.

TO THE KING'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY,

We, the Commissioners appointed by Your Majesty on the 20th July, 1906,

"To inquire into and report upon the operation of the Acts dealing with Congestion in Ireland, the working of the Congested Districts Board, and the Land Commission under these Acts, and the relations of the Board with the Land Commission and the Department of Agriculture and Technical Instruction; what areas (if any) outside the districts now scheduled as congested, require to be dealt with as congested; what lands are most conveniently situated for the relief of congestion; what changes in law or administration are needed for dealing with the problem of congestion as a whole, for facilitating the migration of the surplus population from congested areas to other lands, and generally for bettering the condition of the people inhabiting congested areas,"

Availing ourselves of Your Majesty's permission to report our proceedings from time to time, desire to submit to Your Majesty, as an Appendix to this sixth preliminary Report, minutes of the evidence taken in the Counties of Sligo and Leitrim during the month of April, and statements and returns in writing that have been furnished to us in connection therewith.

We think that the immediate publication of these documents is desirable.

All of which we humbly submit for Your Majesty's most gracious consideration.

DUDLEY, *Chairman.*
A. P. MACDONNELL.
JOHN C. R. COLOMB.
FRANCIS MOWATT.
✠ PATRICK O'DONNELL.
JOHN ANNAN BRYCE.
WALTER KAVANAGH.
CONOR O'KELLY.
ANGUS SUTHERLAND.

WALTER CALLAN,
Secretary.

DUBLIN. Dated this 30th day of August, 1907.

ROYAL COMMISSION ON CONGESTION IN IRELAND.

APPENDIX

TO THE

SIXTH REPORT.

MINUTES OF EVIDENCE

(TAKEN IN COUNTY SLIGO AND COUNTY LEITRIM,
17TH TO 27TH APRIL, 1907),

AND

DOCUMENTS RELATING THERETO.

Presented to both Houses of Parliament by Command of His Majesty.

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ROYAL COMMISSION ON CONGESTION IN IRELAND

LIST OF MEMBERS OF THE COMMISSION.

The Right Hon. The Earl of Dudley, G.C V.O. (Chairman).

The Right Hon Sir A. P. MacDonnell, G.C.S.I.

The Right Hon. Sir John C. R. Colomb, K.C.M.G.

The Right Hon. Sir Francis Mowatt, G.C.B.

The Most Rev. Patrick O'Donnell, D.D. Lord Bishop of Raphoe.

John Annan Bryce, Esq., M.P.

Walter Kavanagh, Esq., D.L.

Conor O'Kelly, Esq., M.P.

Angus Sutherland, Esq., Chairman of the Fishery Board for Scotland.

Secretary—

Walter Callan, Esq.

TERMS OF REFERENCE.

"To inquire into and report upon the operations of the Acts dealing with Congestion in Ireland the working of the Congested Districts Board, and the Land Commission under these Acts, and the relations of the Board with the Land Commission and the Department of Agriculture and Technical Instruction; what areas (if any) outside the districts now scheduled as congested require to be dealt with as congested; what lands are most conveniently situated for the relief of congestion; what changes in law or administration are needed for dealing with the problem of congestion as a whole, for facilitating the migration of the surplus population from congested areas to other lands, and generally for bettering the condition of the people inhabiting congested areas.'

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Desire of Mullaghmore Fishermen for a Curing House for Fish.

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BRENNAN, Mr. HENRY—*continued.*

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Expenditure by Congested Districts Board on Piers, Roads, etc.—Complaint that Sligo was neglected as compared with Donegal and Mayo.

Outlay of Congested Districts Board for years 1901-1903 in Mayo, £10,000, in Donegal, £11,000, under head of Peirs, Roads, and Bridges, in Sligo only, £640, 27553-9.—Parish Committees not referred to, 27560, 27564.—Twenty-two electoral divisions scheduled in Sligo, 27561, 27570.—Small amount spent in Sligo accounted for by neglect of Board because Sligo had no representative on it, 27562.—It might possibly be because Sligo was not so backward as other counties, but relief had often been asked for drainage and improvements to Raughly Pier, etc., some electoral divisions very poor and with low valuation, in Cliffony North only forty or fifty families with valuation over £4 out of 400; representatives of districts on Board necessary if congestion were to be relieved, 27563.—Witness a shopkeeper and therefore not on Parish Committee, 27565.—Difficult to get list of all the applications to Board, 27566.—Usual answer from Board "No money for any such purpose," 27567-9.—Witness thought some money should be spent on scheduled districts in Sligo, Board's money was Church suhplus of £45,000, and Sligo should have its share, 27570.—Scheduled divisions did not get their fair portion, 27571.—Tenants had purchased some property from Sir J. Gore-Booth, and there was work going on at Raughley, 2573-4.

Inishmurray School—Expenditure above Requirements.

Board had built a school in Inishmurray in Cliffoney South, eight or ten children attended now, school cost £618, could have been built for £200 or £220 sufficiently good for requirements, 27576, 27580.—(*Rev. Mr. Kenny*, twelve pupils at school, formerly thirty-five, people clearing out of Ireland, 27585).—£138 had been expended on the landing-place at Inishmurray for clearing away stones, County Council gave subsidy; £141 spent on Ballyconnell pier, 27576-9.

Migration.

Migration a remedy for congestion, 27585, 27611.—People in district willing to migrate, 27586-7.—Forty or fifty people would go to Meath or elsewhere if shown they would get twenty, or even ten acres of good land, at reasonable rent, and capital at reasonable interest to work with; better to buy up land in immediate neighbourhood before going to a distance, 27588-9, 27612.

Sons of tenants in neighbourhood of grass lands at Lissadell should have claim for settlement before migrants, 27652.—If there were enough land congests from a distance might be bought, 27653.—Sons of tenants had prior claim at Lissadell, because their fathers and grandfathers were evicted in 1846, 27654-8, 27663.—If it were not for that, wants of heads of families in neighbourhood should be first consulted, after that wants of heads of families at a distance, and finally the sons of tenants, 27660-4.

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Man with twenty acres of good land ought to get a horse and cart for £30 or £35, four cows for £60, ten sheep for £20, build a house for £200, and spend £10 on farming implements, total cost of equipment, £325, 27591-3, 27600.—Cow-shed, pig-stye, and out-offices would come afterwards, 27594.—Fences could be done by himself, 27601.—People in witness's locality good enough farmers to get on in plains of Boyle, 27595-6, 27598.—They could all use the spade, 27597.—Witness a business man, and made living by groceries, etc., 27599.—Money for equipment could be given as loan and annuity at 3¼ per cent. interest, 27602-4, 27620, 27625-7.—State could not be asked to equip a farm for every man in Ireland, 27605.—Witness was talking of settlement of tenants' sons, not of migration of whole families, 27606-11.—If man migrated, his old holding should be amalgamated with the next, 27612A.

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Australian Land Settlement.

Squatters of Australia began with 640 acres, then 320, and came down to 100, and 50; in the sixties Government fenced and gave a hut, after eight years payment at 2*s.* 6*d.* an acre the land was theirs; to stop emigration something similar must be done in Ireland, population had dwindled from eight and a half millions to four and a half, and if it continued at same rate only twelve people would be left in seventy years, 27637.—Recent legislation in Australia had object of compulsorily resuming possession of great grass areas for closer settlement, 27640.—Agricultural programme of United Irish League founded on Australian legislation, 27641-2.

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HARTE, Mr. BERNARD.

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HARTE, Mr. BERNARD.—*continued.*

were not given employment, and visited place; fishermen all said pier would be useless in stormy weather, owing to spot it was built in, 27717, 27733, 27768, 27771-2.—Board's engineer choose site, not where tenants wanted it, 27718, 27733.—County Surveyor was not consulted and no local men were present when site was selected, nor were they apprised of work being put in hand; witness walked over to it two or three months ago and made enquiries, it was then too late to object, as it was half built, 27720-9, 27769.—No dissatisfaction expressed when it was begun, 27770.—Pier cost £500, 27730.—It was arranged between Board and County Council, 27732.—Resolution sent from County Council that fishermen needed pier, Board said they would erect it and give £400 if Council gave £100, 27733, 27736.—County would maintain pier when finished, 27734-5.—County had a surveyor, he was not notified when Board's engineer came down and no plans were submitted, so nothing was known of what was being done, 27737-46.—County named the place Knocklane, but not the exact spot, pier would have been more useful fifty yards further in sheltered spot, 27747.—County Council left matter in Board's hands but would gladly have sent representative to accompany engineer to inspect site, 27749.—Views of local body, especially views of fishermen, should be ascertained before making marine works, 27750-1, 27755.—Mr. Green had been over coast, fishermen were there when site was selected and objected to it, 27752-3.—When a public body like Board had inspected site and heard views of the people, their own engineer would naturally select exact site, but he should meet the people half-way, 27756.—Impossible to find out county surveyor's opinion as he had retired, 27757.—Fisherman a better authority on piers than county surveyor, he would look at it from fisherman's point of view; engineer had to carry it out, 27758-61.—Knocklane Pier would not have been as expensive in more suitable place, thirty or forty yards along the coast made a great difference, the fishermen could then land in stormy weather; engineer should be guided by his judgment, but unfortunately in this case it was against the views of the fishermen, 27766.—As much employment could not be given by the work as was expected, it was not stone but concrete work, and had to be allowed to set for a certain time before going on, 27767-8.—People used to bring in their boats at about the place where the present pier was erected, it was a sheltered place, with big overhanging cliff, big stones had to be cleared away; pier not exactly at same spot, 27773-5.—Witness had seen pier, 27776.—In present place it was long enough to be of use, 27777.—Same length ample for other place, 27778.—Not much difference in depth of water in the two places, 27781.—Both dry at low water, 27782.—Knocklane seven miles from Grange, 27783.

Application to Congested Districts Board for Curing Station at Raughly—Defective Landing Accommodation.

Poor accommodation in way of boats and nets; applications had been made to Board for curing station at Raughly, 27785-6.—Mullaghmore twenty or thirty miles north-west, 27786.—Pier at Raughly, 27718, 27748, 27786.—Useless pier, not long enough, filled up by sand yearly and cleaned at expense of County Council, built by Grand Jury; Raughly people hampered by want of market for fish, men could not go out in stormy weather as there was no landing stage, 27786.

Condition of Roads.

Roads in Lissadell West more neglected than anywhere, 27786.—A pity Board only gave grants for new roads, one should be given for repairing road at Cloonagh, Sir J. Gore-Booth had offered grant of £30; road passed through most congested districts in Ireland, 27787, 27800.—The neglected roads were made in 1847 to give employment to people, and were never taken over by county or kept up, 27788-92, 27795.—People paid rates, 27793.—County Council had too many roads in district and did no repairs to roads mentioned, 27794.—They simply took up roads handed over by Grand Jury, these had not been handed over, 27795.—People threw odd heaps of stones down occasionally, these were only repairs since Famine,

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27796-27800.—Point should be stretched in their favour, they were works of public utility, county did not like too much taxation, 27797-9.—Road to pier a county road, 27800.—Board were making a road to Knocklane Pier, through the Gethins Estate, 27801-2.

Condition of Lissadell West—Congested Districts Board had only just begun operations on Estate purchased.

Holdings in Lissadell West very uneconomic, people very poor, enlargement of holdings and construction of roads would improve their condition, 27807.—If tenants migrated their holdings could be used to enlarge others, 27808.—No accommodation works on estate, not long since it was vested, 27809-10.—Great dissatisfaction caused by delay in vesting, 27811-2.—Land and grazing farm, Board striping what was habitable, 27813.—Soil sandy, 27814.—Half could be broken up for tillage, 27815.—No indications of new holdings as yet, 27817.—This was witness's only experience of Board's working, 27822.

Allocation of Congested Districts Board Funds.

Sligo should get its fair share of Board's money, 27818-9.—Board's funds should be allotted to counties in certain proportions, reserving a considerable amount for very congested areas, 27820.—Witness had no experience of working of Estates Commissioners, sale of Gore-Booth property was not yet sanctioned, 27823.

Sligo was not represented on Board, which was the reason why Sligo was neglected; representations for appointment of Dr. Clancy frequently made; no vacancy for him, 27807.—Plenty of grazing land available on Gore-Booth property, 27802-4, 27807.—All Connaught should be scheduled so as to be able to migrate people from different districts, 27807.

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See pp. 13-17.

Migration.

Much congestion in Grange, valuation low, only 5*s.* in some places, people must be migrated and their holdings divided amongst remaining ones, 20 farmers in locality had agreed to give up holdings and go elsewhere, 27830-2.—Witness had asked heads of families, the young men agreed, too, 27833-5.—Sixty families in Mullaghmore, something must be done for them, fishing might be improved, 40 families in Magherow lived by fishing alone, average valuation of district, including grass lands, 5*s.*, 27835-6.—Gethin Estate in Lissadell West had been bought, that was a large farm, including its valuation only 5*s.*, some tenants must be transferred to give economic holdings, 27837.

Poverty of District.—Horses and Cattle Bought on Six Months' Credit.

Extreme poverty in district, twelve years' arrears of rent on Colville-Jones estate, fifteen in Inishmurray Island, credit system so largely in vogue a proof of poverty, common for farmers to go to auctions to buy cattle or horse, auctioneer paid farmer who sold, purchaser paid auctioneer's fees and interest on money, and got cow on credit for six months, 27837-45.—Purchaser thought it better to do that than to have no beast on farm, 27846.—If a person bought cow at £10 he paid auctioneer's fees of 5 per cent., 7 or 8 per cent. interest on money, and was lent beast for six months, 27847.—Payment usually made at end of six months, seizures rare, 27848.—Such a gamble kept people in perpetual poverty, 27849.—Money came from friends in America, Scotland, and England, and from proceeds of stock sold at fairs, 27850-1.—The system was common in Collooney and Cliffoney, 27852.

Land Available for Migration and for Relief of Congestion in the District.

Three farms of Mr. Ashley's at Cliffoney available for migration, also Mr. Jones's estate, he had twenty-one tenants, and offered to sell to Board some time ago, his valuation of the farm was £1,753, and of house and demesne £175, 27852.—Large portions of

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estate kept for meadow land, meadow sold and cattle placed on the rest, 27853.—Small holders who now used that grazing could increase their farms by getting portion of it, 27854.—Large strand in district flooded, could be reclaimed if river bed were sunk, 27854, 27860.—No fishing rights in district, 27856.—100 acres was submerged frequently on Mr. Jones's estate, 27857-9.—And could be reclaimed from sea, 27861.

Direct Sale of Barry Estate Without Improvements.—Need for Re-arrangement of Holdings.

Board could improve tenants' holdings on Mr. Barry's estate, it was sold sometime ago, sale sanctioned by Estates Commissioners, price 23½ years on second term rents, half of the tenants were residential, holdings were in rundale, houses in a cluster, estate should be improved, 27861.—Witness supposed it could not be done now, 27862.—Bargain made between landlord and tenants, 27863-4.—Tenants had much trouble with the strips of land, they were in the courts very often, 27865.—It would be possible to re-arrange holdings, 27867.—Estate sold two years ago, 27867.—Solicitor in Ballyshannon negotiated sale, witness not consulted, 27868-9.—Estates Commissioners' aid had not been recently invoked, 27870.—No negotiations between Commissioners and those advising tenants, 27872.—Holdings should be striped and houses removed, insanitary to have them in cluster, 27873-4.—Vesting orders had been completed, 27877.—If holdings were re-adjusted some tenants would be satisfied, and some would not, 27878.

Kelp Industry.

400 or 500 tons of kelp shipped yearly from Mullaghmore, made from drift weed and cut weed, cut weed used for making carbonate of soda, drift weed for iodine, agent of company who bought kelp told witness price could be increased 25 per cent. by using proper weed and keeping it free of sand and stones, people burned kelp too quickly, Board should teach them to burn it properly by appointing an inspector, 27879-84, 27887-93.—Inspector would have authority by law, 27885-6.—Printed instructions would not be of much use, 27888.—Higher price in Sligo than in Donegal, did not show it was made in best way, 27889-90.—Manufacture of kelp could be increased, supply sent to Scotland going down, 27891.—Iodine was the principal product, but there was a new method of making iodine now, 27892.—cut weed should not be used for iodine, 27893-5.

Lace-Making—Appeal for Re-establishment of Lace School at Grange.

Lace-making started in district in 1896 on small scale, it flourished greatly, and in 1902 Board had great school, and sent supplies to Irish Lace Depôt, Grafton street; Hibernian Lace Company in O'Connell street bought £300 or £400 worth from school, teachers got orders from Congested Districts Board not to supply company, lady in charge of school transferred her services to the Hibernian Lace Company, Board sent no agent, and this girl attracted the pupils away; Board stopped school, 27896, 27928.—Board should re-establish it, Grange people took great interest in lace industry, £3,261 paid for lace in 1906, 27896.—£2,000 of that in village of Grange, girls of district industrious, large numbers engaged in Dublin and elsewhere, at present they could not qualify as teachers, vacancy for teachers at Rosse's Point, 8 or 9 girls in locality wanted appointment, but were not qualified, drawing and designing should be taught as well as lace-making to enable them to qualify as teachers, 27897-8, 27911-2, 27929-31.—Girls would attend if they had that prospect, 27932, 27935.—School deserted because those subjects were not taught, 27933.—Lace-making prospering in people's homes, 27898, 27918.—£2,000 a year added to their earnings, 27919-20.—Withdrawal of school had been arranged by Mr. Walker and parish priest, 27899.—Parish priest had since died, 27900.—School had been the finest of all the schools, 27901.—26 teachers employed in Ireland from this district,

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27902.—A splendid opening for girls, they got £1 a week, 27903.—Housework done by mother and other sisters, girls making lace were capable of all the housework they had to do, 27904-5.—Best lace-maker emigrated at the time of the crisis in 1903, but on the whole they remained at home, 27906-7.—Witness thought Mr. Walker would send back teachers if asked, 27910.—The girl who was such a good lace maker was in America doing other work, she would have been a competent teacher if she had had a certificate, 27914-7.—Return of sales to Hibernian Lace Company was—£535 15*s.* in 1900, £1,102 in 1901, £2,801 19*s.* 3*d.* in 1902, £2,994 17*s.* 11*d.* in 1903, £1,691 16*s.* 10*d.* in 1904, £3,460 16*s.* 2*d.* in 1905, £3,261 3*s.* 4*d.* in 1906; in area from Grange to Ballyshannon, two-thirds in Grange, 27921-2.—Return of sales to Irish Lace Depôt in April, 1906, £104; May, £109; June, £161; September, £113; October, £91; November, £117; December, £94; January, 1907, £126; February, £155; March, £170, 27923.—500 families working, two girls on an average to a house, that is 1,000 girls in Grange district, 27924-7.—Board's grant to lace school was about £1,000, 27934.

Fishing Industry.

Board had done little for fisheries on coast from Ballyshannon to Sligo, Magherow and Mullaghmore important fishing stations, 60 herring boats near Grange 10 years ago, none now, there used to be a landing place at Luchan, 27936-9.—In Lissadell West 30 fishing boats, 13 trawlers, boats made £70 or £80 a year, trawlers £2 a day, Board should supply large boats and an instructor for deep-sea fishing, 27940-5.—Witness meant deck boats of 50 or 60 feet keel, 27943-4.—Fishermen did not know where to go themselves, 27946-7.—Coast shallow, 27948, 27954.—Harbour at Mullaghmore wanted sinking to admit larger boats, 27949-51.—It was dry at low tide and silted up, 27952-3.

Island of Inishmurray—Decline in Population—Larger Boats and Extension of Landing Place Needed.

Population declining on island of Inishmurray, only 13 families where there were 16 a few years ago, 35 children used to attend school, now 12; men emigrated, little fishing done now, three skilled crews five years ago, hardly one now, they had not big enough boats and no landing place, Board built landing place at a cost of £146, useless when wind blew from east, but could be extended and an "L" turned on it, slip should also be built, men now resorted to manufacture of spirits, 27954-9.—Much land on island rocky and useless, people who left sold their land to friends, 27960-1.—Only two people on island made decent livelihood, rest extremely poor, addition of land would not help them, 27962.—North and west of island stormswept, landing was safe only on southern side, 27963.

School Built by Congested Districts Board.

School was built by Board, and cost a good deal, because it was expensive to bring material from mainland, cargo of cement cost £1, 27964-5.—No teacher's residence or second room, 27966-7.—No priest there, it was in the parish of Ahamlish, difficult for priest or teacher to get across, 27968-72.—People sold dried fish in Grange, 27973-5.

Means of Communication.

Crossing took an hour on an ordinary day, pulling all the time, 27976.—One badly-kept road on island, houses all the other side, 27977.—"Our Franciscan Sisters of Loughglynn" had offered to promote industries in Grange if encouraged, 27978.—Offer made to Dr. Clancy, 27979. (*Most Rev. Dr. O'Donnell*—Dr. Clancy had made an arrangement with Department, 27981.)

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See pp. 17-25.

Classification of Land in County Sligo according to its Nature and Working.

On land managed by witness there was a good deal unsuitable for tillage, of rocky nature and too low-lying for drainage, 27991-2.—It was solid rock, limestone coming shallow to surface, 27993-4.—Remarkable tillage efforts made among rocks, but it was all spade labour and unprofitable, 27996.—Witness was speaking of both tenanted and untenanted land, 27998.—Two kinds, one so rocky it could not profitably be tilled; the other possible to till, but requiring so much labour as to render it also unprofitable, 27999.—There were a few places where tillage would be better than present system of grazing; parts of these in healthy condition now; would revert to original condition if not cared for, 28000-1, 28056-60.—Parts had been formerly tilled, 28001, 28014.—This applied to all sorts of boggy land, 28002-3.—Boggy soil often yielded rich crops if well looked after, 28004.—No reason why it should not be profitably tilled, 28005.—Required more attention than other tillage land; a good deal of it all over West of Ireland was only kept from reverting to original state by industry of people; a good deal was used for rough grazing because labour for tilling was not forthcoming, 28006-7.—A. B. and C. mentioned by witness included as much tenanted as untenanted land; it was grazed as being better than tilling, 28008-13, 28015.—Necessity had caused the change in this class of land from tillage to grazing, 28016.—Men did not like hard work on mountains, and they had generally enough of a different class of land, and had allowed the land mentioned to revert, because they thought it unprofitable to till, 28017-8.—The men were not lazy, but where they had comparatively easily-worked land they used the suitable land in preference to the other, 28038-55, 28067, 28074.—Nothing in the land itself to make it unprofitable, 28019, 28037.—Land described as "hungry" land would need a great deal put into it to keep it up; it would not pay to do it, 28020-1.—Looking well after land meant putting in capital as well as energy of an active man, 28022.—Manures needed, &c., 28023-4.—Proper system of manure more likely to yield good crop, 28026.—Putting beasts in houses and using manure a better method than the system of grazing, 28027.—Would require enormous capital to get sufficient stock, 28028-30.—Stall-feeding of animals kept at present would effect a small improvement, 28031.—Capital only wanted for improvement on large scale, 28032.—Supposing there were thirty acres of such land it must be manured to make it fit to carry stock, and would take years of gradual progress before it became a fairly mixed farm, 28033-6.—Large extent of grass land not capable of tillage, 28061, 28073.—That should be available for giving profit rent to owners of estates, 28062.—Tillage had advantage over grazing in that it employed the whole family of small occupiers and also artisans in district, whereas grazing gave little employment, 28063-6.—Sixteen or twenty acres fairly good land enough for small occupier to live on, 28075, 28086.—Rent would be 15*s.* or 14*s.* per acre, 28088.

Want of Agricultural Instruction in the District.

Want of practical instruction in locality, 28068.—Might explain tendency to allow land to revert, 28072.—Should be an advantage if practical agriculturists were put in district by such a body as the Board to show methods of tillage, improving stock, &c., 28069-70.—People willing to take up suggested improvements, 28071.

Migration.

Migration must play very large part in solution of congestion problem, 28082-3.—Possibility of obtaining grass lands first condition of any migration scheme, 28084.—Difficult to get land unless it were surrounded by farms of at least thirty acres or immediately outside demesne land; smallish men would consider only fifteen or twenty acres economic, and would expect increase if untenanted land were near them, 28085.—Fairly large occupiers might claim some of the land to be striped for their sons, and might consider that they should be preferred to strangers, 28089-92.

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ATTITUDE OF RESIDENTS TOWARDS STRANGERS—PHIBBS PROPERTY.

People resented introduction of strangers into locality; even if their own holdings were economic, they thought available land should be used to enlarge them; a really large farmer might not, but ordinary small holders would, and would probably make it very hot for the stranger; the feeling varied in different parts, 28075-9.—Difficult to say whether with education opinion would change, 28080-1. People on Major Phibbs' property gave witness to understand they would object to migration of strangers, because there were lands there that were in hands; no case of actual resentment against strangers, 28093-7, 28101.—Phibbs property not in scheduled area, 28098-9.—Tenants had bought it; lands in hand sold to Estates Commissioners, 28100.—Would be wrong to bring them if tenants were in need, but they were not, 28103.—If tenants were as poor as those in scheduled areas they should have preference over anyone from those areas, 28104-5.—Migrants from a distance should have prior claim over sons of tenants on economic holdings in neighbourhood, 28106-7.—Not much justification for resentment against strangers, as tenants were on economic holdings, 28109-10.—£8 or £9 approximate average rent on Phibbs' property, 28112.—Uneconomic holding was one a person could not live fairly comfortably on, and keep his family and meet his debts; size would depend on quality of soil, 28113-5.—About ninety holdings on Phibbs' estate, 28116.—Fifty or sixty of them were economic, forty uneconomic, 28117-9.—Approximately 400 acres of grazing, 28121.—Not unreasonable for forty occupiers of uneconomic holdings to resent incoming of strangers while they themselves stood in need, 28122-3.

LAND AVAILABLE IN COUNTY SLIGO FOR RELIEF OF CONGESTION.

Sufficient grazing land could readily be obtained without compulsion in County Sligo to relieve congestion in that county, provided fair purchase price was given for it, 28125-6.—Land referred to could be tilled right away, and would improve under tillage, 28127, 28129.—It would pay to cultivate in the second year, 28128.—A man would probably till only three or four acres at a time and keep the rest in grass; by treating it in that way a new farm would pay from the start, 28130-1.—Witness had had no actual experience, but did not doubt it could be done, 28132-3.—The man would either meadow the grass or use it for agistment purposes for grazing, 28134.

LANDLORDS WILLING TO SELL—QUESTION OF COMPULSORY POWERS.

There were enough landlords willing to sell at a fair price, 28135, 28138.—No likelihood of anyone asking ridiculously high prices or refusing to sell on any terms, 28136.—Witness's clients had told him that they would sell unless land were inside or worked in conjunction with demesne, 28137.—Compulsion was the only way to deal with it if it did, 28140-1.—If exhorbitant prices were asked the case could be dealt with by arbitration, 28142-5.—Fair price would be arrived at on the basis of valuation in the same way as income tax, 28146-7, 28152-3, 28163-4.—Landlord paid tax on income, on poor law valuation, 28165-6.—It would apply more generally to land in landlord's own hands, but might be based on income derived from land for eleven months, 28148.—Landlord got more for an eleven months' letting, but it was not as certain, 28149-50.—And he had also to pay taxes and repairing of fences; net income would be the basis, 28151-2, 28181.—Landlords willing as a rule to sell at fair price although there might be cases where they would not sell at any price, 28154.—There were cases where land was more valuable to landlord than to anyone else, as he worked it in connection with other land; for example, an outlying farm might be worked in conjunction with demesne, 28155-7.—He might then ask a price higher than the actual value, 28156.—Such a case might be stated

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for arbitrators and price awarded accordingly, 28158.—Court of Arbitration might justly find value something more than one and a third on basis of income tax allowed, 28159.—If tenants were willing to give fair price for tenanted holdings, and money were forthcoming, there would be no need for compulsion; Act had worked well; there would be plenty of land if money were available; land purchase should go on smoothly, 28160-2.

SALE AND PURCHASE IN COUNTY SLIGO.

Witness managed fifteen properties in County Sligo, 28167-8.—Tenants had approached him with view to purchase, 28169.—He had sold some properties, 28170, 28174.—Fair price ascertained by considering how gross price invested in trust securities would compare with net income, 28171.—Tenants had approached witness with regard to some of the other properties; fair price not the obstacle, 28175-6.—No difficulty in transferring property if tenants gave fair price, 28177.—Management and legal expenses of owners would have to be deducted, 28178.—If grass part of an estate were sold to the Board, tenants would refuse to buy the tenanted portion, 28179A-80.

LANDLORDS' IMPROVEMENTS IN COUNTY SLIGO—EFFECT OF ACT OF 1881, &c.

Witness had the management of property in Sligo, which was better than the average, 27984.—Markree his principal agency; landlords in County Sligo had spent considerable sums on improvements before and since Act of 1881, chiefly before, 27985-9.—During last twenty years landlords had effected improvements in making roads, reclaiming bogs, planting timber, building cottages, and making loans to tenants, 27988-9.—On one estate managed by witness, owner expended several thousand pounds of late years improving tenants' holdings and buildings, drains, loans to tenants, &c. A considerable amount had been expended since Act of 1881, 28182-3.—Witness meant out-of-pocket expenditure as well as loans; also expenditure on road-making, 28184-6.—Bogs had been drained to supply turbary, and roads made to bogs; nominal charge for turbary made; less than that made by Commissioners, 28187-91.—No case since 1881, where landlord spent money on improvements except in form of loan asked for by tenant, 28192-5A.—Five per cent. charged; borrowers could pay at any time they liked, £5 or £10, 28196.—Loans always made through Estate Office, 28198.—Owner did not lose by transaction, but it was a generous act, 28197, 28198A-9.—Roads made absolutely to benefit tenant, not only to bogs but to holdings; the late Colonel Cooper had spent money on roads since 1881, some had been taken over by county, he got no return for outlay, 28201-3.—County Council responsible for roads, large number made by landlords in old days and taken over by Grand Jury, 28204-5.—Some roads had been made to houses since fair rents were fixed, they were made in 1895, not for one tenant, but for the benefit of a group, 28207-9.—Act of 1881 did have effect of drying up sources from which money was spent on holdings, 28210.—Before that landlords spent much on improving tenants' holdings, 28211.—From 1873 to 1906 Colonel Cooper spent over £31,000 on road-making, tree-planting, and drainage, 28213-5.—Large amount spent on buildings for tenants and labourers' cottages, 28217.—Trees were planted on outlying mountains not on tenants' holdings, 28218, 28220-1.—Benefited tenants only by employing labour, 28222.—Loans for building purposes included in the £31,000, 28219.—Labourers' cottages were put up; all the building was an investment bringing good percentage, 5 per cent. in cases of loans, 28223-5.—Year 1881 important, because under Act of 1881 tenant got credit in fixing of rent for improvements made prior to that, 28226.—After passing of Act landlords had no guarantee that they would get credit for improvements if they spent money on land, 28233-4.—They had not sufficient confidence in the people fixing the fair rents, so did not spend money, 28230, 28235.—The change of policy was not due to resentment, but to the fixing of judicial rents, 28227-9.—The £31,000 spent by Colonel Cooper was

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all an investment except the grants for roads and expenditure for benefit of the people, 28236-7.—Between 1880 and 1898 £1,900 was spent on roads, 28238.—On fixing of fair rents evidence was given to show who made road so that it was an investment to a certain degree, 28239-40.—For houses owner borrowed money at 5 per cent., and lent to tenants at same rate, 28241-2.—Roads benefited tenants more than landlord as an investment, 28243.—When landlords were improving, planting, &c., before 1881 they employed labour, they had an estate staff, 28245.—Act of 1881 reduced this expenditure and the number of artizans employed, 28246-52.

Decrease in employment of Artizan and Labouring Classes in Rural Districts subsequent to 1881.

Money was sometimes borrowed from Board of Works at 6 per cent., 28253-4.—Money could be got at 5 per cent., and tenant was liable to be charged 6 per cent., but rarely was so charged, 28256.—More spent out of landlord's private income than was borrowed from Board of Works, 28257-9.—In cases on Colonel Cooper's property interest charged was never more than 5 per cent., 28260-3.—Board of Works charge for loan was 1 per cent. for sinking fund, 5 per cent. interest, 28264-7.—About £10,000 of the £31.000 was borrowed from Board of Works, if tenant failed to pay landlord was responsible to Board of Works, 28268-74.

Tree-planting had been Successful.

Land where trees were planted was poor, and used for mountain grazing, 28276.—In some cases in owner's possession, in others compensation was paid for tenant right, 28277.—Plantations successful, revenue trifling as yet, timber only now getting saleable, the plantations were on out-of-the-way places, and it was difficult to name a price, 28279-80.—They would pay when grown, if convenient to market, 28281, 28283.—There had been considerable annual outlay keeping them in order, also expense of fencing, but very little labour in addition, 28284-5.—There was a little local sale for thinnings, but not in out of the way districts, 28286.—Trees were principally larch, 28287.—Situation of plantations to a great extent on side of hill away from sea, generally with a southern aspect, 28288-9.—Still possible under present conditions of tenant right, &c., to plant estates in the same way as Colonel Cooper had done; had been done to a less extent for shooting purposes, 28290-2.—Witness had always compensated tenants, there might be opposition if planting were done on a large scale, 28293.—Not more difficult for Government or Board to do it than for private owner, 28294.—If reafforestation were carried out near roads there was prospect of early success, 28295.

Punctual payment of Rent in County Sligo—Phibbs Estate was the only one under witness's management on which there were arrears.

Rents paid punctually in Sligo, although holdings were small, no ground for apprehension about payment of annuities, 28296-8.—Ten to fifteen years arrears in Inishmurray, but it was exceptional, 28299.—Rents paid punctually before 1881, 28302.—Security for State for annuities even in places with arrears owing to reduced amounts, 28303.—Great accumulation of arrears, perhaps, showed land was incapable of paying rent; witness had no experience of that class of land, 28304.—Mismanagement might be a cause, 28305.—Major Phibbs' estate the only one on which witness had any difficulty in getting rent, 28307.—Rents well paid before Act of 1881, but not so since, 28307-9.—There were arrears in 1881, 28310.—The Commission had dealt with them, 28311.—No reason for rents being less well paid since Act of 1881, it was the other way, 28313-4.—Tenants on this estate got into slip-shod way of paying rent, difficult to get them back into old way of paying, 28315. 28323.—Landlord could not recover arrears beyond two years by process of ejectment,

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28316.—Tenants on Phibbs' estate twice took landlord into court, 28317-8.—Amount payable after fixing of rent less than before 1881, 28319.—In spite of that tenants less punctual in paying, partly owing to death of owner and estate changing hands, 28320-2.—Tenants were proceeded against in ordinary way; chiefly owing to Land League that rents were badly paid; it was a combination against payment, 28324-6.

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See pp. 25-8.

Voluntary Striping of Grazing Farm on Witness's Estate.

In 1901 witness was asked to stripe grazing farm of 153 acres, and agreed, provided he did not lose by it, his terms were thought fair, and the striping was carried out, the land was divided on basis that landlord was to receive the average net income of the five years previous, less expenses, and rough rules embodied in agreement, witness was offered larger sums in fines from farmers whose holdings he did not consider required enlargement, second term rents not up to average of five years' grazing, so people were asked to pay fines, 28328-30, 28389.—Fines were about £30 per head to make up difference, 28330.—Local banks and parish priest helped tenants to raise fines, fines were long since paid off, and tenants had done well, one holding had been equally divided between two adjoining tenants, and the tenant who sold was provided with new farm at Streamstown, paying the fine with the money he got for tenant-right, he had already built slated house on new farm. —28331, 28339-42.—No money lost by transaction, tenants materially and morally better for it, 28331.—It was carried out on same lines as work of Congested Districts Board, and land was striped among neighbouring holdings, 28332.—New tenants remained tenants, they were not peasant proprietors, 28333.—They were judicial tenants, 28334.—It was the only attempt at striping made by witness, he had never been asked to stripe another farm, 28336.—It was a grazing farm adjacent to the people's holdings, so long as he got his income witness did not care what happened to it, 28337-8, 28407.—Grazing land could be striped without loss to anyone, except in certain cases in congested areas, Board charged fines in many cases, Land Commission charged no fines, 28348.—Witness did not sell the land because Act of 1903 had not come in, 28392.

Price of Grazing Land.

Much grazing land would be immediately available for enlargement of holdings if prices offered were fair, many large graziers would give up their judicial tenancies if they got fair compensation; following cases actually happened on witness's estate:—Case 1—Area 147a. poor law valuation £105, net income £145, price as valued by witness's valuer, £3,368, £2,100 offered by Land Commission, tenant's interest in this holding bought by Sir H. Gore-Booth for £953 at request of adjoining tenants, in order to give them accommodation land, 28343-4.—Return on sum offered by Land Commission would be £84 at 4 per cent., as against average net income of £145, 28345.—Average income 1½ times poor law valuation and a little more, 28346. Case 2—Area 243a., poor law valuation £183, net income £122, price as valued by witness's valuer, £3,314, this, together with mountain land of £85 valuation, was offered to Land Commission, who offered £1,739 for the whole. Case 3—354a., £250 poor law valuation, first term rent £240, landlord's interest at 21½ years' purchase as agreed with tenants £5,169; price offered by Land Commission £5,635, leaving for tenant's interest £466, or less than two years' purchase; Mr. Bryce had stated

GORE-BOOTH, Sir JOSSLYN—*continued.*

in House of Commons that prices paid by Board varied from 28 years' purchase to 29 years' purchase of annual value, 28346-7.—Instances given were adduced to show that price offered was not a fair one, 28351.—It looked as though compulsion meant compelling landlords to take the unfair price, 28352.—If witness had not taken price offered in first case sale would not have been sanctioned, it was indirect compulsion, average price paid by Board for six years was 27½ years 'purchase, 28353-4.—In this case only 14½ paid, 28355.—Witness not afraid of compulsion if it were fair, direct compulsion might conceivably be fairer than indirect, 28356-7.—Tenanted land had been sold at 21½ years' purchase of first term rents, 24½ of second term rents, 28359.

Co-operation Movement.

North Sligo was a good dairy country, and co-operative creameries were a success, as their audited accounts showed, every farmer within reach supplied milk, and was a member, creameries were owned by the farmers themselves, only assistance received was the teaching from the Irish Agricultural Organisation Society, the people found capital and worked creameries through committees of farmers elected by themselves, possibilities of co-operation enormous, I.A.O.S. had insufficient funds to carry on active propaganda, 28348.—Sir H. Plunkett said in his memorandum that what was now needed was a policy the aim of which was not only to inculcate principles of self-help and reliance, but to make these principles vital and operative through broadly-conceived scheme for improving conditions of people, 28360.

Landlord's Improvements.

Statement that no landlord in Ireland spent money on estates was inaccurate; witness had spent money on improvements since 1881, 28360-2.—He had joined Board in their first scheme, and done one-third of drainage work in order to help the people, 28362-3.—He gave the money as a neighbour, not from an estate point of view, 28364-6.—He had also given tenants lime, timber, etc., 28366.—He only succeeded in 1900, 28367.—Few of his tenants had been in the Land Courts, 28369.

Land Available for Purchase on Gore-Booth Estate.

Witness had offered to sell to Estates Commissioners, not to Board, 28370, 28372-3.—He still had large quantities of land, if price were right he would take it, 28371, 28373.—Lands available were those mentioned, 147, 243, 354 acres, and 894 acres of mountain, 28374.—Lands not scheduled, 28375.—Witness had 3,000 acres of demesne land which he worked himself and would not be willing to sell, 28377-9.—the 1,300 acres he would sell, 28380.—He worked demesne energetically, 28381.—No wall round demesne, 28383.—It was tenanted in old times, 28384, 28402.—Marks of tillage no longer there, 28386.—The fact that it was formerly occupied would be no inducement to re-people the land with tenants, 28388.—Witness would object to disposing of any land worked as part of his business, 28403-4, 28408.—It had not occurred to witness to offer lands to Congested Districts Board, though they could buy in non-congested area, 28395.—Cases 2 and 3 not closed yet, 28394.—Genuine grazing farms witness was willing to sell were outside demesne, 28396-8.—Only about 2,000 acres really demesne, great deal of that under timber, 28399-400.—Some under grass, some tilled, a larger portion tilled every year, 28401.—Land had been developed since witness succeeded in 1900, 28405.—He began to break it up for tillage then, 28406.—More under grass before, it employed more labour now, 28409.—Actual demesne not scheduled, scheduled areas on coast, 28411.—Congested district near, 28412.—(*Mr. Cooper—A small portion of the demesne was in scheduled area,* 28411).—Exclusion of grass land of demesne would not bring the valuation per head within the 30*s.* limit, 28413-6.—Possession of land not essential, so long as it was worked energetically, just as good if another man worked it, 28418-20.—Tenants on witness's land not evicted, passages were paid to America, 28422.—Witness employed a considerable amount of labour of various kinds on his land, 28423-4.—He thought if tenants had the land there would

GORE-BOOTH, Sir JOSSLYN—*continued.*

be less labour employed, 28421, 28425.—Labourers would have no employment unless they too got land, and would leave the country, 28426-7.

Documents put in by Sir Josslyn Gore-Booth.

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A.—Notes of evidence,	243
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MEEHAN, Mr. PATRICK.

See pp. 28-9.

Farm belonging to witness's father was 20 acres in extent, valuation £20, 28429-30, 28462.—Land in Board's hands, works begun, 28431-3.

Witness appeared for Magherow Branch of United Irish League, which comprised electoral divisions of Lissadell East, West, and a portion of Lissadell North, no untenanted land in latter division so far as it extended to witness's parish, road accommodation needed in Lissadell West, Carrigans, Ballyconnell, Kilmacannon, Aughagad, and Cloonelly, inspection of estates in process of being sold was desirable before State advanced purchase money.

Gore-Booth Property.—Acreage and Valuation of Untenanted Land Compared with Valuation of Tenants.

Sale of Gore-Booth property was concluded at an advanced price, because tenants in arrears wanted immediate relief, tenants on that property proposed to memorialise Estates Commissioners, but some refused to sign for fear sale should be arrested and landlord press for arrears; there were 206 acres belonging to Sir J. Gore-Booth at a valuation of £149; while there were 216 families under £10 valuation, portion of which had been evicted since 1873; Sir J. Gore-Booth had 1,121 acres untenanted land in Lissadell East, valuation £845 4*s.*, while there were 67 families under £10 valuation, same owner had 77 acres in Lissadell North, valuation £3 19*s.*, in Lissadell West there were 373 acres of untenanted land, valuation £98 5*s.*, in possession of Congested Districts Board, 28434.

Fisheries.

Fishing might be improved by erection of suitable landing places and improvement of boats, 28434.—Boatslip at Knocklane being constructed was more an obstruction than anything else, 28435-6.—Witness not a fisherman, men wanted it 30 or 40 yards further West, 28437.—Not much fishing off coast now, 28438.—30 or 40 small boats, 13 steam trawlers, 24839.—From Raughley, 24840.—They fished for flat fish, 24841.

Migration.

Seven tenants evicted from grass lands, 24842.—Would be willing to pay fair price for additions to holdings if bought over by State, 28443-5.—Witness was in a congested district, would migrate willingly anywhere in Ireland, 28446, 28450-1.—He thought the others would, too, 28447-9.—Two more in family besides himself, also a father and mother, he was the eldest son, 28452-4.—Whole family would not be afraid to go, though they might not wish it, 28455-6.—A farm of £30 would attract them, 28453.—Witness would like a farm in some other part of Ireland, 28459-60.—Magherow a very poor district, 28461, 28464.

QUILTY, Mr. JOHN GEORGE.

See pp. 29-32.

Logan's Estate.—Condition of Tenants on Uneconomic Holdings.—Negotiations for Sale at a Standstill.

Majority of tenancies uneconomic on Logan's estate, a typical Western estate, tenants of such estates were the backbone of Irish agrarian agitation, Logan's estate consisted of 500 acres, mostly reclaimed bog, there were 32 tenants with holdings 2 to 100 acres in size, total rental £240, turf was formerly cut

QUILTY, Mr. JOHN GEORGE—*continued.*

and saved on estate, rent was charged as estate was brought into cultivation, or raised, sometimes small holdings were confiscated and given to favourites, in 1864 rents were raised all round, tenants were ejected and reinstated at increase, landlord was an absentee, but estate bailiff came from Dublin once a year to receive rents, tenants were processed at once if they failed to pay, they had been treated harshly in the past, and disliked landlordism, 27 years ago Drumcliffe Branch of Land League was started by tenants, treasurer appointed and 17*s.* collected at once, first branch of League in County Sligo, estate was well watered, but needed drainage, money was borrowed by tenants from Board of Works for that purpose, tenants said Board robbed them, tenants and farmers should be assisted in reclaiming, they were industrious and compelled to add to their incomes by extern labour, the men would be model farmers if they had good farms, producing milk for local creamery was the principal industry, all land was in pasture except what was necessary for vegetables for home consumption, children emigrated as soon as old enough, one son remaining on farm, if he were not married when his parents died he sold out and went too, no turbary on estate, light and fuel cost £7 per tenant, 27 out of the 32 holdings were uneconomic, witness considered every holding rented at less than £10 uneconomic, Farmer's income on such an estate where creamery system was adopted depended on number of cows he could keep, grass being poor milk was poor, £6 a season for milk considered good from one cow, calf sold in September for £4, 30*s.* paid for bran, meal, etc., to feed cow after calving, 10*s.* to feed calf, net profit on cow and calf £8, number of cows kept limited by size and quality of farm, farmer might also have one or two tons hay for sale and two or three pigs, profit on pigs light, only £1 a head, hay this year inferior, sold at £1 a ton, most farmers had no pigs or hay, in a severe winter they were compelled to buy hay, farmer keeping three cows would have net profit of £24, £4 for extras sold off farm, total income £28, out of that he paid £6 10*s.* for rent, £1 rates, £7 fuel and light, £2 10*s.* seed and special manures, £11 left for food and clothing, impossible to live without extern labour and assistance from children abroad, death of cow meant loss of one-third profit, and would take at least ten years to recover from; Thomas Mitchell married in 1860 a girl with farm of 20 acres on Logan estate, he brought £90 earned in the United States, which he spent on reclaiming, etc., he found work of earning money in United tSates less hard than trying to make both ends meet on farm, he was now poorer than when he started, his children had to leave the country, original rent £8, raised to £10, reduced in 1884 to £8, and in 1893 to present figure, £6 10*s.*, in 1884 he borrowed £50 from Board of Works for drainage, Board gave him £47 10*s.*, charged him 10*s.* and 6*s.* afterwards for expenses, and for the last 22 years he had paid £3 5*s.* per annum, a total of £72 6*s.*, such estates should be scheduled; after passing of Wyndham's Act the agent of Logan's estate negotiated for sale to tenants, price could not be agreed on, tenants refused to give what landlord asked, sale must be effected by compulsion and inspection, nine years ago tenants on "Coolbeg Estate" bought under the Ashbourne Act at 17 years' purchase, it was a similar estate to Mr. Logan's, and the tenants thought they should buy at same price, no arrears on this estate, 28466.

Lissadell Estate.

Lissadell Estate bought at 21½ and 24½ years' purchase (Wyndham Act), landlord, Sir J. Gore-Booth, took interest in tenants, and wiped out arrears of rent, 24 processes served on tenants for non-payment of interest on purchase money, tenants memorialising Estates Commissioners not to sanction sale, bad security for purchase money advanced on uneconomic holdings, Coolbeg tenants paid instalments without hitch because they had extern employment, Lissadell tenants were beginning to fail because they could not get it; 50 years ago, before advent of Sir J. Gore-Booth and his father, the tenants on best part of property were ejected, getting seven-acre holdings of unreclaimed waste at 24*s.* 6*d.* an acre instead, commonage formerly free, was divided, and tenants paid rent of £5 5*s.* for their portion; these tenants of Barnrobin must fail to pay purchase instalments, as holdings were uneconomic, and there was no extern labour, they expected ultimately to get farms from Sir J. Gore-Booth's ranch land, 23 and 26 years' purchase really paid, as arrears were added to purchase price.

Landlord refused to sell on Hippisley estate, landlords of other estates would sell part, tenants would not agree unless all were sold, part of Wynne estate omitted in sale, as tenants would not give 27 years' purchase for bog land, 28466.

Emigration.

Tenants of Logan estate had sent 28 children abroad, principally to United States, the rest would go, assistance from America a necessity, relations in America paid the passage, no use to try and deflect emigration to Canada, all their relations were in United States, and the rest joined them, best thing to do was to stop emigration, it would cease if there were employment at home, emigrants attributed their exile to landlordism, 28466.

Butter Production as a Farm Industry.

Butter production the only farm industry in North Sligo, principally on creamery co-operative system, practically no tillage, which was the cause of emigration, 28466.—Creameries really good, but did away with tillage, 28466-7.—Doubtful if there was better produce in milk from mixed farm than from a grass farm, 28468.—Land would not grow roots, cows fed on a little hay in winter, but practically starved, after they calved they got a little extra stuff, 28469-71.—District should not depend on one industry, people would starve if American flour, meal, and bacon were stopped, majority of reclaimed bog farms incapable of wheat growing, wheat land of Connaught locked up in grazing ranches, flax formerly cultivated, might be revived, linseed meal imported from Russia; some poultry kept by farmers' wives, but the men did not like them because cattle would not eat grass the poultry had soiled, 28471.

Compulsory Tillage.

Untenanted land should be tilled, if tenants did not till it in ten years it should be taken up by compulsion, and compensation should be given; one-third should be tilled, but the people would not do it unless compelled, 28471-7.

Fishing.

Better and larger boats and gear for deep-sea fishing required, boat sent to Raughley by Congested Districts Board at wrong season, it stayed a week, and never came back, 28477.

Piers Needed.

Pier needed at Rosse's Point, pier at Streeda would be in a central position and would be used by Inishmurray islanders; one should also be built at north-east corner of Inishmurray and engineer should consult fishermen before beginning construction, 28477.

Evictions in Inishmurray.—Condition of Islanders.

Notices of eviction served on three islanders of Inishmurray for non-payment of rent, island was 1 mile long, ½ mile wide, oval in shape, and boggy in the centre, there were no trees or shrubs, only short hard grass, main land was eight miles away, population 80, there was so much salt that potato blight was unknown, but the potato plant was often poisoned as well as the microbe, landing was possible only in very calm weather, therefore no rates could be collected, police and gunboat would be sent to carry out evictions at ratepayers' expense, landlord should evict them himself, as he was the only gainer, he was one of those who refused to sell to tenants, 28477.

Cottages Industries.

Children of peasants should be taught cottage industries, such as decorating gift boxes with fancy shells, making ornaments, etc., from bog oak; formerly baskets, chairs, cradles, etc., were made from

QUILTY, Mr. JOHN GEORGE—*continued.*

osier rods by cottiers, also earthen crocks, pots, etc., by a family called Irvine, door-mats were made from bent grass, and flannel manufactured at home, formerly sold in the street in Sligo; all these had disappeared; plenty of heather, but no bees; Congested Districts Board should protect such industries and find a market for produce, peasantry greatly praised, crochet-knitting industry recently introduced, 28477.

Kelp-Making.

Kelp-making next in importance to fishery, price of 3*s.* a cwt. last season, barely paid to burn it, half a dozen agents divided the coast, and gave what they liked, people beginning to adulterate kelp, 28477.

Untenanted Land.

There were 10,600 acres of untenanted land north of Sligo borough boundary, the greater part arable, should be utilised for migration and enlargement of holdings, farmers wanted it, but none had been surrendered except Ballyconnell Bent, employment should be given by compelling a portion of it to be tilled annually, might be done in the same way as settlers in Canada were required to plant one-fourth of additional land they acquired, migrants receiving farms should also be compelled to till one-third, and large residential farms might come under the same rule; land constantly used for grazing deteriorated, market in England for roots and vegetables, roots could in any case be used to stall-feed the cattle which at present went to England in a half-finished condition; untenanted land under 10*s.* an acre should not be neglected, Canadian law of planting one-fourth with trees could be applied, Ireland almost denuded of woods, shopkeepers and people with money would then be less greedy for land, there would be stoppage of extensive emigration, and greater prosperity in the country; establishing of farmers in ranches surrendered, and paying of compensation should be done by Government money, Government had spent £20,000,000 on West Indian slaves, it would be seen whether the Irish peasant was as much thought about, 28477.

Suggestions.

Suggestions for solution of problem of congestion, emigration, and famine were: (1) Compulsory purchase, at least in Connaught, (2) creating labour by compulsory tillage, (3) scheduling Connacht, Donegal, Clare, and Kerry, (4) establishing cottage industries, (5) migration and enlargement of holdings, (6) cheap transit and building of railways where required, 28477.

Documents put in by Mr. J. G. Quilty.

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A. Particulars of tenants on Logan estate, . 246

B. Particulars of tenants on Midleton estate, 247

ROONEY, Mr. P. J.

See pp. 32-3.

Scheduling of Ross Inver West Proposed.

Size of witness's farm was 71 acres, greater portion was on the side of a mountain, valuation £31 11*s.*, £11 1*s.* 11*d.* paid half-yearly to Estates Commissioners, being 3½ per cent. on purchase money agreed on, farm was being sold, but sale was not completed, it was on Sir J. Gore-Booth's estate, and was not scheduled, 28481.—It was worked in grass and tillage, 28482.—Two English acres tillage, 28483.—Not scheduled on account of grazing portion, but should be scheduled, 28484-5.—Whole division should be scheduled, people poorer than in some scheduled areas, 28486-7.—Outside grazing portions witness thought valuation was not as much as 30*s.* a head, 900 or 1,000 acres in grazing portions, people very poor, 28488-9.—If division were scheduled grazing should be divided among the people, 28490.

Flooding of Duff River.

Duff River did damage by flooding, banks being eaten away on both sides, people needed assistance to repair damage, tree planting of no use, banks must be rebuilt, the mischief was getting worse every year, 28490-8.

Bad Roads.

District badly off for roads, no turf could be cut for 9 or 10 months if season were wet, 28499.

ROONEY, Mr. P. J.—*continued.*

—Sligo District Council had been told, but they had hardly passed any new works for last six years on account of rates being too high, 28500-2.—District Council would help district if it were scheduled, 28503.—Scheduling wanted in order to get help from Congested Districts Board, 28504.—Witness's farm not close to grazing lands, 28505.

GALLAGHER, Mr. DANIEL, and Mr. WILLIAM DUFFY.

See p. 33.

Necessity of Cleaning Mullaghmore Harbour.

Witnesses came from Mullaghmore, Mr. Gallagher a pilot in Mullaghmore and Donegal Bay, 28506-7.—He fished at Mullaghmore, and kept a two-ton boat drawing 1½ft. of water, 28508-11.—25 Greencastle boats there, 26ft. keel, 28512-3.—He fished in Donegal Bay as far as Teelin for mackerel, herring, flat fish, and cod during winter season, 28514-6.—Had done poorly lately, could not fish on Friday and Saturday, as no buyers came.—(*Mr. Duffy*—Boats hauled up on Thursday evening or they would be broken, 28517-8).—(*Mr. Gallagher*—Harbour rough, 28518.—Filled with stones and gravel, 28518-9.—Splendid harbour, but required cleaning, 28520, 28535.—Fishing interfered with by harbour being practically useless, 28521.—Schooners came there, also coasting vessels from Liverpool and Glasgow, 28523.—No harbour dues, it was the private property of Mr. Ashley, built by Lord Palmerston, 28524-6.—Witness had lived there all his life, and could remember 40 years back, and had never known of any effort to clean it, 28527-9.—It was always dry at low tide, 28530.—It had silted up 6ft. since he began to fish, 28531.—In winter the tide carried in stones and gravel from the bay, 28532-3.—Breakwater required dredging, 28534.—Priest had been spoken to, and witness believed he had written about it, 28538-9).—(*Mr. Brennan*—Mr. Bryce promised something should be done, 28540).—(*Mr. Gallagher*—A little pointing was all witness saw done, 28541, 28544.—No protection to harbour for breakwater to be pointed, 28544-5).—(*Mr. Duffy*—No more than 6*s.* worth had been put on it).—(*Mr. Gallagher*—Vessel broke down jetty and it was repaired, 28542-3.—Mr. Green had been there, but fishermen had not spoken to him, 28547-51.—Curing station badly needed, hundreds of cargoes of fish lost through want of it, 28535-6, 28552.—Mackerel, herring, and cod would be cured, 28533).

SCOTT, Dr. HENRY MARK.

See pp. 34-5.

His district comprised parishes of Castleconnor and Kilglass, electoral divisions of Rathmacurky, Castleconnor East and West, Castleconnor East was scheduled, 28554-5.

Maintenance of Roads.

Employment should be provided for the people at home to prevent emigration, 28556, 28596.—Majority of the people were very poor, direct labour on roads would employ sons of small holders, man with two sons earning 10*s.* a week would be in more comfortable position than at present, 28556.—Men should be employed direct by County Council, not by contract, contract a sweating system, 28557-8.—By it a man took a contract for a mile or two for maintaining and keeping road in order, employing men at wages of 7*s.* or 8*s.* a week, and making as much profit as possible, 28559-60, 28604.—Middleman should be got rid of, he was usually a man with a holding of 40 to 60 acres, and could live on his land, 28561, 28572.—Employment of direct labour not allowed except in a few counties, Local Government Board's permission had not been asked, 28562-3.—Roads in one county in Scotland maintained by direct labour, wages £1 a week, yet difference in cost of maintaining roads was very small, 28564.—Direct labour would not only give employment but would also provide better roads, 28565-6.—Election of County Councils greatly in hands of class that took contracts, though they were in a minority when the whole county was considered, they worked with sweated labour, and wished to keep contract system, witness

SCOTT, Dr. HENRY MARK—*continued.*

wanted to provide for permanent labourer and small farmers' sons, 28567-72.—Contractors were required to be men with capital, and had to have security, so that surveyor could compel them to do work, with direct labour men would earn £10 to £14, and remain at home, 28573.—It might be a slightly more expensive system, a few superintendents would be needed, 28560, 28574.—Grand Juries put roads under contracts, and employed no direct labour, 28575-6.—Middleman's profits would be saved, owners of vehicles who were ratepayers would also be spared expense of wear and tear, 28577-9.—Matter was one for decision of County Council, witness would compel them to have direct labour, 28580.—County Councils were elected, every man had a vote, 28581-2.—Fewer landholders with valuation over £10 than under, but they had numbers of relations, it was a family affair, smaller men not instructed as to what was best for themselves, many thousands a year collected in rates, best value should be got for it, right to benefit labourer as the man who did the work, 28583-5.—Ignoring of popular Government not advocated, if higher authority pointed out that direct labour was best for small landholders the County Councils would do it, it was advocated for purpose of giving labourer a chance, 28586-8.—It had never been suggested in Sligo, if it was put before them the people would insist on it as in Athlone, 28589-90.—It would not raise the rates much, public money should be spent for good of greatest number, 28591-2.—Small farmer who took contract and did work himself not to be interfered with, 28593-4.—Roads not well enough kept for money spent on them, 28595.—One to four miles of road in contract, great benefit to have roads in West of Ireland properly kept up, 28596.—Contractors both worked themselves and employed labour, 28597.—Wages not good, double would be paid for direct labour, a man would not take contract without profit, 28598-9.—Roads kept about the same now as under the Grand Juries, mileage was increased, 28601-2.—Labourers would be paid 10*s.* to 14*s.* for direct labour, 28603.

O'NEILL, Mr. M.

See pp. 35-41.

Uneconomic Holdings in Kilglass Parish.

Rathmacurky Electoral Division was scheduled, 28607.—Several sales had taken place under Act of 1903 in Kilglass parish, tenants not yet declared purchasers, but expected to be, and paid interest on purchase money, condition of the people would be bad if nothing were done to give them more land, majority could not live on what they had, land was inferior and there was not enough, men industrious, yet men with big families sometimes went to America to earn living and pay rent, 28608.—Majority of holdings between 5 and 15 acres, 28609.

Campbell Estate.—Direct Sale to Tenants.—Necessity for Enlargement and Striping of Holdings.

Campbell Estate was in Rathmacurky Electoral Division, in Union of Dromore West, majority of rents were £4 to £5, some £3, some £10, on Rathmacurky portion of estate the people lived in a village with land in rundale, there were 19 tenants and 3 economic holdings, the rest were miserable, valuation 15*s.* to £4, 28610, 28658.—The people entered into purchase agreements without consideration, could not meet annuities if money from America were withdrawn, 28611.—They all got money from America or Scotland to pay rents, 28612.—They purchased at 7*s.* in the pound off, but that made little difference, 28651.—The estate was four miles from Dromore West, 28653.—Reason for the poverty was the want of grass land, no compulsion in Act to enable Estates Commissioners to purchase it, it was suggested to landlord to sell through Board or Estates Commission, but he refused, and preferred to sell direct to tenants, 28654-6.—There were some arrears, tenants owing one or two years were charged one year's rent, 28657.—Nothing could be done unless Estates Commissioners or similar body striped estate, it could not be done voluntarily, present holdings not worth striping, it would not suit unless more land were available, better to have the holdings solid, the tenants might allow the Board to do it if they got more land, 28657-67.—Difficult to stripe land after sale unless more were added, 28668-70.—Plenty of grass farms in parish in next electoral division, holdings could be enlarged without lifting them, 28671-5.—Colonel Campbell had two estates in Kilglass parish, Frankfort Estate was all grass farms held by non-residents, recently sold to these tenants, 300 acres sold last November, 28675-6.—Seven judicial tenants on 300 acres, each had economic holdings elsewhere, 28677-8. They preferred working land in grass to tillage, they had forty acres on an average, one man had 61 acres, and 71 in an adjoining townland and a residential holding beside, he lived a mile or two away, 28679-82.—Valuation of the 300 acres was £120 to £125, 28684.

Hale Estate.

Twelve tenants in one village, all below £4 valuation, got £108 between them every year from America, 28612-4.—Formerly there were migratory labourers, now everyone but old people had gone to America, they went there rather than to England or Scotland, 28615-6.—The estate was all together, there were two villages, a portion of the estate in Castleconnor was purchased by the Board 8 years ago, 28617.—Little land bought for enlarging, 3 holdings were made from made from 80 acres, two tenants migrated, and their holdings were divided among six persons with very small holdings of 3 or 4 acres, 28618.

Uneconomic Holdings.—Work of Congested Districts Board.

26 other tenants had uneconomic holdings, Board had done good work on estate, made roads, etc., want of land prevented people getting benefit, 28636, 28638-9.—Estate bought three years ago, vested year or year and a half ago, 28637.—Estate in two portions separated by river, both sides of river tenanted, 28640-2.—Grass land five or six miles from tenanted land at Knockagower, no demesne on estate, 28643-6.—Three men migrated from Culleens to Knockagower, land left was divided among others, no one at present leaving one place held land in another, 28646-8.—Two houses built so far, one more to be built, 28646.—People would prefer to get plots if land were near home, they paid £3 to £5 for con-acre, grass lands connected by road at a limit of four or five miles could be used for tillage, etc., 28619-27, 28650.—People with no land went a long way for con-acre, but it did not pay for the labour, only gave a little more produce, 28625-9.—Middlemen let out con-acre, people cultivated their own land to last extent before taking con-acre, 28630-1—A large profit was made by letting in con-acre, 28632.—The plots were taken for two years or for five, corn crop taken off first and then potatoes, 28633-4.—Artificial manures used, 28635.

Orme Estate, Duke Estate, and Rashleigh Estate.

Orme Estate, Duke Estate, and Rashleigh Estate were sold direct to tenants, tenants were let off a few shillings, and a year's rent was added to the purchase price, so they embraced the chance of purchase in a bad season, 28656, 28684-5.—No rundale, some non-residential farms were sold with the others, majority were small uneconomic holdings, 28686-90.—No houses on the grass lands, herds were the only people making living out of them, 28691-2.—Some grass lands on Rashleigh, Orme, and Duke Estates, on Rashleigh Estate a few tenants had large farms, in Carranduff there were ten farms rented under £10, one over it, three valued under £10, eight over it, same system of rent and valuation all over division, people poor, it ought to be scheduled, 28693.—No grass lands available for enlargement on Rashleigh Estate, 28695.—Plenty near it, 28696.

Enlargement of Holdings Prior to Sale.

Effort should be made to enlarge holdings before sale, 28697.—Better for the country to have a number of prosperous small farmers than a few large graziers, they would make more out of the land, and be more prosperous, prosperous people made a prosperous State, 28698.—Tillage paid better than grass if judiciously worked, 28699, 28701, 28704.—If a tenant had capital he could fatten cattle, whereas now they were sold as stores at only half the amount, 28701.

O'NEILL, Mr. M.—*continued.*

Witness's Farm in Culleens.

Witness had a small farm over 30 acres, a great part of which was unreclaimed, 28700, 28702.—Valuation £3, 28703.—The whole of it was tilled in five-course rotation, some fields being left out for grazing and meadow, 28705.—Rent low, 28706.—£10 an acre would be required to reclaim it, 28708.—Unreclaimed portion was not tilled, it was half the farm, 28709-10.—All the 15 acres under tillage were reclaimed, 28711-2.—By witness and his father, 28713.—Small tenants had enough capital to carry on tillage, 28714-5.—Witness's farm was in Culleens, 28716.—He could not live on it if he left it in grass, it would grow rushes and heather inside ten years, 28717.—The potatoes were not a good crop, twice as much could be taken off better land, 28718.—Witness kept five or six cattle and one horse, could keep more if he had the means, rough land could not be managed without horse, 28719-20.—Holding cultivated by spade and not large enough to keep horse would be uneconomic, 28721-2.—Beasts were sold at 1½ to 2 years old, land not good enough to grow crops to fatten them, 28723-5.—Witness had no help on farm except hired man occasionally, he had a wife, one child, and a mother, he could not make a living with larger family, 28746-50.—He took no holidays, and worked from 6.30 or 7.0 a.m. to 10 or 12 o'clock at night, most farmers did the same, they were very industrious, 28751-6.—He had to manage carefully, most people in locality had to trust to shopkeepers sometimes, 28748.—If farms were larger farmers would till them if they got something to start with, but it was difficult to make an up-hill fight, getting credit for everything, and paying £20 to £100 for it, 28757.—Witness's case typical, he sold stock at year or year and a half at local fairs, 28803-4.—Local graziers bought it and strangers, too, they reaped profits while they reared stock, 28805.—Witness found it a struggle to live, 28806.—He had to go into debt, and was uncertain whether he could meet it, 28806.

Question of Industries in Dromore West.

No creamery in Dromore West, no industry at all, except a little sale of turf, which hardly paid 1*s.* a day, 28726.—No reason for not having creamery, it would answer in district, farmers made butter at present, and sold it for 6*d.* a pound to local traders, 28727-9, 28731-2.—Housing accommodation bad, 28730.—Capitalists afraid to invest money in industries, those started failed, people not enough advanced to start co-operative industries, 28731.—Boot factory started in Ballina by Father Quin and others, failed for want of capital, with no one to foster industries they generally fell through, 28735-9.—No creamery had been a failure, 28734.—Board had not started anything, 28737.—Failure of an industry like the Ballina industry made capitalists refrain from starting industries, 28741.

Cottage Dairies and Creameries.

Cottage dairies attached to houses would be an improvement, and would meet the people's wants better than a creamery if market were found for butter, market would come if fostered, poor people starting an industry on their own responsibility had not much chance, 28743-5.—Cottage dairies would be more suitable than creameries because grass lands were in centre of district and tenant's land up towards mountains, distance great to a creamery in grass lands, so profit would not be much on account of loss of labour, 28758.—Roads bad in mountains, 28760.—Creamery butter fetched a better price, 28761.—Tenants kept two cows as a rule, and had to buy turnips, etc., in winter, 28762.—Better to have co-operative scheme than individual dairies, 28763.—In one case within witness's knowledge where there were three cows and a dairy the owners exhibited at fairs and obtained fancy prices, such a system would be remunerative, 28764.—Cottage dairies involved no change of system, it only improved the butter, 28765.—Small holders would make double, 28766.—With two cows churning could be done twice a week, three cows necessary, 28767-8.—Butter sold in rolls to local shops, no competition, same price of 6*d.* to 7½*d.* per

O'NEILL, Mr. M.—*continued.*

lb. everywhere, price of good butter reduced by the bad quality of much that was offered, best butter went to market and got the highest price, 28769-76.—Quality of butter varied from different houses, 28773.—Creamery butter would be more uniform, 28778.—Better price would be obtained if difficulty of distance could be got over, 28779.—Cows would not have to be fed in winter to keep up milk supply for creameries, 28780.—There was a tendency in the case of creameries to send all the milk to creamery, leaving none for family, skim milk from creamery was of little value as food, 28781.

Amount of Capital Necessary to Start Migrants on New Holdings.

Fifty pounds might be necessary to start tenant on new holding, it depended on circumstances, 28782.—Houses already built on Hale Estate, out-offices small, no accommodation for pigs, 28783-5.—One tenant was offered £30 free grant and £25 loan if he would build a house, good scheme to improve condition of tenants if each got loan of £25 payable on same terms as purchase loans, 28786.—£50 to £70 wanted to stock farm of fifteen acres if tenant had no money, 28787.—He would not like to go too deeply into debt, 28788.—Two milch cows could be bought for £20, a horse for £10 to £15, £10 would be needed for farm implements, £4 for pigs, £100 would be wanted to stock farm if tenant had no stock of his own, 28788-91.—Farms varied, on one of £5 or £6 rent stock would be four or five cattle, one horse, and pigs, almost everyone had plough and harrow, 28792-4.—Such a tenant could not start on larger farm with stock he had already possessed, there would be larger calls to meet, 28795.—He might get extra capital needed at first by letting balance of land, better if he had his own cattle and laboured land himself, 28796-8.—A man could be successfully migrated if he got loan on same terms as purchase loan, men did not want to take more than they could meet, men who were not industrious would not take loan, 28799.—Good arrangement to delay premiums repayable on advances for two or three years, 28800-2.

Howley Estate.

The land was inferior, mostly bog and reclaimed moor, and living could not be made out of the holdings, tenants agreed to purchase if sufficient grass lands were added to make holdings economic, after terms were arranged tenants murmured and appealed to Estates Commissioners to interfere, result was certain grass lands were sold for distribution, but not enough, tenants' first agreement fell through, final agreement signed with Estates Commissioners, 28807-8, 28812.—The estate was in Rathmacurky division, 28809.—A mile or two from Campbell and Hale Estates, 50 tenants on Howley Estate, 32 got holdings enlarged, they received four or seven acres, those of fairly high valuation from £5 got increases, those from £5 to £3 got nothing, the small occupiers should have had first claim, 28810-11, 28814.—Maria Kennedy got 6 acres, Phil Atkinson, with two acres, got nothing, he lived on bog and had no valuation, 28813.—All the grazing land was not yet divided, but sale was completed, some of the tenants refused to sign agreements, they were decreed and forced to sign by Estates Commissioners, except one, a certain section of Land Act was put in force against him, and he also was decreed, 28815-7, 28820.—Estates Commissioners bought remaining grass land of 365 acres, and had held it three years, apparently they did not propose to re-arrange it, 28817-20.

Roads.

Roads needed in mountains of Dromore West, 28821.

Harbour Required at Poulaheeny

Harbour recommended at Poulaheeny, splendid natural harbour, 300 or 400 families under £5 or £6 valuation would benefit, they were fishermen who could not live on the land, they had signed a memorial which witness handed in, 28821-2.

MITCHELL, Mr. WILLIAM.

See pp. 41-3.

Uneconomic Holdings in Parishes of Templeboy, Skreen, &c.

In parishes of Templeboy, North and South, Skreen and Dromore East and West, there were twenty-nine holdings not exceeding £20 valuation, 128 under £15, 142 under £10, 178 under £5; holdings above £20 were not taken into account; there were 2,175 acres untenanted land in same parishes, valuation £736 12*s.*.; on Camcuil, a property under consideration of sale to the Congested Districts Board, there were thirteen tenants with uneconomic holdings; a shopkeeper had purchased over their heads; something should be done for the poor people; eight tenants on valuation of £10 15*s.*, 28826-8.

Compulsory Acquisition of Grass Lands—Mr. King's Ranch at Templeboy.

Rural district should be scheduled and the grazing farms acquired and divided, especially the ranch of Templeboy belonging to H. A. King. Mr. King had lived in Australia for fifty years, a bailiff or herd took in grazing for him, there were no houses on the land, the tenants had been evicted in 1848 or 1849, he had no other grass land and no dairy, graziers had had the land and could not get rent fixed because it was grass land, so gave it up, it comprised 335 acres, valuation £227 5*s.*, 28829, 28833-5, 28841-6. The land should be divided, but compulsion was necessary, and should apply to tenants as well as to landlords, Ballygrenan was four miles from Dromore West, in applying compulsion person and circumstances of land should not be considered, only whether it were required, 28829-32, 28836-8.—Tenants evicted from Mr. King's estate had emigrated or were living on the mountains, descendants could be found, 28829, 28846.—There was other suitable grass land in Templeboy, 28847-8.

Effect of breaking up Grass Land on Cattle Trade.

Breaking up of grass lands would affect cattle trade by increasing the number of stores, market for stores would not be greater in Ireland, 28849-50.—Men could fatten their own stores if they had more land, 28851.—Witness was a farmer, he bought stores and reared them, 28853.—Mixed farming got more out of land, 28854.—Tenants had not the land to fatten beasts at present, 28855.—Best market for stores was England and Scotland, a market would always be found, there might be diminution of market at first, but that would right itself, 28856, 28859-61.—Making the most of what the country would produce was the best way of doing it good, 28861.—Witness had two holdings, one 120 Irish acres, the other forty-four statute acres, he lived on the latter and had purchased it under the Act, 28857.—He kept stock till it was three years old, 28858.—Eight acres was worked in tillage on the small farm, on the other farm there was no tillage except what the herd tilled, 28862-7.—His son was soon going to the other farm, when it would be no longer a grass farm, 28868.—He did not want any additional grass land himself, 28868.—If it were for the good of the country he would relinquish his grass land, 28869.—A fair price should be paid for grass land, which Government should fix, 28870-1.—If compulsion were exercised no one ought to lose but the State, should there be profit the State should get it, 28872-5.

ROUSE, Mr. W.

See p. 43.

Land Act inoperative in Dromore District—Compulsory Purchase advocated.

Land Act had not worked at all in Dromore, twelve or fourteen landlords in parish of Easkey and only two sales had been effected, demands of landlords considered exorbitant, 28878.—Landlords more disposed to sell to Congested Districts Board or Estates Commissioners than to tenants, 28879.—In most cases tenants had tried to purchase, 28882.—Witness's reason for wishing to have compulsion was

ROUSE, Mr. W.—*continued.*

to be able to get land at a price more nearly approximate to tenants' offer, 28884.—Compulsion should be applied to tenanted as well as untenanted land, 28885.—Only about five millions a year available for land purchase, 28886.—Parts of the district were already scheduled as congested, but there were even smaller holdings and lower valuations in unscheduled portions, 28888.

Condition of unscheduled portions of district.

In Ballymeny townland there were fifty-five tenants, and three-fourths were under £5 valuation, 28889.—Population of Ballymeny was 275, each person would get 1 acre, 3 roods to live on, 28890.—Some assistance should be given by Congested Districts Board to such small valuations, 28892.—Aid was given if a place was scheduled, 28894.—There might be a Parish Committee, there was one at Rathmacurkey and Easkey, 28895.—There was another townland called Rathlea containing eighty tenants, more than half under £5 valuation, some living on two and a half acres of land; a third property contained about 50 tenants, about half living on farms of a valuation of £5 and under, very little grazing land in Rathlea, that might be split up, perhaps 300 or 400 acres, 28896.

Industries Needed.

The place was very much lacking in industries, if something could be done to foster industries and give people some little employment it would be a great improvement 28897.—Only industry at present existing was kelp-making, and that was almost valueless, 28898.—Lace-making might be encouraged, 28899.—Unlimited market for lace, 28901-2.—No lace-making in neighbouring scheduled area, 28909.—If started there the people in witness's area would benefit, 28910.—Great number of young girls in locality had practically no employment except to emigrate, 28900, 28904-5.

Fishing Industry hampered by bad Pier Accommodation—Improvement of Natural Harbour between Rathlea and Poulaheeny.

Fishing industry rather poor owing to very bad accommodation, there were some piers, but they were practically of no use; one very central point, particularly good for fishing midway between Rathlea and Poulhaheeny had a fairly good natural harbour which with some expenditure could be made a beautiful pier and landing place for boats, 28906.—District not scheduled, that was why witness referred to these places having such wretchedly small holdings, 28907.—They ought to be scheduled, 28908.

M'NULTY, Rev. PATRICK.

See pp. 44-6.

Evictions from King's Farm.

Witness's district and Tiereragh generally, should be an agricultural district, development of agriculture and apportionment of people to the land should be facilitated; coming into the district in July, 1869, on Bianconi's car witness heard from driver how eighteen years ago he had seen one morning twenty-six families asleep on the roadside, having been evicted the day before from King's farm, saucepans and things were scattered about the road, in the evening people had all disappeared. Witness had heard that there were 355 acres of land on that farm, from 1869, and probably for twenty years before, it was a grass farm from which these people had been evicted, and it had remained ever since in hands of landlord, children of these families should have been sent back to that land, 28913.—No tenants now on land, 28981-2.—People took in cattle at so much a head, for a long time it was in the hands of one tenant, 28933.—Managed by the landlord now 28984.

Question of Purchase of King's Farm.

Witness not aware that any attempt had been made to buy farm from Mr. King, or whether he were willing to sell it, 28914-5.—Whole decision as to sale

M'NULTY, Rev. PATRICK—*continued.*

rested with landlord, tenants could do nothing, 28916. —In many places in Ireland local people had suggested to landlords sales which had been carried through, witness had been concerned in a very large sale, as far as tenants were concerned there was no solicitor at all, sale carried through by solicitors having carriage of sale, 28917.—Mr. King's property was managed by firm of Dublin solicitors, 28918, 28982.—No suggestion of purchase had been made to solicitors, only purchasers would be Estates Commissioners, 28919.—Witness not aware if attention of Estates Commissioners had been drawn to fact that this land might be available, 28922.—It was not a scheduled area, 28923.—Congested Districts Board could buy land outside a scheduled area, 28924.—Small occupiers all round about obliged to send children to America just when they were grown up, painful instances where young men and girls had been obliged to go away, 28925.

Other Grass Lands available in District.

There were other grass lands, about 200 acres, available at Carrowcullen, 28926-7, 28930.—No resident tenants, it had been sed exclusively for grass for some years, but in years gone by had been used entirely for agricultural purposes, 28931.—There should be some authority vested in Estates Commissioners which would extend agriculture and keep people from being driven out of the country, 28934-5, 28938, 28941.

Compulsory Purchase and Compulsory Tillage.

Landlord of those lands was not getting £1 a year as a judicial rent, tenants occupying these districts could get £4 and £5 an acre for it by operation of law, 28936.—If landlords would not sell the land they would have to buy it compulsorily from the judicial tenants, no other way as far as witness was concerned, 28940.—Witness was prepared to apply compulsion not only to landlords but to tenants, 28941.—The land was naturally intended for tillage, but people had to go to America because they had no employment, 28943, 28945-6.—Witness wished that there should be moderate-sized holdings on which people could live, then they could remain at home and have as many cattle as there were in district at present, 28944.—Objection to such an extent of grass land was that tillage was pushed out of the country, 28945.—A man who tilled 100 or even 50 acres must give a good deal of employment, at present farms afforded no employment, no one living on them, 28947.—Ten or twelve acres of land was quite sufficient to maintain a family; family living on ten acres would be better for the State than four or five, or ten bullocks, 28448.—People driven from the place where nature intended them to live to the slums of the mountain by extension of grazing farms, 28950.—If witness had a farm of 100 acres he would resent State laying down conditions on which to farm, but at same time would submit to justice, 28951-5.—State ought to have power of resuming or taking up these lands and should encourage young men to remain at home, if the fathers' holding could be increased by a few acres, witness knew several cases where families could remain together, at present they only left behind the old and infirm, 28953.

Tillage on a small scale might pay where tillage on a large scale would not.

A man living on a small holding could work for two hours or a single hour, but a man having a large farm was obliged to employ labour for the day, 28954. —In the case of the large farm it could be taken up and given to tenants in reasonable holdings, they need not be very large, small holdings of this good land worth a whole district to a poor man for supporting his family, 28955.—Tillage on a small scale very different from tillage on a large scale, 28956-7.—Owing to climate and seasons, man employing many labourers might find on occasions that he could neither dismiss them or keep them working, 28958-9.—Facilities for purchase should be given to tenants who tilled, then to tenants of same class, and then to residents, 28961-3.—State had an obvious advantage from tillage system, 28964.—Irish race was degenerating owing to strong, able men leaving the country, 28965.—Practical encouragement was given to tillage by the State in Australia, 28966.—Same sort of thing needed in Ireland, 28967.

M'NULTY, Rev. PATRICK—*continued.*

Small Occupiers obliged to till in order to live.

Small occupiers could not take to grazing, they must till the land, in order to live on it, 28968-9.—Very little stall-feeding done in Ireland, grass taken off and cattle allowed to eat it, some who had grazing lands would not even cut the meadow for purpose of feeding cattle during winter, they would leave a field of meadow standing, and if winter was very bad would let cattle on it to save labour, 28970.

Agricultural Instruction.

County Council had employed an agricultural instructor, 28971.—Intelligence of people awakened a good deal, but not much practical result, 28972.—Some men who had land were quite capable of carrying out any system pointed out to them, they should be encouraged to make their holdings demonstrations in the locality, very little good cultivation practically, 28973.

Extent to which condition of farmers could be improved without enlargement of holdings—Class of land in neighbourhood.

Room for improvement in rotation of crops and in drainage and improving homesteads, 28974-6.—Land in this part of district required simple cultivation, and drainage would be of great service, it was good land as a rule, but some portions would never pay for cultivation 28977.—Land from here to Ballina was cut-away bog reclaimed, 28978.—Such land would not pay for hired labour, it was only that people had to be doing something, 28979.—Comparatively good outlet for tenant's labour once his improvements were secured to himself, 28980.

Decline of Fishing Industry—Training necessary for its Revival—Plenty of Fish.

This part of the country bordered on the sea, splendid fishing ground, but no accommodation, there used to be a number of boats along the coast, none at all now; in Portavad on Ballysodare Bay, where there was a nice safe harbour, there were forty boats, when cathedral at Ballina was being built, in 1828, a great deal of stone was quarried in Dromard, and taken in boats up River Moy to ground where cathedral was built, that was before the Famine, 28986.—In 1845, twice as many men were engaged in the fishing on the Irish coast as now, plenty of fish in the bay if there were only proper means of capturing them, 28987.—Plenty of fishing in Sligo Bay, boats came from Isle of Man, but there were no local boats, 28989.—Fishing required very special training, men must be accustomed to it and to the sea, 28990.—Population declined, and industry dwindled at time of Famine, 28991.—Industry never recovered, witness had received letters from people whose parents had had boats and who imagined there was some property to settle, for twenty miles along the coast fishing business was entirely killed, 28992.—Witness had hoped that people would take to the sea again and that it would receive its due share of attention along with agriculture, 28992.—There used to be immense catches of herring, 28994.—Herrings still there, 28955.—About three years ago there had been doubt about it, men came over from the other side of County Sligo, the Donegal side, and fished with other boats, they found they were driving through shoals of fish, people commenced by selling them at 50*s.* per 1,000, and ended at 7*s.* 6*d.* per 1,000, when buyers got what they wanted they did not go further, 28996.—Congested Districts Board had made seventy-four loans amounting to £626 16*s.* 10*d.* for small boats in Sligo, there were a few in witness's own locality, 28997.—They extended from Ballysodare to Dromore West, about twenty-five miles of coast line, 28998.—Training was absolutely necessary before fleet could be greatly enlarged, people would not go at present into a boat and stay at fishing as they would if properly trained, 28999.—Any application had been freely acceded to, 29000.—Boats had come from other parts of the West of Ireland, from Isle of Man, and even from French coast to fish in Sligo Bay, 29001.—Witness was not aware that Donegal boats ever came, 29003-4.

M'NULTY, Rev. PATRICK—*continued.*

Absence of means of Locomotion.

People were put to considerable inconvenience for want of locomotion, not the slightest public means of transit except a one-horse car, people marketing their produce lost three days by the journey to Sligo and back, they had to start at two or three o'clock in morning and had to stand in the market, and come home the following night, terrible inconvenience and danger to life, witness had heard of three or four accidents, 29005.—The new railway would do a great deal of good, 29006.

GILLIGAN, Mr. P. J.

See pp. 46-7.

Condition of holdings in Aughris—Earnings sent from America—Purchase and re-striping of holdings.

Twenty-nine tenants on townland of Aughris, sixteen tenancies in rundale, three tenants had holdings of eight different plots, witness had five plots over a mile between some of these plots, 29008.—People wanted Congested Districts Board to buy, 29009.—Landlord had been approached and had offered them 5*s.* on first term rents, and 3*s.* 6*d.* on second term rents, 29010.—Average bid was 6*s.* for the whole townland, it was in trustees' hands at the time, and they could not improve their offer, there was a place where crops had been destroyed by spray from the sea, people could not live on the land but for money they got from their children in America, 29011.—Sons went to America, nothing for them to do at Aughris, very often witness got £30 or £40 annually from his family in America, 29012-3.—Very difficult thing to purchase land in rundale as it was at present, there was a grass farm at Garraduff of eighty acres, if there was any addition to holdings, people would feel inclined to purchase, 29016, 29029.—Rundale not increasing, 29019.—Better if Congested Districts Board or Estates Commissioners would buy the land and re-stripe it, 29020.

Fishing Industry.

They had a small pier at Aughris, before it was erected there had been a very good salmon fishery, £18 to £21 made per man for three years in succession, paying all expenses of fishing gear, 29014.—Then came a failure for eighteen or twenty years, year after year it declined, fishing for nothing at all at the finish, then the people ran short of boats, 29021.—Witness got his boat from Killala, 29022.—People always bought their own boats, 29023.—Witness had a share in two boats until the last few years, 29024.—Any amount of herring still about the bay, but people had neither boats nor nets, 29025, 29030-1.—Herrings came in every year, witness had never seen better signs than during last two years, 29032.—There were boats to hire quite convenient, but it was not convenient to get out on the bay except on a very calm day, 29033-4.—A few young fellows could be got to go out, but witness did not believe they could continue, 29035.

MELVIN, Mr. T. P.

See pp. 47-8.

Negotiations for sale of Mr. King's Farms at Templeboy.

Ranch at Templeboy, property of Mr. King, of Australia, had been in the hands of a firm of Dublin solicitors, there were negotiations for sale, solicitors made an offer; some of the tenants resided in Dromore West, and some in Templeboy, they refused to buy unless Ballygrenagh and other ranches or farms were subdivided among them and sale fell through, 29039, 29041-2, 29044.—Mr. King had tenanted land as well, 29040.—Solicitors made no offer of untenanted land, not much trouble about price if they got lands for 5*s.* in the pound immediate reduction, 29045.—Only a question of splitting up these lands, witness was not

MELVIN, Mr. T. P.—*continued*

a tenant on that property, but had been appointed to represent tenants before Commission, 29046.

Garryduff Farm derelict—Hostile attitude of people.

There was a farm at Garryduff owned by Mr. Beatty, of Inniscrone, lying derelict, no man would bid for it, 29047, 29049.—People would not send their cattle there to graze, 29052, 29055-8, 29077.—Close beside it were about forty small holdings under £5 valuation, 29048.—Mr. Beatty had tried to sell by auction, but people were opposed to this sale inasmuch as they expected it to be carried through the Congested Districts Board or Estates Commissioners in accordance with Mr. Wyndham's Act, 29053.—Farm had been a sort of accommodation farm to tenants in the line of grazing, there was a herd who managed the farm, took in their cattle, and received the grazing money or rent, 29059.—Up to twelve months ago small occupiers on margin sent their cattle to graze, paying so much a head, 29057-8. Land was sometimes overstocked, 29060.—Then it was proposed to sell the two divisions in two plots, when the people would have been excluded, 29061, 29063.—Sale was abortive, 29062.—If it had been carried through land would have passed permanently into private hands, 29064.—And possibility of having holdings enlarged would have disappeared, 29065-6.—People intervened in time and appointed men to speak to Mr. Beatty, 29067.—Strangers buying would have been made uncomfortable, 29068-9.—Mr. Beatty, seeing that auction fell through, did not press sale to surrounding people, but Estates Commissioners had since sent a man to examine the land and see what it would be worth, 29070-1.—If Estates Commissioners bought it they would make the land available, and people would be satisfied, 29073.—Not known whether sale would take place, 29074.—During period of uncertainty surrounding men had left the land severely alone, 29075-7.

Amount of Grazing Land in Ballygrenagh.

Very little heard about grazing ranches in Tireragh, whole barony of Tireragh could be classified as one grazing ranch, 29078.—There were 1,100 acres, including rough sides of mountains, in Ballygrenagh, it had been stated that there were only 300 acres, none of it tenanted land, one portion was claimed, but the man would not go into court, which proved there was no proper tenant, 29079.—If he were a tenant he would be entitled to get fair rent fixed, 29084.—There were 600 acres of good land, 29080.—And a lot of rough pasture, very suitable for small farmers along mountain side, 29082.—Some of the land not suitable for tillage, but would come in conveniently for the people of southern Templeboy district, it was not tenanted when Wyndham Act was passed, 29083.

O'NEILL, Mr. J.

See pp. 48-9.

Tenants in Caminil—Refusal to acknowledge new Landlord—Tenants willing to purchase holdings provided they got some grass land.

Witness's landlord was at present Mr. Cuffe, before 1902 it was Mrs. Grace Middrie, then Messrs. Fenton and Lyons acted as agents, auction was held of house, furniture, and farm implements in May, 1902. Mr. James L. Cuffe, of Aclare, took place for grazing purposes immediately after, in the beginning of 1904 agents wrote to tenants offering their own holdings for sale, tenants would not accept terms, as grass lands had been reserved, and finally said they would abide by decision of Congested Districts Board or Estates Commissioners, Board replied that they were attending to matter, all went well till some time in 1905, when tenants were told by agents that Mr. James L. Cuffe was their landlord, and that all rents from 29th September would be due to him, form sent to tenants to fill up acknowledging Mr. Cuffe as landlord, which they refused to sign, 29086.—Tenants did not know the law, 29096.—They were decreed for rent as result of refusal, 29097.—They had not been asked to sign form before purchasing, 29097A.—There were thirteen tenants, nine had land with total valua-

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tion of less than £11, on these nine holdings there were forty-five people, 29086.—The people did not buy direct from landlord, because they wished to get addition to holdings, 29087.—There was a good deal of grass land which belonged to Mrs. Niddrie, which Mr. Cuffe had bought, 29088-9.—There was a mansion-house used as a police hut at present, 29090.—It could be used in a different way—a doctor had applied for loan to get a mansion-house built, it would be very suitable for him, 29099.—If public board intervened it would be important to have means of disposing of mansion-house, it would take away a good deal of purchase money and instalments could be met more easily, 29100.—Mr. Cuffe had more grass lands there, 29091.—He had cattle of his own, 29092.—No use to try to buy from Mr. Cuffe, it would make no difference to a man with a 5*s.* valuation, 29094.—Tenants would be willing to buy holdings if they got some grass as well, 29095.

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See p. 49.

Conditions of Life on Witness's Farm.

Farm of fifteen acres bought from Sir Malby Crofton in 1847, 29102-3.—Tenant-right had been bought, 29104.—Very hard to live on small spot, poor men paying very dear for it, 29106.—Witness kept a few cows and tilled part of holding, 29107.—He got oats, roots, meadow, potatoes, turnips, and mangolds, 29108.—About three acres under tillage, 29109.—The rest was grazed, 29110.—Witness kept two two-year-olds, two cows, and a couple of calves and a horse he could not feed more, 29111-3.—He had three sons with him and two daughters, the rest were in America, 29115-6.—They could not live on holding if it were not for America, 29117-8.—One son helped with farming, the others were at school, 29119-20.—He could manage farm himself with assistance, and they had to get in men according to the work, 29121.—If they got an enlarged holding the younger sons would be kept at home to help, witness's family was young at present, but when they got older and saw that they could not live at home they would go away, 29122.—If there were anything in the line of these ranches going witness ought to get a division so as to keep his sons at home and stop emigration, 29125-7A.—Landless man could not be more in need than the man who already had a patch, but the head of a family whose holding required enlargement should have a prior claim to witness's son so long as the son was youthful and could go abroad, 29128-30.

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See pp. 49-56.

Size of an Economic Holding.

In Sligo, if land were divided for enlarging holdings, enough should be given to rear three or four cows and their calves till year-olds, with sufficient meadow and tillage for a man to work with own family; area required would depend on quality; holding with a valuation of £12 or over would be economic, but the more a man got the better, 29131-2.

Reasons for sale of Cattle as year-olds.

Calves sold as year-olds because they fetched high price then, 29133.—Few farmers fattened; they could if they went in for tillage, but that did not pay, 29134-6.—Tillage might pay with dairying; cattle could not be fattened without tillage or artificial feeding, 29137.—No reason why it should not be done, 29138.—More profit in selling year-olds than two-year-olds, 29140.—£8 2*s.* 6*d.* paid for yearling; good two-year-old bought for £11; only £3 difference for an extra year's keep; £4 necessary to repay outlay, etc.; £12 must be paid for two-year-old in order to make a profit, 29144-51.—Two-year-olds £1 5*s.* dearer this year than for many years past, 29146.—Beef from Canada and the Argentine probably four years old, 29141, 29143.—In England and Scotland 1½-year-olds put into stalls and came out as two-year-olds fat, 29142.—Average price of yearling £7 to £8, 29145, 29204.—Good ones fetched up to £9 5*s.*, 29204.—Average price of two-year-olds, £10 10*s.* to £11, 29204.

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New Lettings.

Few new lettings made by Board in Sligo; none by Estates Commissioners; if new occupier had not enough capital to stock farm he would be driven temporarily to sub-letting, 29151-2.

Migrants.

Migration of strangers from a distance would be resented by occupiers in neighbourhood, 29153.—Some of whom were on uneconomic holdings, 29155.—Grass lands proposed for sale were mostly in hands of judicial tenants, 29156.—Dealing with tenants a delicate matter, 29157.—Best for public authority to first enlarge uneconomic holdings in neighbourhood, 29159.—Residents would still object because they wanted the grass lands for themselves, 29160, 29164.—In discussing sale with tenants witness had made clear that owner could not guarantee what Estates Commissioners would do with land, 29153, 29161-2.—Not unnatural for tenants to take all precautions to prevent introduction of strangers, 29163.—Tenants on estate in Galway recently sold to Estates Commissioners would not have agreed to buy if 73 tenants on congested estate in same townland had been included, 29165.—Tenants in congested districts would not migrate to a distance; migrant would require house, offices, fencing and capital to stock farm, total cost would be about £300, 29165, 29166-73.—Twenty per cent. of the people would have enough agricultural knowledge to work new farms if land were same quality.

Restrictions proposed on right of Selling Tenant Interest.

Migrant should not be allowed to sell his tenant's interest till he had been five years in occupation; he got interest free and there was nothing to prevent him selling it and making profit, 29165, 29174-6.

Land available for Migration purposes.

Sufficient land could be obtained by voluntary purchase at fair price; estate of 2,400 acres of good arable land, excluding bog and rough land, being offered within next few months; would not be sold if Estates Commissioners did not give fair price, 29165, 29177-8.—All in Sligo except 400 acres, 29179.—All grass land, 29180.

Price that should be given for Land.

Basis of price of land should be 1⅓ times the valuation with option to owner to make appeal; it was fair in some cases, in others did not cover value of land, 29181, 29214.—Owner should then get capital sum which, if invested at 3½ per cent., would yield net income; net receipts often not a fair basis for selling value; owner sometimes employed labour, for sake of giving employment, in making permanent improvements, or he might have insufficient capital to keep land fully stocked; lastly, but not least, many lands were boycotted, 29214.—Some on properties for which witness was land agent, 29218.

Compulsory Powers unnecessary, but if granted there should be a Court of Appeal.

Compulsory powers quite unnecessary, if granted there should be independent Court of Appeal; in no case should fixing of price be left to Estates Commissioners or Board, 29181.

"Backstairs" Compulsion.

Estates Commissioners as it was unfairly used great deal of "backstairs compulsion," 29181, 29195, 29342.—They wrote to one estate saying, "I am also asked to suggest that if evicted tenant is reinstated it may facilitate in arranging terms for the sale of estates to the tenants," that was a disgraceful suggestion, 29182-6.—As a fact estate in question was demesne land offered for net income of what tenant farmers

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paid, which was less than the owners made out of it, 29187.—Paragraph did not refer to price, it should never have been written, 29189-91, 29193-4.—Owners willing to sell at fair price without such a paragraph, 29194.

Boycotting and Agitation at the mere mention of Compulsory Sale.

Compulsory powers would lead to boycotting and agitation, mere mention of it had done so already in County Sligo and adjoining county, 29195.—Negotiations for sale to tenants would stop if grass lands were compulsorily taken for migrants, 29196.—Mr. Bryce, in his speech introducing present Commission, referred to compulsion, saying Commission would lead up to it; since then one of the quietest districts in the country had been very disturbed, 29195, 29197-200.—County Sligo had always been quiet except a small portion of it, 29201.—It was affected by speech; thought Commission was leading to compulsion and wanted to force owners' hands, 29202-3.—If there were proper Court of Appeal witness would submit to compulsion though he would not like to part with his estate, 29204.—Compulsion should not be given at all, it was a greater evil than congestion, 29313-6.—Plenty of land to be got without it, 29317.—Landlord had a right to his own property, 29318-9, 29324, 29328-31.—Different thing taking land by compulsion for railways; owners were well paid, 29320-1, 29325.—Living was certainly more important than quick transit, but cases were not parallel, 29323, 29325.—According to Estates Commissioners present valuation owner would get nothing for occupation interest; owner must be compensated, 29327, 29329.—Though compulsion might be right in New Zealand and Australia it was not necessarily so in Ireland; there was an element of compulsion in Labourers' Act; no one knew yet how it would work, 29332-6.—Witness's view not modified by fact that Board had already certain compulsory powers, 29337-9.—If occupying tenant were compulsorily expropriated he was very well paid, 29341.

Effect on Cattle Trade on breaking up of Grass Lands.

Breaking up of grazing land would be disastrous to cattle trade; small farmers would not feed cattle to two and a half years or older; area of holdings too limited and artificial food necessary which they could not afford, and which would be unprofitable; tendency would be to raise more young cattle for sale at year to year and a half, when they fetched better price in proportion; existence of creameries fostered this practice; if large graziers were banished there would be no market; Twenty-two graziers in County Sligo who fed 3,500 to 4,000 cattle a year and 3,300 sheep mostly bought in local markets; during four leading fairs in Collooney last year two banks paid out over £62,400, chiefly to dealers; small local men brought cash in hand, so that the £62,400 did not represent anything like the total amount which really changed hands 29204-6, 29208-10.—A few two-year-olds were exported and some 1½-year-olds, 29212.—Graziers bought year-olds, 1½ and 2¾-year-olds; small cattle on mountains seldom sold under 2½ to 3 years, exclusively bought by graziers, 29213.—Small farmers did not breed sheep, except in one barony, so that cutting up grazing land would mean reduction in number and price of sheep, 29213.

Breaking up of all Grass Lands would eventually increase Congestion.

Agricultural farm to keep a family must be at least twenty acres (Irish) fairly good land of mixed quality, to carry five cows and their calves, giving three acres to tillage; many occupiers of holdings of £15 to £20 valuation, but only useful in one line, would find it difficult to get on without assistance of large farms close by, while holders of smaller farms of general quality could make good living; thirty to fifty acres of hilly, stiff clayey soil the most uneconomic of all farms; holders on poor, wet farms added to income by using grazing facilities on larger grass farms; grazing rates regulated by market price of stock; this system by winter feeding added much to value and production of home farm; owners of large farms anxious to let grazing; it involved less risk and

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capital; occasional grass farms therefore necessary and useful to small holders; large grass farms stocked by owners themselves caused sharp local demand for young stock not fit for shipping; producers of young stores would suffer without that demand; no use talking of home fattening on poor, small farms; where large farms were divided care should be taken to leave large grass farms; occasional grass farm helped to relieve congestion; many grass lands unfit for holdings; doubtful if peasantry of uniform holdings would prosper; best attempts to relieve congestion in that way would fail; large grass farms would never pay and would deteriorate if broken up and put into hands of small holders; migration which might relieve congestion in one part would increase it in another; with better education and commercial prospects no young Irishman of ability would settle on a few acres while better conditions offered abroad; better to aid and encourage industrious people, leaving lazy and idle to learn from them; State was always providing for latter and driving capital and energy out of the country, 29336.

Importation of Canadian Cattle.

Importation of Canadian cattle, etc., should be strongly opposed owing to risk of disease, and because it might lower market value of young stock and finished cattle; it would also increase demand for grass lands, and therefore letting value of grass land must be taken account of in estimating price of land, 29213.

Tillage did not pay so well as Grass Farming.

Tillage not so paying as grass farming, 29213.—Tendency for small farmers to till as little as possible; they would not increase quantity of tillage with increased holdings, 29206.—Figures of a leading firm of corn merchants and millers showed how production of oats had fallen off in Sligo; in 1883-4, 5,096 tons of oats purchased; in 1884-5, 3,927 tons; 1885-6, 3,148 tons; 1905-6, 365 tons; export of oats showed same decrease; total exports of Sligo Steam Navigation Co., 1884, 10,157 tons; 1885, 7,522½ tons; 1886, 7,886; 1899, 605 tons; 1900, 40 tons; 1904, 60 tons; 1905, 56½ tons; 1906, 18 tons, 29213-4.

Rents on Small Holdings well paid, except on certain Estates where Political Agitators were at work.

Small rents well paid, except where political agitators tried to get tenants to refuse to pay, 29218-9, 29287-9.—Small holding was as good security to the State for purchase as the large holding, 29250-2.—Some of the rent came from America, 29253.—Agitation pretty bad in some places; it went in rings; took place on some estates witness managed, 29221-5.—Tenants had refused to pay rents; no steps taken yet; it was hoped they would have the sense to pay; they usually paid in November, 29227-35.—Tenants had not bought because they wanted to fix their own price, 29236-7.—Refusal to pay rent had occurred on four adjoining estates in Connaught, one of the four in witness's hands, 29242-5.—Agitators told tenants not to buy unless they got land at certain price, 29246-7.—Landlords offered liberal terms, 29248.—Tenants would have dealt with them straight off, 29249.—No rent nor taxes nor rates paid in Inishmurray, that was hardly an estate, 29254-5.—Holdings very small; making poteen chief industry, 29256.—It was seven miles from mainland and they could see police coming; magistrate could not try them till they were caught, 29257-8.—Land bad and light; no harbour for fishermen to land, 29259-61.

Increase of Income and Powers of Congested Districts Board suggested.

Congested Districts Board did excellent work; no Government department could do as well, 29261, 29272-4, 29290.—Board had very competent staff, 29274-5, 29250-1, 29297.—It would be a public blunder to abolish the Board, 29261, 29290.—Income and powers should be largely increased and work of Parish Committees improved and extended, 29261, 29310.—Success partly due to popularity of officers, 29276.—The Board should have power to deal with tenants adjoining estates purchased, not only with migrants, difficulty in dealing with migrants as well as in purchasing land, 29311-2.

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Suggestions as to authority for maintenance of Drainage in Connaught.

Drainage system throughout Connaught should be taken charge of by Board; new proprietors unlikely to strike maintenance rate; they had refused in Dromore district in 1903, 29261.—Up to passing of Land Purchase Acts cost of maintaining arterial drainage schemes borne by landlords; work now lying derelict, 29262-3.—1,000 acres of drainage done in Dromore in the "forties"; since then when damage was done there was a Drainage Board which entrusted contractor with work and struck rate to pay cost of repairs, 29264.—Drainage Board consisted of landed proprietors constituted under Act of Parliament, 29265-7.—After Purchase Acts Board of Works wrote to witness to call meetings of proprietors, which he did; tenants who purchased refused to have anything to say to it; County Council could be called on to take over drainage, 29268.—Board would carry out work better, and if necessary should be given compulsory powers to strike rate, 29269-70, 29279.—It was necessary work and would not interfere with Board's popularity, 29271, 29277.—County Councils had enough to do to keep roads in order, 29278.—Best way would be for Board to have power to compel County Council to strike rate for drainage purposes and then for the County Council to hand it over to the Board to see work was properly done, 29282.—Necessary to have some authority to take place of landowners, 29283, 29286.—In cases of subsidiary drainage arrangement formerly made with tenants was that each should do his portion, 29234.—After Act of 1881 landlord had not power to make tenants fulfil agreements, 29285.

Congested Districts Board preferred to Estates Commissioners.

Witness would rather deal with Congested Districts Board than with Estates Commissioners, 29292.—He had sold one estate to Board and thirteen to Estates Commissioners, or at least sold them direct; four or five in process of sale; only three of above inspected and portion of one conveyed, and that was to Board, 29293.—Two bodies doing same work must clash; they never competed to witness's knowledge; Board not doing much in Sligo, 29294-5.—Easier to come to terms with man who knew his business; many of Estates Commissioners did not, 29299-300.—Opinion based on knowledge of their prices; no danger of their being extravagant; everyone found difficulty in agreeing with them as regards price, 29301-4.—Witness had little knowledge of Estates Commissioners' work; his opinion was founded on what he had heard from others, 29306-9.

Landlords' Improvements.

Letter from Major O'Hara, Lieutenant of the County, in which he said—On his property in former times a staff of men was kept and estate steward, who made and kept up roads and fences on tenants' holdings; steward advised as to best use to be made of farm; many roads still kept up; tree planting always done by landlord; orchards planted; money borrowed for drainage still being repaid; houses built for tenants in many cases; in parts where holdings were small; field kept for accommodation to graze young stock; when there was talk of sale of property tenants warned owner to keep land in his own hands for their use, 29343.—Work done chiefly by Major O'Hara's granduncle and father, 29344.—Lord Harlech also did a good deal, and many landlords spent money making roads and drains, 29345.—Witness's firm did not manage Lord Harlech's estate, but he knew it well, 29345.—Firm paid £520 a year to Board of Works for different estates, 29347.—Expenditure on Major O'Hara's estate not repayable; money spent on roads to bogs and drains repaid landlord to certain extent, 29348.—Farm with accommodation road worth more than one without; most of the money not repayable, 29349.

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See pp. 57-64.

County Sligo.—Statistics of Population, Area, Valuation, &c.

Population of Sligo in 1841, 180,886, in 1901, 84,083, area of county, 452,356 acres, 74,508 under tillage, 237,536 acres pasture, 76,078 acres plantations, 120,819 acres waste, 11,815 acres under water, 13,491 agricultural holdings in County Sligo, mean valuation £13, in 1906 total rateable value £214,216. emigrants from May 1st, 1851, to December 31st, 1905, numbered 79,829, in 1905, 792, in 1900, 1,544, 29352.—1899 a bad year, and depression caused more emigration, 29353-4.—In 1905 migratory labourers, 169 landholders, 725 not landholders, 899 went to England and Scotland, 17 to other parts of Ireland, 29354.

Total Number and Sizes of Agricultural Holdings—Expenditure on Poor Relief, &c.

Of 13,491 agricultural holdings in Sligo 3,511 under £4, 5,605 £4 to £10, 1,817 £10 to £15, 860 £15 to £20, 704 £20 to £30, 472 £30 to £50, 320 £50 to £100, 201 over £100, 896 holdings not exceeding one acre in 1905, 1,422 1 to 5 acres, 5 to 15 acres 5,492, 15 to 30 acres 4,495, 30 to 50 acres 1,574, 50 to 100 acres 782, 100 to 200 acres 302, 200 to 500 acres 123, above 500 acres 37, 29361.—Expenditure on poor relief year ending September, 1905—Sligo Union 1*s.* 7¾*d.* in the £1, Tobercurry Union 1*s.* 10½*d.* in the £, average number of persons in workhouse, 1905—Sligo 448, Tobercurry 103, 29361.

Number of Holdings Sold Under Act of 1903 and under Previous Acts.

Nineteen estates sold in County Sligo from 1st November, 1903, to 31st March, 1906, 8 in congested districts, 29354, 29357.—536 purchasers, 800 holdings, including 278 in congested districts, 29357.—800 purchasers under Act of 1903, as against 1,200 under previous Acts, not encouraging, 29358, 29360.—99 per cent. of tenant farmers anxious to buy at reasonable price, 29359-60.—Purchase operations accelerated under Act of 1903, 29361.

Amount of Untenanted Land in South Sligo.—Decline of Population in Certain Districts.

Ballintogher East Electoral Division included 1,252 acres untenanted land, owner W. J. Griffiths, valuation £135 in townland of Kilkerry, population of Kilkerry fell fell from 241 in 1881 to 183 in 1901, was in Sligo Union, near Dromahair, 29361-2.—In townland of Sleshwood 374 acres untenanted, owner Mr. O. Wynne, valuation £25 10s., Mr. Wynne had £15,000 advanced by Estates Commissioners for sale of demesne at Hazlewood, he had not sold whole of property, had number of grazing farms, 29362-3.—Ballintogher West Electoral Division, included 1,913 acres untenanted land, exclusive of 194 acres, Castledargan mansion house and demesne occupied by Mr. Hosie, 29364-8.—Ballinakill Electoral Division included 522 acres untenanted land, valuation £211, population fell from 5,712 in 1881 to 4,359 in 1901, demesne of Castle Neno not included, 29368-9.—Ballisodare East Electoral Division included 377 acres untenanted land, valuation £266, rich land used for grazing, population 888 in 1881, in 1901 677, 29369.—Ballisodare West Electoral Division included 694 acres untenanted land, mostly occupied by Mr. C. K. O'Hara, 100 acres held in Streamstown by Mr. A. Sim, there was a strong rumour that he was ready to sell at a reasonable price, 29369-77.—Population fell from 850 in 1881 to 712 in 1901, 29377.—Bricklieve Electoral Division included 411 acres untenanted land, valuation £323, owners Sir J. Gore-Booth and Mr. Creighton, Sir J. Gore-Booth lived 20 miles away, population in 1881 668, in 1901 499, 29377-81.—Collooney Electoral Division included 2,505 acres untenanted land in occupation of Mr. Cooper, excluding Markree demesne, valuation £927, considerable portion consisted of game preserves, public excluded from touching it, 29381-5, 29389.—There was a deerpark as well, 29386-8.—Demesne comprised 497 acres, valuation £400, 29392.—Hares, rabbits, pheasants, partridges, etc., on game preserves, 29393.—Population of Collooney, 2,018 in 1881, 1,287 in 1901, 29393-5.—No evictions on estate of 2,505 acres,

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population had no prospects, so emigrated, 29396.—Game preserves were there when population was high, 29397. Drumfin Electoral Division included 385 acres untenanted land, population 937 in 1881, 792 in 1901, land not mountain, 29411-3.—Kilmackowen Electoral Division included 365 acres untenanted land, valuation £371, population 1,709 in 1881, 1,363 in 1901, 29413.—Knocknarea Electoral Division included 953 acres untenanted land, excluding demesne of Mr. J. F. Walker, valuation £738, population 1,207 in 1881, 978 in 1901, 29413.—In Lisconney Electoral Division there were four large farms of good quality untenanted, farm of 271 acres in Doorly, valuation £189, owner Miss Cooper, same lady owned farm of 226 acres in Lisconny, valuation £171, farm of 128 acres in Lisruntogh, valuation £84, owner Dr. Tweedy, farm of 289 acres in Spotfield, valuation £129, owner Mr. R. A. Dilke, 29413.—Riverstown Electoral Division included untenanted farm of 161 acres at Ardcumber, valuation £100, owner Mr. Phibbs, 29413.

Emigration from Collooney.

Emigration due to distress after harvest of 1879, when there was no change in land laws to benefit the people and root them in the soil, 29398-9.—Holdings were small, 29400.—Dwindling of population enabled remainder to live on land, most stalwart and intelligent emigrated, 29401.—Valuation of farms was £20 to £1, 29402-3.—The labouring men had to emigrate, 29404-5.—Holdings not evacuated, old people remained, 29410.—Bone and sinew of youth went to foreign countries, their labour paid the rent, it was not taken out of land, 29411.—There was a country town at Collooney, 29439.—Townspeople had very little land, it would not be included in the 45 out of 170 holdings not exceeding £4 valuation, 29440-3.—Very few cottages in Collooney with small potato gardens attached, 29444.—Emigration not from the town, but from the Electoral Division of Collooney, country round mountainous, people in the town more prosperous than in country round, rural districts suffered most, 29445-9.—There was some encouragement in the village, Mr. Sims was an enterprising man, and it was a little manufacturing town, industry drew people from country as well as town, development of industries would be beneficial and would tend to stop emigration, 29450-3.

Question of Scheduling the Whole of Connaught.—Migration.

Entire province of Connaught should be scheduled to relieve congestion on mountains and bogs, Board or Land Commission or State should take over all waste lands, 29413-5, 29453.—Where number of poor peasants were on holdings under £4 some two should be taken up and put on waste lands, leaving one in possession of what would then be an economic holding, 29416.—Best way was to schedule the whole, poverty extreme in some places that were not scheduled, 29417-21, 29423.—None of above divisions were scheduled, 29422.—Grazing farms put up valuation above 30s. standard, 29424-9.—Insufficient accommodation in Connaught for migration of people in the province, scheduling province would be a step in right direction, but need not prevent the people being migrated outside, 29430-4.—Board should get larger powers, 29435.—Parishes in Sligo as poor as anywhere in Ireland, 29436.—If only spots most requiring it were scheduled deserving places might be left out, 29454.—Selection difficult, 29456.—No room for landless people and farmers' sons unless whole were scheduled, it would save them from emigration, 29457.—Board would be more powerful if it had some compulsory powers, 29458-9.

Taking Over Non-Residential Grazing Lands by the State for Enlargement of Holdings and Creation of New Holdings Proposed.

All non-residential grazing lands should be taken over by State and used for enlargement and creation of holdings, 29460.—Non-residential grazing farms were those given up to bullocks and sheep, and no one

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living on them, some people had six or ten of these, living on one and having the others on eleven months' system, residential farm was the one lived on, 29461-2.—If a man built a house on a non-residential farm and his son lived in it, it would then be residential, many men had no sons, 29463-70.—No one should have more than 30 acres, practical farmer would be glad to have as much, while a gentleman's son who could not use a spade would not be thankful for 50 or 100, land was for the people, 29471-4.—If the landlord's son were a *bona-fide* occupier he should be left undisturbed whatever size his farm, different if he were put there for bogus purpose, 29475-80.—Every attempt should be made to keep sons of farmers in the country, land splendid crop land if farmers' sons were willing and able to make it pay, 29481.—Land not tilled, because it was in hands of non-residential grazier, poor people were on the mountain struggling to rear their families to go abroad and make money, 29482.—Two classes of people—industrious, hard-working class and idle, unproductive class, 29483.—Graziers belonged to unproductive class, 29484.—Untenanted land should be distributed among landless people and farmers' sons, 29485-8.—Whoever used untenanted land ought to be purchased out, 29489.—He would be compensated, 29490.—Even if a man had acquired large grazing land to supplement his tillage he ought to go, one farm was enough for him, 29490-1.—Farmers as well as owners would be affected, 29492.—If a shopkeeper had bought a grazing farm with proceeds of his business case would be the same, 29493.—Shopkeeper and gentleman farmer were dangerous to the country, 29494.—Poor man could not touch land while shopkeeper was bidding, the latter might have some land, but not whole face of country for miles, 29495-6.

Tillage Paid Better than Grazing.—Proportion of Land which should be Tilled.

Witness a farmer with 30 acres, of which about 10 acres were tilled, 29497-500, 29503.—Tillage paid twice as well as grazing, 29501.—Half of the lands of Ireland should be tilled, 29504-5.—Witness did not till more, because he could not get labour, 29506-7.—Not one-sixth of land in Ireland tilled, 29508.—One-third should be tilled, 29510.—No tillage at all on some farms, 29509.—Mixed system of farming advocated, 29513-4.—Land should be let out to grass sometimes, rough grazing wanted as well as tillage, 29514-5.—Considerable portion would thus be under grass, 29516.—If young men could be induced to stay in country tillage on farms would encourage them still more, 29517.—Easier to get farm hands if they were not driven to America, 29518.—Not enough practical agriculture taught, what little there was induced people to till more, 29519-20.

Reasons for Not Tilling More Land.

Reason more land was not tilled was because large farms were in possession of those who preferred to live an idle life and were not anxious to work or till land, and allowed it to drift to decay, people who would till had not got the land, 29521-5.—If land were broken up into small farms it would come into hands of people who would be anxious to till it, as that was more profitable, 29526-7.—New tenants were industrious class, and would work hard, 29528-9.—Graziers foolish not to till land, they were content to see poor men struggling on mountain, so long as they were better off, 29530-3.—Owner let grazing farms on eleven months' system in many cases, 29534-6.—11 months' man had no right to till, 29537.—System worked between landlord and middleman grazier, poor man had no look in, 29538.—Middleman real occupier, he let poor men bring cattle and pay highest grazing, 29539.—System the block between farmer and land, real tiller of soil could not get at it, 29540-1.

Tillage on a Small Scale Might Pay Where Tillage on a Large Scale Might Not.

Agriculture on large scale might be unprofitable when that on small holding would be very profitable, 29542, 29548, 29555.—Many hands needed for farm of 200 acres, difficult to employ them on a wet day,

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29543-4.—If such a farm were split up into 30-acre holdings tillage would be done by farmers themselves, employing a man or two, easy to find employment indoors in wet weather, 29545-7.—Class of agriculture that got most out of the land was that of comparatively small holdings, 29549-50.—Large holdings never paid, small one had profit on poultry, pigs, etc., family a hive of industry creating prosperity for country, 29551.—Tillage paid twice over when done by the farmer, 29552.—Would not pay on a large holding where labour must be paid for, 29553.—Mass of people anxious to till and make farm pay, tillage not decreasing because of people's objection, 29554.—Plenty of 50-acre grazing farms in district, 29566-7.—It was accommodation land, and owner was too idle to till, 29558-60.—250-acre holdings treated similarly, 29561.

Proposal to Create 30-Acre Farms.

Witness proposed to create 30-acre holdings, 29562.—People from mountains would be put on them, and they would be anxious to make them pay, 29563.—If one farmer on the mountain had the land now occupied by three they would not need accommodation land, 29564-6.—Given three farms of five acres each, with one or two head of cattle apiece, and two men were migrated, the remaining farmer would till five acres, and have ten for pasture, so would not need accommodation land, 29567-71.—Grazing farm could be used more profitably by expert farmers, 29572.—The 50-acre man finding no beasts to take on land would till it or take compensation, and let the man who would till have it, 29573, 29575.—30-acre man kept milch cows on his own land, he could profitably supply town and creamery, 29576.—He sold young stock, 29577.—Always a demand at fairs, buyers came from many places, some from North of Ireland, 29578-9.—Buyers were graziers, and even farmers themselves bought, 29580-3.—No fear of market going unless there were importation of foreign cattle, 29586.

Effect on Cattle Trade of Breaking Up of Grazing Farms.

If grazing farms were broken up there would be a mixed system of stock and tillage, which would pay better, 29584-5.—The more tillage the less cattle could be raised, and price would rise, 29587.—Much cattle on grazing farms had been raised by small holders of district, 29588.—These would rear cattle on their own holdings when restored to land, 29590-2.—They did not do it now, they were not in possession, 29591.—Profits of middleman would be done away with, 29593.—Grazier not a necessity, but ruin to the country, 29594.—Profits would go to small man, and would rise with start he would get, 29595.—Some capital would be required to help him over interregnum, 29596.

Development of Sea-Fishing.

Coney Island and Ballisodare Bay sea fisheries should be developed, 29597.—Pier would be useful, present one in Ballisodare Bay in poor condition, fishermen in deplorable state, 29598-9.—People living on Coney Island could not get off from mainland unless tide were out, it was not scheduled, many poor places left out, 29600-1.—Department's intentions good, but it did not reach the very poor, prizes went to moneyed parties, nothing done for the fishing, 29602-3.—Drainage of Owenmore a necessary work, 29603.

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Doobeg Estate—Price, Rental, &c.

Witness had been a landowner and J.P. for more than thirty years, 29606-7.—Residing in Tobercurry district; he purchased Doobeg Estate in Landed Estates Court in 1877; it comprised 742 acres; 476 acres were in his own hands, including 176 acres of bog; there were twenty tenants in 1877; one new one

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created; rental then £190; raised to £224 on valuation of valuer nominated by tenants in 1876, 29608-9.—Two tenants with rental of £5 sold interests to witness, one went to America, one confined himself to his farm on Lord Harlech's estate; witness paid their own prices; third tenant with rental of £12 got into difficulties; witness bought his interest for £130; gave him back small portion of holding at rent of £1 10*s.* and helped him build house; he was now a future tenant; remaining tenants afterwards got judicial rents fixed with usual reductions; rental now, £156, 29609-12.—Witness paid £11,000 for estate, which represented 23 years' purchase of court valuation and 32 years' purchase of poor law valuation; estate bought subject to tithe and rent charges of £23 a year, 29612, 29913.—It belonged to absentee landlord and was in deplorable condition; 80 acres let to conacre tenants who had been allowed to burn soil, 29612.

Witness's other Estates.

Witness also owned Mullane, Phibbs Estate, near Clonacool, which was let to tenants, rental £120; till recently he had six other townlands, now sold under Act of 1903, namely, two near Ballymote, rental £70; two near Collooney, rental £150; two near Tobercurry, rental £220, 29612-3.

Graziers.

Graziers were the backbone of Western Ireland; greater difficulties would be created by policy of diminishing their trade than had as yet been faced, 29613, 29679.

Criticism of gigantic schemes for Migration and Enlargement of Holdings.

Gigantic schemes of migration and enlargement of holdings proposed were both impracticable and mischievous; most purchasers would not have enough capital to till or stock holdings, they would let in conacre or sub-let and land would deteriorate, they would then be unable to pay annuities, and the bad example would tempt others to make excuses for non-payment, 29613, 29644, 29689.—People migrated by Board had only recently been put on land, 29614.—Wholesale migration could not succeed, 29616.—Reform must be carried out gradually, 29618, 29622-3.—Witness in favour of gradual migration if people agreed, 29620-1.—Land required might be bought up if migration were carried out very slowly, 29629.—Board had already purchased some land in immediate neighbourhood and striped it, 29631.—Migration more likely to succeed if carried out clowly, 29632-3.—Many landowners letting land on 11 months' system were willing to sell, 29634-6.—No objection to State buying it, 29637.—Witness prepared to see migration carried out immediately to extent landowners were willing to sell, 29638.—Voluntary sale the line drawn, compulsory purchase was extravagant, 29639-40.—No danger of too rapid migration so long as the land was bought by voluntary purchase, 29641-3.

Deterioration of Land cropped without Manure, etc.

Value of land reduced if it was cropped without manure and grazed without feeding, 29644-6.—Not much feeding in country, grass land deteriorating, 29647-8.—Could be remedied by proper tillage or feeding on it, 29649.—Letting in conacre worse than present system, 29650-1.—Under landlord and tenant system crops all taken off land, no feeding of it; a man given forty acres and no capital must sub-let for a year or two till he got capital, 29652-4.—Situation would be better if he had some stock, 29655-6.—The land was safer under grass than tillage on the assumption that there was no manure, 29658.—If the small holder sub-let and took in cattle it would not be worse than present system of large grazing farms, 29660-3.—If tenant had sufficient capital and used land judiciously it need not deteriorate, 29664.—Many examples of deterioration had come under witness's notice, 29665.—There had not been sufficient time for it to show on estates purchased by Board, 29666, 29668.—The 289 migrants were not in Sligo, 29667.—On Board's estate at Doocastle and Chaffpool lands had been striped, mud fences erected, and men

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put on the land; very recently at Chaffpool, and Doocastle last year, 29672-4.—All grass lands, one migrant, the rest had been migrated on same property, 29675-8.

Question of Deterioration of Land and Security for Purchase Annuities.

Security of State in matter of annuities depended on prosperity of land; annuities small, 29690.—Annuities secure if land prospered and did not deteriorate, 29691-2.—Security doubtful if land deteriorated, 29693-4.—No uncertainty on bad land with present annuities which were 5*s.* below second term rents, 29695, 29700.—Almost all the lands worn out and passing from landlord to tenant under Act of 1903, 29698-9.—Untenanted lands had no basis, therefore less secure, 29701.—If land were bad it could only be security to limited extent; State secure even on bad land if annuity were low, 29702-4, 29707.—Tenanted land already twice over-valued and twice reduced; purchase annuities were a further reduction, 29706.—Judicial tenant had not necessarily been into Court, but the numbers were very small even though there had been no inspection, 29708-12.—Witness was surprised to hear that about half of the judicial tenancies had been fixed out of Court, 29738-9.—Tendency to settle out of Court had diminished, 29471-2.—No inspection when rents were fixed by agreement, 29714-6.—If those estates were sold under Act of 1903 they were within the zones and there would be no inspection; few estates had many rents fixed, 29713.

Increase in Price of Land.

Occupation prices had risen in last few years, 29717.—Landlords had given up selling, 29718.—Land not more valuable in 1902 than in 1907, 29719.—Generally a reason for landlord increasing price of land, 29720.—Witness had agreed to sell his own property at 20 years' purchase, 29722.—A landlord had agreed to sell at 20 years in 1902; price raised to 23 years in 1904; it was joint property owned by witness and brothers; they negotiated with tenants to avoid expense of partition; every tenant had not agreed to 20 years' purchase; cost of partition was pending; it would take a less price to save a lot of costs; there was no bonus; witness's estate solvent, 29720-34.

Deterioration of Land if worked with Insufficient Capital.

Breaking up grazing lands would affect cattle trade and the well-being of existing small holdings, 29735.—Unless tenants put on them had sufficient capital they would be driven to break up land in meadow and conacre, which would deteriorate it, 29736.—No danger if care were taken to give tenant enough capital, 29737.

Graziers.

Cattle trade would be upset if graziers were abolished; they were largest purchasers of 1½-year-olds, 29679-81.—Witness did not agree with Mr. M'Loughlin's statement that graziers were not a necessity, 29682-3.—Small farmer never finished his stores himself; witness thought he never would, though it was possible, 29686-8.

Effect on Cattle Trade of abolishing Graziers.

Little market for cattle if graziers were abolished; price of stock up to 1½ years would be reduced; small farmers could not keep stock more than a year; they would not thrive in confined area and could not be stall-fed or in-fed as farmers knew nothing of system and had not enough capital to adopt it; dealers would not buy immature stores unfit for shipping, 29742-3.—Cattle stall-fed in Scotland unsuitable to Ireland, 29744-7.—Farmers had never done it; suitable outliers prevented it; cattle subject to disease; danger of anthrax if forcing young beasts were attempted, 29748-50.—Want of skill the reason; climate not unsuitable, 29751-3.—Irish peasant had not the enormous housing accommodation necessary, 29754-5.—Farmer could feed stores in summer without stall-feeding, 29756.—Stock never put in in winter, 29757.—Irish climate milder than Scotch climate; Scotch farmers forced to put up buildings while Irish were not, 29758-61.

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Reduction of Tillage—Attitude of Farmers.

Mr. Doran thought small farmers would, or should, till most of their enlarged holdings, and he was a man of great experience; witness thought people were growing more averse to tillage and were reducing it and trying to get holdings into grass; grass more profitable and suitable to wet climate with little ripening sun; rarely more than three acres tilled on small farm, usually less; theories and advice would not induce farmers to till to larger extent, 29762-70.—Conclusion arrived at from personal observation, 29772-7.—Three acres of tillage now on a ten-acre farm; double that five and twenty years ago, 29778-81.—Witness did not agree with Mr. M'Loughlin that people were not averse to tillage, 29782-3.

Creameries helped to reduce Tillage.

Creameries in district, 29784.—Their presence reduced tillage; milk sold to them, 29785-6.—More tillage, if done differently, would produce more milk; practically no mangolds or turnips grown, 29787-8.—Mangel-wurzel had been grown, they did extraordinarily well in district, 29797-9.—Creameries not good for country, they deteriorated the calves, as farmers did not reserve enough milk for them, 29789-90.

Calves injured by Creameries absorbing too much Milk.

Calves could not be reared without milk for two months or so, then other things could be added, oatmeal the best, 29793-4.—Separated milk good if process was carried out at home; creamery process rendered it hardly fit for use, 29795-6.—Witness bought Limerick calves before creameries were started; never now, 29800.—No calf like that fed on milk, 29801.

Grass Land necessary for preservation of Milk and Butter Industry in Tobercurry District.

Chief industry in Tobercurry district was the production of milk and butter and young store cattle and pigs; grass lands necessary to keep this intact; (1) to provide home market for stores; (2) to enable small farmers with capital to send out, for summer's grass, surplus cattle and milch cows on which they made profit; moist, mild climate suited cattle; grass always growing where land was in heart; grew so fast in January and February last year that witness stopped hay to out-liers, leaving them on grass alone; witness's land differed from other land in the district, in that it was in heart, 29801.—Cake-feeding for thirty years put it in heart, 29802.

Condition of Doobeg Property.

Witness cultivated 50 or 60 acres and put it in heart, 29803.—Cultivation for a year would put fallow land in good condition; land lying a long time fallow lost heart and would not support cattle without deteriorating; idea prevailed that it grew richer, it did if feeding stuff were put on it, even sheep were beneficial if they were fed on land; cake was the most fertilising, cotton cake the best, 29805.—Doobeg property tilled at first partly because it was in unusable ridges, partly to get it into good heart; part tilled had been burned; no tillage for the last twenty years because grass paid better; others found the same; land in immediate district broken into conacre, 29806-7.

Reclamation would improve Land in Tobercurry District.

Reclamation would improve land and employment would be provided if Board were to undertake it; large drainage schemes would benefit land, especially lowering portions of Owenmore River, 29807, 29903.

Burning of Land to force Crops.

Land burnt to force crops; ashes supposed to be manure; fires were lit and skin burnt into ashes, which were collected in heaps and spread over soil; clay not so much burnt lately, it burnt well, 29808-17.—Top-dressing done with ashes; it deteriorated the land so much that it took fifty years to recover; the surface was damaged; tremendously good crop got in

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that way, 29818-22. Witness's crop of 75 tons of mangels got by manure; he stall-fed at the time, 29823.—Land burnt had been let by agent of absentee landlord for conacre, 29825.—Used for oats, sometimes for potatoes; sown immediately after burning, 29826-7.—Ashes put on top of seed; burning gone out of fashion now; witness had not seen it for ten or twelve years, 29828-9, 29833.

Cattle-rearing.

Less labour required for grass than tillage; price of labour had gone up a-third in last twenty or thirty years, 29830-2.—Witness finished cattle and had tilled for that purpose; that sort of tillage did not pay so well as grass, 29834-9.—Witness cake-fed his cattle as well or land would deteriorate; practice very uncommon in Ireland, 29840-1.—When witness tilled he stall-fed cattle, fattened them ready for market and sold them in Glasgow, Liverpool, etc., 29842-5.—Some now were fattened, others were sent to Dublin, 29846.—Could be fattened on grass with cake, 29847-8.—Stall-fed cattle sold from November to May; two year-olds sold in Liverpool before now; bought as yearlings in July, sold following April; that paid very well; they were double the size and weight and sold for three times the price for which they were bought; £5 10*s.* paid for yearling; £19 got for two-year-old, 29849-52.—Good prices this summer with cake and grass for two-year-olds; barren cows fattened after rearing calf; yearlings sold in Dublin, 29853-4.—Two-year-olds fattened on grass not fit in April sold in July, 29855-6.—One had them for different time and season now; those fattened in winter sold in April, 29857.—Yearling bought in October would be highly fed and sent to England in September or October; some sold in Dublin last August and September; year and fourteen months old; killed and sold by weight; mostly small and fattened rapidly, 29858-61; the earlier one sold the better demand for young stock, 29862.—£11 10*s.* got for yearlings of fifteen to eighteen months; they were done very well, 29863-6.—They were all by Hereford bull, some out Angus and mongrels out of Connemara, 29867.—Cattle reared on dams for eight or nine months; bred by witness himself; small men could not do the same; their cattle would not compare with those cattle, 29869-71.—Cattle required a good range to come to maturity and small man had not the necessary area, 29873-5, 29881, 29885-9.—He could not cake-feed them, 29881, 29885.—Calf wanted plenty of room after it was weaned, 29888-9.—Witness's calves were out of small Connemara dams; small man had no such cows, but the big ones too delicate for witness's work, 29877-9.—An acre would feed a cow and calf on witness's land; smaller man could not do it on that, 29883-4.—Small man must sell his milk and make profit from day to day; could not afford to use milk for calves; witness had never seen a small man try what witness did, 29890-4.—He did what paid him best, which was selling milk and rearing calf, 29895-6.—the calves were mainly good, but not the same as those reared naturally, 29897-8.—Witness had got £33 for yearlings in Liverpool, 29899-900.—Black water very mysterious; suddenly forcing animals into flesh produced it; calf well-fed from the first not so subject to it; they were sometimes on grass and in sheds without extra feeding; witness had to put them out on new farm in January, 29901-3.

Doobeg Property—Owners' Improvements.

Doobeg an example of benefit of treating land well, Landed Estates Court conveyance purported to give indefeasible Parliamentary title, relying on which witness fenced, drained, reclaimed, made roads, built dwelling-houses, out-offices, and gate lodge, spending £6,000 over two-thirds of which was for land improvements and gave employment, 29903-4, 29913-5.—He also bought produce of country round, 29903.—No cart or horse in townland when he purchased, hardly a tenant without at least a donkey cart now, 29915.—Money spent on faith of title, if State purchased from him by compulsion, it should be taken into account, 29905-6, 29916.—Money spent on roads all out of witness's pocket, he was not recouped by tenants, road for his own use as well as theirs, 29907-14.—Land trebled in value, and could keep three times the stock it could in 1877, it kept on improving under present system, 29916.—Witness also worked hill farm of eighty-five acres two miles away, unsuitable for tillage, good pasture, used as stock farm, 29916.

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Question of improvement in breed of Live Stock—Value of a Stud Farm under Government control.

Small farmers' profits would be increased if they bred from better animals, good bulls kept by witness never used, system of forbidding man to keep bulls for service unless certified by Government might be advantageously introduced, stud farm under Government valuable, useless under local control, good boars essential, pure-bred bulls in congested areas would produce cattle for English and Scotch markets, 29916.—County Committee in Sligo had done nothing in district except provision of a few premium bulls and thoroughbred horses, Department should do something, 29917-21.—Stud farm better under Government because they would have skilled managers, local people not skilled enough to manage it, 29922-6.—Committee of Agriculture might do it, 29927-8.—Advice of local men would assist managers, 29929.—No objection to local control if proper men were employed, 29930.—There were some skilful cattlemen in the county, but these were the exceptions, 29932-4.—Government system was by examination, and the business should be done by experts, 29935-6.—Oats and potatoes in district very bad, due to want of change of seed and to bad cultivation, 29937.

Policy of reducing the whole country to a dead level of holdings only just economic.

Unfortunate thing to reduce the whole country to dead level of holdings of £10 valuation, so far as policy was carried out men must be provided with loans to work new land or they would meadow or conacre, or sub-let it, and in a few years it would be run out, and they would be unable to pay annuities, it would destroy competition, possible to carry out such a policy if millions were handed out, 29960, 29962-3.

Migration.

Migration schemes difficult to carry out, most farmers disliked migration, if better holding were on different quality of land, they would need instruction to work it, capital also, people in new neighbourhood would regard them with hostility as intruders, 29937.—Absurd to suggest putting man into new holding without capital, 29938-40.—Hostility due to people wanting land for themselves, witness had case in mind, 29941-7.—People on this estate had already medium sized farms, 29948.—If there were land available on an estate, and tenants on congested estate in another area were offered it, knowing nothing about it, they would not go, 29953.—In case referred to there was a good deal of land to divide, enough to raise holdings beyond £10, there was some congestion on estate, 29954-7.

Emigration of whole families as an alternative to Migration.

State-aided emigration might be tried for relief of congestion if more popular than migration, sons of small landlords and professional men resorted to it, and small farmers should be given the means, if whole families were willing to go, 29960-1, 29964-5.—The young and strong were rushing to America at present, which was deplorable, if the whole family would go the State might assist, 29966-74.

Large areas of land available for purposes of Migration or enlargement of holdings if fair price were given—Protest against Compulsory Purchase.

Large areas of untenanted land available in Sligo if Board or Land Commission offered fair price, compulsion only necessary if people were to be forced to sell for less than land were worth, unfair for owner who was also occupier not to be paid for occupation interest, when tenant became purchaser his valuable occupation interest would not be wiped out; in 1899 witness sold townland to tenants with exception of six acres in his own hands, twenty-five years' purchase of the then existing rents paid for tenanted portion, £1,000 for the six acres, as there was a valuable limestone quarry on it, 29975.—Value of limestone quarry would not be calculated under compulsion, it was not the rule, 29976-8.—Railway companies taking land compulsorily paid more than for land taken

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voluntarily, but that was for a public purpose by which owner of land was benefited, 29979-81.—Price was settled by arbitrator, 29982.—In case of land purchaser would be buyer and also arbitrator, 29983.—Nothing could justify compulsorily taking land from one man to give to another, however great the evil of congestion, and however necessary to put a stop to it, 29984-91.—Principle of compulsion occurred in Allotments Act, and Labourers' Act, but the holdings referred to were all small holdings, 29992-5.—Land could be sold compulsorily for debt by Land Judge in Dublin, 29997.—The compulsion applied in Australia was on occupiers who had known of the possibility all along, and who had not paid cash for the land, 29998-30000.—No need to grant compulsory powers unless Parliament wanted to force people to sell for less than property was worth, 30001.—Witness had no reason to complain in the case of his dealing with a railway, they paid for loss of rent and occupation value, witness did not put it before arbitrator, he knew price was fair, 30005-10.—Even if there were an arbitrator for estates it would be impossible for valuers to fairly estimate loss, 30011-3.

Owner Striping Lands and offering them for Sale before approaching Estates Commissioners.

Owners might split up lands, put fair rents on them and offer occupation of them for sale, Estates Commissioners had refused in one or two cases to have anything to do with the properties, 30014-16.—Fines had been exacted in some cases before approaching Estates Commissioners, but possibly the process was not in conformity with spirit of Act of 1903, 30017-8.

Method of estimating Fair Prices of Land.

According to witness's proposal of splitting up holdings no one could get in who did not pay a fine, majority of people could not afford that, witness argued as to value of land to owner, 30030-3.

Witness would like to relieve congestion, 30019.—He did not oppose migration where land was voluntarily sold, many landlords would sell voluntarily at fair price, 30024-5.—He could not agree to compulsion whatever the price, 30025-7.—Estimate of price could not be left to professional valuer whose valuation was a mere opinion leaning in favour of his employer, method should be found of calculating price automatically, one and a third poor law valuation should be taken as minimum income, with option to owner to prove that net income during five years preceeding was more, price of estate should be sum which would produce net income if invested at 3½ per cent., 1⅓ times the rating value might occasionally represent more than net income, but seldom, 30034.—Estates Commissioners or Board could not be valuers, as they would be the buyers, 30035-8.—Responsibility would be on the valuation, 30039.—For occupied portion of land net income from tenants might be accepted, 30040.—Rent books showing income and expenditure for period of five years could be produced, 30041.

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General opinion in favour of scheduling the whole of Connaught.

Witness had lived in congested districts all his life, and knew what congestion meant, and the necessity for relieving it, the reason for general opinion that all Connaught should be scheduled was that there were just as poor people in non-congested areas whose valuation was raised by larger holdings in district and who were aggrieved that nothing was done for them, 30043.

Necessity for Drainage of Owenmore River—Damage done by Floods.

Owenmore River badly needed drainage, fitful and subject to periodic overflow, which did incalculable damage, evil influence felt for four or five miles on each side, great damage in summer; when rainfalls occurred ten years ago agitation concerning drainage of the river was begun, there was correspondence with Government and deputation to House of Commons, deputation received by General Sankey, President of Board of Works, he refused to send inspector, surveys made in 1847 too costly, so fell through, nothing had

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been done, persons who were not professional, but who knew river well, thought £600 or £700 outlay would keep river at ordinary summer level every day of the year, 30043, 30053.—It rose at Kilfree and flowed out at Ballysodare Bay, ten or twelve miles of agricultural land were flooded, the upper reaches being in a congested district, it was a small stream for four miles, then assumed formidable dimensions and did the damage complained of, 30044-7. tressing to see flood come down, it carried away hay and destroyed meadows with mud, Sir J. Gore-Booth reduced rent on portion of property on account of floods, 30048.—Drainage would permanently improve condition of people at no great expense, 30049.—Riparian owners would not object, river sluggish and mud at bottom, so silted with vegetable deposits that few fish came up and were hardly worth catching, 30050.—People had thought Government would give grant at a reasonable rate of interest, 30051.—Very little could be done to improve district until drainage scheme was promoted, 30052.—There were certain obstacles in river, a rock at Collooney was the key to situation, channel there would obviate difficulty, 30053, 30063.—Owners of disused eel weir might claim compensation if drainage were carried out, 30053.—Flooding had been going on from time immemorial, getting worse every year as deposits increased, 30054-5.—Flood come from higher ground, where it was a congested district and damaged lower land that was not congested, turning economic holdings into uneconomic, waters had no free flow into lower reaches, and that effected upper portion, 30056-8.—Two miles were in congested area, thickly populated for ten miles each side, 30059.—Question very important, 30060.—River did immense damage to large portion of County Sligo, it rose in Boyle (No. 2) Rural District, and flowed through Tobercurry and Sligo to Ballysodare, attempts had been made to get it drained, in 1847 drainage district formed and plans prepared by County Surveyor, 8,000 acres to be benefited at cost of £7,000, Government spent money advanced for relief works in other ways before scheme could be carried out; in 1872 Grand Jury employed County Surveyor, he estimated £18,000 to drain area of 3,000 acres, it fell through for want of co-operation of some of the landowners, Mr. Kirwan, the new surveyor, might give estimate now, in August, 1904, meeting held at Ballymote passed resolutions asking for free Government grants, requesting Board and Department to co-operate to carry out work, replies received from the two Boards saying they had no funds, flood in summer months meant damage of £16,000, persons affected were aggrieved that Government gave nothing to them, while giving grants to other parts of Ireland towards which Sligo contributed, Board of Works should be authorised to send engineer to make plans and specifications, and save promoters the expense, Department had said scheme must be initiated by Drainage Board under Board of Works, Congested Districts Board had said Chief Land Inspector should be sent, 30061.—Mr. Carroll was sent, and made a report, 30062-3.—Department should make free grant, and the people would then organise a Drainage Board, 30064-5.

Migration.

Difficulties in the way of migration would disappear if tackled, it must be judiciously done, pace would develop itself, 30065-7.—Uneconomic holders in neighbourhood should be the first to be attended to in dividing large farms, 30068.—No difficulty if family were migrated, Irish attached to their homes, but would move if they had inducement, 30069.—Nothing more required than to take them from a worse position and put them in a better one, 30070.—Credit for tenant right of previous holding would go to establish man in new holding, Board would add something as a free grant or loan, 30071-2.

Objection to merging Congested Districts Board in Estates Commissioners.

Congested Districts Board had the affection of the people, undesirable even to change its name, 30073.—Putting work in a new Government department's hands would affect temper of people, and make work more difficult, 30074-5.—Estates Commissioners could be allowed to operate in Connaught if *modus vivendi* could be established, but things would run more

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smoothly if left to Board, 30076-7.—Board's hands should be strengthened, 30077.—Disadvantage in having two bodies doing same work, 30078-9.

Supervision required on Grazing Farms when arrangements were made for benefit of Tenants.

Estates Commissioners took over large farms to give accommodation land to surrounding tenants, beautiful grass farm taken over for that purpose at Carrigans, near Ballymote, £200 paid as compensation to a tenant, who had it for one and a half years, purchase money apportioned among tenants to their satisfaction, rule laid down that no cattle should be grazed on it from 1st November to 1st May, date changed to 15th November to suit market, after the first 15th November six or seven tenants sent in their cattle in spite of rule, supervision necessary to prevent breach of rules, arch offender processed, County Court Judge gave decree against him, and witness arranged that he should pay according to winter grade and number of cattle, but could not get the money, witness wrote to Land Commission, who said each of the tenants interested had right to take process against offenders, 30079-80.

QUIN, Rev. B.

See pp. 77-80.

Action of Congested Districts Board Hampered by Existing Laws, Economic Advantages of Purchasing Estates En Bloc.

Congested Districts Board effected many improvements, but their actions were hampered by existing laws, facilities under Act of 1903 not generally availed of, no movement by landlords to sell *en bloc*, consequence was that Board's properties were isolated, and they could not carry out general schemes such as drainage of Owenmore River or River Moy, which did great damage to country, making of roads, turbary, etc., 30082, 30101.—Large sum spent on road to Daghloon, which, if continued through neighbouring property to county road, would be of public utility and could be maintained by the county, expenditure partly wasted, because only one landlord sold to Board, and neighbouring properties could not be interfered with, purchase of estates *en bloc* would facilitate distribution of turbary, as that on a neighbouring estate was sometimes nearer a tenant, and consequently more valuable to him, saving would also be effected in distribution of untenanted land, tenant's house often at opposite end of estate to land, economic distribution only possible by simultaneous purchase of surrounding properties, for all these reasons Board should be empowered by Act of Parliament to purchase on equitable terms all lands required to carry out improvements on scientific and economic basis, 30082, 30088-9.—Simultaneous purchase of estates by Board would not lead to Board being landlord for a length of time, it simply meant that instead of purchasing isolated spots they should buy a property and its surrounding properties, 30089-90.—Less labour in sub-dividing, a survey of a property always meant that of the surrounding ones as well, far easier for staff to work on properties that were together, 30102.—Work could be thoroughly completed, and there would be no likelihood of Board having to return, 30103.—Board should have compulsory powers to purchase estates in any province, 30109.

Compulsory Purchase.

Price the objection to compulsion, enough land had already been sold to fix approximate fair price, landlords could not complain if they got net income, it was a mild type of compulsion, it was time State stopped unreasonableness, mistake to limit purchase powers to Connaught, as most untenanted land was outside, a landlord known to witness offered property for sale before Act of 1903 at 20 years' purchase, tenants waited for passing of Act, and finally bought at 23 years' purchase, terms raised by landlords after Act was passed, 30082.

Scheduling of the Whole of Connaught Proposed.

Board should get additional powers and more funds; all Connaught should be scheduled, 30082, 30108.—Present system of scheduling arbitrary, Branchfield poorer than Pullagh and Mullaghanarry,

QUIN, Rev. B.—*continued.*

yet not scheduled, while the latter were, this bred discontent, and want of confidence in Government, 30082.

Migration of Large Landholders Less Costly than Migration of Small Tenants.

Large landholders of 100 to 300 acres should be migrated to rich lands of midlands, less costly than migrating smaller tenants, grazing plains would thus remain in grass, large farms left vacant, should be divided among remaining tenants to enlarge their holdings, few housese need be built, as uneconomic holdings were mostly adjacent, large farmer did not object to migrating, provided he got a better holding, 30082, 30091-3, 30105-7.—No attempts had been made in Sligo, 30104.—Board did not enlarge holdings beyond £10 valuation, Estates Commissioners had not grasped the evils of congestion, they sometimes enlarged up to £40 even on estates with many uneconomic holdings, and they had allowed landlords to purchase land necessary to relieve congestion on their own properties which the Board had never permitted, 30082-4.

Agricultural Instruction.—Model Farms.

Superior system of agriculture should be taught, model farms good, Department would not have them, Sir J. Gore-Booth offered land for one, but they said they could not take it up at present, Board might use Chaffpool lands as model farm and garden, 30084-7, 30094-6.—Where lands were striped and given to tenants a man should be sent to instruct them, resident instructor better than itinerant instructor, 30097-8.—Model farm should be on lines possible for small holders, 30100.

Agricultural Instruction.—National Schools.

A central National school could be turned into an agricultural one, better to have small farm of two or three acres attached to all schools, teachers would require a practical knowledge of agriculture, 30110.—Either a special training college or a special department in a training college would be required, 30111-2.—The teaching would add to interest of ordinary school work, 30113.—Girls should be taught cottage industries, a good deal done already in way of teaching knitting, etc., more could be done, itinerant instruction under county schemes good, permanent instructors in schools would be better, 30114.—Loss to the country that practical training had not been given before, 30112.

Transfer of Agricultural Work from the Board to Department of Agriculture.

Congested districts suffered from transfer of Board's agricultural schemes to Department, little done to educate people in spraying, live stock scheme not successful, present scheme of placing a few highly-bred animals in county and exercising no authority in case of all the other animals promised to be interminable, county should not be denuded of timber, re-afforestation should be Government work, lands suitable should be vested in County Council, should be Government's care to maintain works of public utility executed by Board, 30087.

CRYAN, Mr. J. M.

See p. 80.

Scheduling of Boyle No. 2 Rural District Proposed.

Necessity for relieving congestion and carrying out arterial drainage, extension of scheduled area suggested, so as to include entire of Boyle No. 2 Rural District, 30116.—Ten unscheduled and three scheduled electoral divisions in Boyle No. 2 District, 30117.—Ten non-scheduled divisions should be scheduled, 30118.—Ten divisions excluded because of high valuation of grazing ranches, 30120.—More poverty in non-scheduled divisions than in scheduled, Templevanny Division, which witness represented, having more than 100 holdings under £4 valuation, 30121.—Grievance that so poor a district should be excluded from operations of Congested Districts Board, 30129.

CRYAN, Mr. J. M.—*continued.*

—Only one property bought at present by Estates Commissioners in witness's division, 30122-4.—The King-Harman, Rockingham Estate, 30132.—Considerable amount of grazing land on it, which Estates Commissioners were very slow in dividing up, 30125-7.—But they were in process of doing it, 30128.—Estates Commissioners not dividing property, but letting it for grazing purposes for six months, 30130.—Land already vested in tenants, 30131.

Drainage.

Arterial drainage would be a great benefit to the country, a lot of land rendered useless by flooding of the Owenmore and other rivers, 30133-4.—More should be done in this direction, 30135-7.

GILMARTIN, Mr. W.

See pp. 80-2.

Condition of Holdings in Unscheduled Area of Boyle No. 2 District.—Con-acre System.

Three electoral divisions of Boyle No. 2 District scheduled, 10 unscheduled, condition of small farmer in unscheduled area just as bad as any in scheduled area, unjust that 10 unscheduled divisions should be debarred from privileges of Congested Districts Board owing to amount of untenanted land and non-residential farms in them, in Drumrath division there were 2,000 acres of untenanted land and non-residential farms, and bordering those were 136 tenants under £5 valuation and 63 between £5 and £10, making 199 living on uneconomic holdings, in many places people were huddled together on patches of reclaimed bog and on refuse or useless portions of fat and fertile land used for bullock runs and sheep walks, same applied to other unscheduled districts, they were studded with untenanted land, while poor people existed on the bogs and mountain sides, Government should take over these non-residential and untenanted lands and re-distribute them among tenants of uneconomic farms, district very mountainous, hundreds of small farmers on reclaimed patches of mountain had not a perch of land to grow a potato fit for human use, 30138, 30142.—They paid £6 to £9 to nearest grass farm for acre of land to grow potatoes, 30138-45.—Paid exorbitant price out of sheer necessity, 30145-7.—Small farmer would get con-acre as a rule for two years, 30156.—The first year he would grow potatoes, 30147.—And would buy artificial manure, 30148-50.—He would not apply artificial manure unless he got the con-acre for second year, 30157.—Second year he would grow oats, and might get land for £1 less, 30151-2.—Rye grass grown the third year, which small farmer might get at a price, or outsider might out-bid him, or owner of land might keep it himself, 30154.—Con-acre holding then taken back to pasture, 30155.—£2 per ton average price paid for potatoes, but this year it would be £5 owing to bad crop, 30158-60, 30173-5.—In Drumrath Electoral Division there were seven townlands, in Baytown townland there were ten tenants of £1 valuation who paid price stated for land to grow potatoes, if they kept a cow they had to pay exceptional price for grass, and in summer for meadow, 30161.—Children in England and America, etc., sent help to enable farmers to pay £9 an acre, keeping cattle would not return sufficient money, 30162, 30179.—Farmers had no cheaper place to remove to, 30163.—It took each year to meet its own demands, and unless they invested in land to grow potatoes they would starve, 30164.—If potatoes were bought they would have no employment, 30165.—It was a pity these industrious people had not good land to cultivate, 30166.—An acre of land in con-acre would return on average four or five tons of potatoes, and £8 or £9 was paid, 30167-8, 30171-2.—Production of potatoes per acre in Sligo not quite three tons, 30169.—Second year farmer was not compelled to put manure on land, he had merely to buy seed, 30176-7.—Instructors appointed by Agricultural Department never attempted to carry out experiments on these wretched little holdings, the inference being that it was useless to cultivate such soil, 30178.

GILMARTIN, Mr. W.—*continued.*

The poor people of those elevated districts looked down on the plains of Boyle on one side, and thousands of acres of non-residential and untenanted land on the other, 30178.

Drainage.

Half the land tilled in Boyle No. 2 Rural District too wet, and could never be successfully cultivated until drained, better to encourage people to drain and improve soil than to make roads and improve houses, the small farmer depended on the soil for everything, if soil was drained and lime was available and properly applied good results would follow; two things necessary to improve condition of small farmer—1st, non-residential and untenanted land should be divided for relief of congestion, 2nd, Government should give a loan at low interest for drainage, 30179.—Loan should be advanced either through Congested Districts Board or given to small farmers themselves, inspector seeing that work was done, 30180-1.—Closed drains suggested, 30182.—Fields were so wet, in many cases seed had gone bad before being put into ground, 30183-6.—Drainage would cost about £8 per acre, 30187-90.—Small farmer should be encouraged, and this would be as good a way as Congested Districts Board or any other body could assist, 30191.—Loan should be advanced at low rate of interest and employed on labour, 30192-6.

Reclamation of Land. Instruction by Department of Agriculture, &c.

Department of Agriculture and Technical Instruction instructed the people in the best way to reclaim land, 30197-8.—Witness had seen experiment plot on bog soil, 30198-9.—Reclamation of land should be the principal industry of Ireland, 30200-1.—Large proportion of land of Ireland used for agricultural purposes had been reclaimed from bog, 30202-3.—Department of Agriculture had demonstrations as to the best way of reclaiming land, but witness would sooner see them experiment on one of the wretched little holdings a small farmer had to live on, 30204.—Witness had seen an experimental plot on a most fertile spot where it was easy to carry out experiments, 30205-7.—Great majority of tenants had a thorough knowledge of reclamation of land, and could make more out of an acre of land than the most scientific man, 30208, 30213.—Department of Agriculture were under just as much obligation to experiment on wretched holdings as fertile land, 30209A-11.—They should not do it at all if they could not experiment on all classes of soil, and it would take them all their time to show the people a better way, 30210-1.—As long as farmers had help from their sons they tried to reclaim land, but sons got a higher price for their labour in England and America, 30214-6.

HENRY, Mr. DOMINICK.

See pp. 82-3.

Scheduling non-scheduled areas in Tobercurry District proposed—Compulsory Powers and additional Funds for Congested Districts Board advocated.

Twenty-one electoral divisions in Tobercurry Rural District, nine scheduled, and remaining eleven should be scheduled, as a portion or portions of them were congested, in Branchfield division, out of thirty-six holdings, fifteen were rated at £5 and under, in Loughill there were forty-seven holdings, twenty-five rated at between £5 and £10, and ten under £5, same conditions existed in other non-scheduled divisions, non-residential holdings rated at £50 and upwards most suited for relief of congestion, witness advocated compulsory powers for the Congested Districts Board to acquire necessary lands and migrate persons inhabiting congested areas, he also advocated placing sufficient funds at disposal of Board, 30217.—There were more poor spots in non-scheduled than in scheduled area, 30218-9.—Places like Branchfield not scheduled, as there was a farm £150 valuation in vicinity, and division was very small, 30219.—If farm was not there rateable value would be much lower than in some of scheduled districts, 30220.—Whole

HENRY, Mr. DOMINICK—*continued.*

of Connaught should be scheduled, and compulsory powers given to Congested Districts Board to rearrange and purchase estates anywhere they liked, same to apply to the seven counties of which portions were scheduled, and to Donegal, 30220A-1.

Enlargement of holdings a remedy for Conacre System.

Conacre system existed in district, mountain holders paying £6 10*s.* to 100-acre farmers for potatoes and oats, 30221.—Enlargement of holdings by removal of three or four tenants would give the rest more land to till and more grazing for their cattle, and so obviate necessity for conacre, 30222-4.—At present they tilled a portion of their holding, and took meadowing, keeping two or three mountain cows and rearing calves, 30225-6.—Some grew potatoes, but some of the land would not grow potatoes fit for human use, 30227-8, 30230.—If holdings were enlarged they would be able to find some portion of it fit for growing potatoes, 30231-2.—Seven miles of land outside Ballymote, where there was no lawsuit for seven years, while all along other side of Ox Mountains was thickly populated, 30233.

M'DERMOTT, Mr. PETER JAMES.

See p. 83.

Treatment of Tobercurry Rural District as a scheduled area proposed.

Tobercurry Rural District should be treated as scheduled area, some portions of present non-scheduled divisions were acutely congested, lands suited to remedy this state of affairs were non-residential holdings, 30234.

County Representation on Congested Districts Board and quickening of operations advocated.

Congested Districts Board should have compulsory powers to acquire lands and be provided with adequate funds, and its constitution should be widened so as to afford county representation, 30234.—Operations should be quickened, and Congested Districts Board should get into possession of an estate in less than two years, 30234, 30238.—It took Congested Districts Board five years to divide and allocate the lands of two comparatively small estates, and work was not yet finished, 30235, 30237.—The estates referred to were the Armstrong and the Dany estates, 30236, 30239.—Congested Districts Board should acquire ownership of property in a year and divide and allocate to tenants in another year, 30240-1.

Wages paid to Board's Workmen.

Low rate of wages paid by Board to workmen and overseers was a drawback to speeding the operations, 30241.—If they paid better wages it would be worth the while of overseers to attend to their position, 30242.—They did not pay lower wages than those current in the district, 30243-4.—But they expected men to work longer hours, 30245-9.

HENRY, Mr. P. J.

See pp. 83-4.

Necessity for Drainage in Tobercurry Parish.

Beatty Estate, Tullycusheenbeg, very congested, no untenanted land on estate, small lake which could be drained at little expense, thorough system of drainage much needed, River Moy running through centre of district, people could not get potatoes and oats into wet lands until May 1st, consequently when blight appeared early, stalks were not fully matured, and potato crop was a failure, loss to farmers along the Moy in a wet year not less than £1,000 in Tubbercurry parish alone, hay and oats often carried away by floods, what remained was useless for feeding purposes, and could only be used for bedding and manure.

HENRY, Mr. P. J.—*continued.*

Untenanted Land in the Parish—Estates Sold and offered for Sale.

Untenanted lands in parish were Ballyglass, 500 acres and lower, Leitrim, about 50 acres, Knox estate comprising townlands of Ballyara, Carrowreagh, Carane, Doomore, Mullaun, Mullaghanarry, Pullagh and Cloonaraha, was offered for sale to tenants about 1896 at eighteen years' purchase, in 1904 at twenty-six years' purchase, and again at twenty-four and a half years' purchase estates already sold were the O'Connor estate, Carrentubber sold about 1886 at fourteen years' purchase, Brett estate in 1894 at fourteen and fifteen years' purchase, Fitzgerald estate in 1903 at sixteen years' purchase, under Act of 1903 following had been offered for sale; Young estate, Cloonacool, in 1904 at twenty-six and a quarter years' purchase; Cooper estate in 1904 at twenty-four and a half years' purchase; O'Hara estate, Longhill, in 1905, at twenty-three and a half years' purchase, Leitrim Estate (in Chancery) in 1906 at twenty and twenty-one and a half years' purchase, tenante on O'Hara estate were much in arrears, and would agree to purchase on almost any terms, most owed from two and a half years' rent upwards, same with some tenants on Leitrim estate, in case of sales of Meredith estate, Sessue, outside landlord (Cooper) bought over 100 acres of best portion of bog and tenants did not understand they had lost bog until too late to object, some tenants on Corsallagh estate were bady treated, and were allotted portions of bog away from holding, and with no right of way, consequently they had to trespass on others, and were often brought before local petty sessions, 30250.

Rents earned in England or America—Advances of Provisions, Clothing, &c., made by Merchants.

Rents were earned by children in England and America, merchants and traders of Tobbercurry supplied outfit, and often advanced money to send children to America, waiting for money two or three years, if these resources were cut off people would be unable to live on land, and merchants would not advance provisions and clothing, &c., if merchants and traders pressed for money they would leave all middle class and small farmers without any live stock on their farms, but they always encouraged farmers to hold on to their stock until they could be sold to advantage, merchants even advanced rent to farmers, as landlords had no sympathy with tenants, and unless rents were paid, tenants were sure to be put under law costs, scarcely 10 per cent. of the tenants got along without assistance, small landholders paid £5 or £6 an acre for conacre, 30250.

Parish Committee.

Congested Districts Board paid for number of years £100 a year for benefit of small farmers to Parish Committees, which enabled them to improve dwellings, build out-houses, &c., number of bye-roads had been made, and wet and marshy lands and rivers drained, 30251-4.

BOLES, Mr. E. G.

See pp. 85-6.

Highwood District.

225 holdings within confines of Highwood branch of United Irish League, County Sligo, 106 over £10 valuation, 89 between £10 and £5, 30 under £5, 30255.

Description of Properties.

Grazing ranch of 120 Irish acres belonging to Richard Gorman in townland of Annaghloy, farm non-residential with herd on it, 30255, 30259-60.—Witness lived within two miles, 30258.—Mr. Gorman lived on his property at Templevanny, eleven or twelve miles away, 30264-5.—He had no other non-residential farm at Annaghloy, but had one at Templevanny, 30266-7, 30271-2.—He let out non-residential farms as grazing to local people, 30268-9.—He put a few cattle on himself, 30270.—Annaghloy ranch bought by auction in 1894 at £2,665, from representatives of owner and occupier, T. Rae, 30261-3, 30273-85, twenty-eight Irish acres owned by Colonel Gethin on Innishmore Island, land held by W. Attison on eleven months' system, a workman of Colonel

BOLES, Mr. E. G.—*continued.*

Gethin's living on island with no land, 30255.—Very small holdings in townlands of Ballinarry and Corrigeenblike, some people with no land, 30255.—On King-Harman property, recently sold under Wyndham Act there were five Irish acres good land in Lower Barroe, this was taken by Gethin family forty or fifty years ago, it adjoined the demesne, and seizure of land deprived tenants of a convenient pass to water, King-Harman tenants in arrears, and paid high purchase price of twenty-one and a half and twenty-three years' purchase rather than pay arrears, majority would be unable to pay annuities, 30255.—Sir G. King estate comprised Ballinarry Upper and Lower Annaghowan, in 1904 tenants asked for terms of sale, landlord demanded twenty-six and a half years' purchase on first term rents, twenty-four and a half on second term, while some neighbouring estates were sold at seventeen years' purchase, terms refused, 30255.—O'Connor estate comprised lands of Carricknagrip, Corrigeenboy, Treenmore, sale demanded by tenants immediately Act of 1903 was passed, twenty-one and a half years' purchase asked, while superior property of Greenagh sold for seventeen, tenants refused offer, as they mostly depended on money from America, which might not continue, 30255.—Colgan property comprised quarter lands of Tullybullawn and Cornmuckla, land inferior, cleared of tenants in 1846, afterwards retenanted, when receipt issued to tenants was dated back half a year, with unwritten agreement that this was never to be charged, in 1897 landlord claimed running gale, and tenants paid three half-years' rent within fifteen months, and but for friends in America they could not have done it, in 1903 and 1904 they asked for sale, which was refused, they were dependent on earnings from America, and were anxious to purchase through Estates Commissioners in order to get inspection, 30255.—Compulsory purchase necessary on above-named properties, 30255.

Kilmactranny Property.

Terms of sale on Kilmactranny property twenty-one and a half years' purchase for first term rents, twenty-four and a half for second, year's rent to be added and arrears wiped out, most tenants owed no arrears, tenants got sporting rights, those adjoining the bog were to have it after turf was cut out, the rest of the tenants were to leave three feet of mud for reclamation, five tenants under 5*s.* valuation, but two had land on adjoining property, four tenants with no land, one had some on adjoining property, property offered for sale nineteen years ago at seventeen years' purchase, tenants would only give sixteen years' at first, after two months, all agreed, but sale had then been abandoned on account of interference of mortgagees, if tenants had agreed at first they would have got 8*s.* in pound reduction, landlord was now getting ten years' purchase more than he asked nineteen years ago, 30255.

Turbary.

150 or 160 acres of turf in Highwood district owned by Mr. Park would be useful if acquired by Board or Estates Commissioners, and divided as accommodation turf, of which there was none, tenants went five or six miles for turf, 30256.

Coal.

Experts had certified coal to be in district, 30256.

Land for Migration.

1,100 acres of land in Geevagh district, benefit if people from such townlands as Cornmuckla and Tullybullawn were migrated there, 30257.

Insanitary Houses.

Number of insanitary houses in Highwood district, Estates Commissioners requested to improve them at time of sale, 30286.

Live Stock Schemes.

County Committee did not select live stock, Department would not listen to representations, and their breeds were not approved of by people, 30286-92.

NICHOLSON, PATRICK.

See page 86-92.

Congestion in Tubbercurry.

Every estate in Tubbercurry district congested; Ballycusheenbeg Ballyglass and Carntubber estates near Leitrim all bad; seven tenants in Ballyglass, with 43 acres between them, three with houses together in same "street" and one acre each; one man had to go 300 or 400 yards to his acre and had no right of way or cartway to public road, 20293-4.—He had a farm and was a farmer, but worked for other people as well, 30295-8.—His wife's people had been evicted from grazing farm in neighbourhood, 30300.—The three houses were not in town or village, only built together, 30419-21.—Man in town with labourer's cottage and one acre not a farmer, 30417.—He would not like to work on a farm, he could earn more in town for less labour, 30418.—No labourers' cottages built in witness's union yet, 30415.

Grazing Farm in Ballyglass.

Grazing farm of 500 acres in Ballyglass where tenants were evicted forty or sixty years ago, 30294, 30302, 30318.—Those on brink of bog remained there; there were 500 acres good land let on 11 months' system; one or two big graziers now wanting to take this land, 30300.—Owners were Ellen Mossman's representatives; tenants did not exactly know who they were, 30300-1, 30305.—The land was in Ballyglass townland, in Cloonacool electoral division, Tubbercurry rural district, 30302-4.—Much bog and coarse land attached to the 500 acres, 30307.

Townland of Leitrim.

Twelve tenants in the other townland of Leitrim; 48 acres 3 roods between ten of them; 7 acres the most any man had; one tenant had ¾ acre given to him as rough bog, he cropped and reclaimed it and now it was good land; one tenant fairly well off with 20 acres, 30307, 30315.—Board had negotiated about a farm in this townland, but were dissatisfied with title, 30307, 30314, 30318.—It was divided; 50 or 60 acres went to tenant who previously had 20; a schoolmaster got 25 acres; both could have done without, 30307-10, 30315.—Popular opinion that professional man was not fitted for land; tenants on estate had prior right; land should be taken from schoolmaster; he could be given some where it was less scarce, 30310-3.—Farms altogether too small, 30315.

Size of Economic Holding.

20 acres of land in Tubbercurry district necessary for economic holding as land was not of the best, 30315, 30459.—Doubtful if man could live on 12 acres even where land was good; impossible at Tubbercurry where it was generally worth only 15*s.* an acre; men could not live on such farms, they had to go to England for three or four months a year with their sons, 30457-8.—No farm should be less than 25 acres, 30456.

Migration of Large Farmers.

Best to migrate larger farmers who were better adapted for it; they owned the best land and were anxious to improve residences, etc.; they would willingly go if offered good farms of 20 or 30 acres, 30315, 30434-5.—They were in position to raise loans from banks to stock farms; only one house would have to be built and 60 or 70 acres would be left available for striping; if small farmers were migrated six or seven houses must be built; every migrant involved a loss of £100 to Board or Estates Commissioners; cheaper to transfer larger farmers, 30434-5.

Non-residential Farms.

Non-residential farms could be acquired if inducements were held out to owners; they could take equivalent land where it was less scarce, 30315.—653 acres in Tubbercurry parish; tenants anxious to buy; landlord's demands unreasonable; large tenants bought direct from landlord; small ones preferred buying through Estates Commissioners, 30432.

NICHOLSON, Mr. PATRICK—*continued.*

Fewer Competitors for Large Farms than for Small ones.

Large farms fetched less in open market; they had fewer competitors; farm of 40 acres recently sold for £200 at private sale, while one of 200 acres only fetched £400 at public auction; 50-acre farm of not very good land sold at public auction for £250; and one of 11 or 12 acres with bottom land on it went for £400, 30432-4.

Value of Land in Tubbercurry.

True value of land in Tubbercurry district about 20 years' purchase of rental, 30321.—Owners paid too much for untenanted lands; without compulsion they would not sell at terms they bought at, 30318-20.—Fair price should be given and both parties considered, 30334-7.—People would be satisfied if value were left to arbitrator to decide, 30322, 30338-40.—Owners expected to get 50 per cent. more than they paid for land, 30325.—Some of their lands had been bought at public auction; some at private sale; true value was what an article would fetch at public auction if there were proper competition; at such an auction things were not bought cheap, 30326-33.

Beatty Estate.

Beatty Estate in scheduled district, 30316-7.

Drainage of River Moy.

Drainage of River Moy required; want of it did harm to tillage along banks; back waters choked up rivulets when flood rose; water remained on land for two days; potatoes got soft and worthless, 30315.—Plans for drainage drawn up some years ago by engineer of Board; fearing opposition from Moy Fish Conservators Board did nothing; plans, maps, etc., could still be had; £1,000 would be saved if they were utilised, 30317-8, 30344.—Obstructions in River Moy had accumulated for years; three or four obstructions in Tubbercurry parish; much damage done, even cattle and sheep got lost, 30341-2.—Overflowing extended for five miles along bank; 574 acres in parish damaged, 30343, 30349.—Conservators were at Ballina; they had water bailiffs to watch fishing, 30344.

Potato Crop.

Potato crop the mainstay of people; poorest suffered most from its failure; pigs, poultry and cattle fed on potatoes as well as people; nothing done to save crop except spraying, which was not always effective; new varieties should be introduced; champion introduced in 1880, the main crop at present; its drawback was its tubers did not form till late, 30317.—Crop of potatoes off light or reclaimed land had not the staying power of that off good soil; crop would be withered and blighted long before it would decay on strong land even without spraying; yield less on bad land; two mouldings given to potatoes on light land; if soil were ploughed the subsoil of gravel would be turned up; at first moulding nothing left to come up for second moulding, with the result that stalks were not properly earthed and weeds came; double the amount of manure needed for bad land, 30361.

Price of Land.

Knox Estate offered for sale to tenants in 1896; 18 years' purchase asked; tenants offered 16 and sale fell through; after 1903 Act was passed 26 years' purchase on second term rents asked, 30349-51.—Four estates in parish sold at from 14 to 16 years' purchase before Act of 1903; four others offered for sale after passing of Act at 23½ to 26 years' purchase; sales not caried through, 30351.

Sale through Board. Fitzgerald Estate.

When Fitzgerald Estate was bought by Board all the good land in centre of estate was in hands of landlord; this was divided among tenants; Board drained, fenced, made roads, and put some of the tenants from wretched hovels into substantial houses remodelled out of farm buildings on landlord's farm, 30351.

NICHOLSON, Mr. PATRICK—*continued.*

Direct Sales.

Estate with bog on it for tenants sold direct; bog bought by outside landlord and taken away; similar sale in which tenants had bog, but no right of way to it; such things should be attended to by Estates Commissioners before money was paid, 30351.

Trespass.

Actions for trespass against tenants sometimes tried, 30351.

Indebtedness to Shopkeepers.

Rent often advanced by shopkeepers; loan being repaid when money came from America in December; large amount came from America which helped to pay for clothing, food, etc.; in bad years people depended on shopkeepers, hoping to repay them when children grew up and went to America; very few tenant farmers who could live on farms without help, 30351.

Conacre.

One or two acres of conacre taken by most small farmers for potatoes and oats; £5 to £7 an acre paid for it to large farmers, 30351, 30383.—Small farmers had good land themselves, but reserved it for cattle; they nursed land till it came to grass again; the last year they had one to three acres seed potatoes, 30351.—If people were migrated from mountain to grass lands they should be allowed to manage their own farms and not be prevented letting in conacre, 30353-5.—Land would deteriorate if so let, but people would not do it if they could help it, 30355-6.—Land would not deteriorate much if it were good; light land could not be used for conacre; good land usually taken, 30357, 30360.

Witness's Farm.

Witness's farm comprised 9 Irish acres of light land and 7 or 8 acres bog, 30358-9.—No staying power in land; if left eight or nine years without digging it would be worthless, 30359.

Parish Committees.

Yearly grant of £100 given by Board to parish administered by Parish Committee; dwellings, out-offices, etc., much improved; formerly few farmers had out-offices roofed with corrugated iron; now there were plenty; some people needing improvements were too poor to take advantage of grant, as only one-third cost was given by Parish Committee; Committee should be able to give half cost where applicant was exceptionally poor and under £4 valuation; several unable to take advantage of grant without neighbours' help, 30361.

Industries.

No industries; employment for girls at 5*s.* to 9*s.* a week and for boys at 6*s.* to 12*s.* would keep thousands from going to America or England for a few months in the year; if money expended by County Councils on live stock schemes, of which independent people got the benefit, were doubled and used to start cottage industries or local factories no one would complain, as that would relieve the poorest and prevent their becoming a burden on the rates, 30361.

Increase in demand for Labour required.

Something wanted to increase demand for labour, 30362.—Creation of 30-acre holdings would help, as the owners would sometimes want extra hands; farmer and his wife without grown-up sons could not do everything, 30363-5.—Man with 25-acre farm and fair proportion of tillage could employ a man almost all the year, 30367.

Tillage.

Five acres tillage out of 25-acre farm sufficient; farmer could not manage more himself; many things to do on farm besides tillage, 30373.—Income not more sure from grazing than from tillage; both in conjunction required; roots wanted for cattle, 30376.—Safe to till 5 acres even with earnings of cattle and selling milk to creamery at profit; 2 acres for

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meadow, 30377.—District would not benefit if there were no tillage except potato plot, nor would such a system be profitable; withdrawal of grant-in-aid from rates would be a means of compelling men to till, 30378-81.—People were anxious to till and went miles for conacre when they had no land; they used not to do so, 30382.—They would not till more than necessary; majority would not want conacre with 25 acres; they would take in grazing cattle from neighbours and till the minimum; young people sometimes saved money and bought calf, which they sent to farmer, 30384-8.

Turnips.

Turnips not much grown; soil not deep enough for Swedes, 30388.

Price of Cereals.

Tendency formerly to let tillage run down as price of cereals was low; price of oats now going up, 30374, 30403-4, 30412-3.—Oats used for feeding cattle and for a variety of purposes, 30414.

Tullinsheen.

Five acres good land should be given to people with small farms as was done at Tullinsheen where 5-acre farms were given in centre of grazing ground, 30388.—Tullinsheen the only place striped by Board known personally to witness, 30389.—Board had had it two years and had enlarged the holdings except in two cases, 30390-1.—Previous to that men were all labourers paying for conacre; none had as much as 25 acres and did not employ much labour; only 100 acres divided; eighteen tenants got additions; 19 acres the largest holding, 30392-6.—Holdings tilled; let in conacre the first year to make up fines levied by Board; fines handed back to tenants in most cases, 30397-9.—Men now tilling twice as much as when they had small patches of land, 30400.—Holdings not too large to be worked by man and his family; witness thought there should be more acreage, 30401.

Instruction in Agriculture.

Practical instruction would be useful; lecturer no use; farmers did not believe him and thought they knew better themselves, 30405-7.—Agricultural instruction in schools would be useful, 30409-11.

Horse Labour.

Horse not always kept by farmer with 25 acres; more farmers without than with, 30422-3.—25-acre farmer with horse could till 5 acres, but must get exchange of labour from man without horse; if two farmers with a horse each worked together and tilled 5 acres they could keep a labourer between them, 30424-8.—Absence of horses kept down tillage; more horses would save time and money and allow of more tillage, 30429-30.—An economic holding should be able to support a horse, 30431.—25 or 30 acres necessary to enable man to keep a horse, 30432.

Opinion against all Holdings being of a similar size.

Not good to have all holdings the same size; some should be larger, 30436-8.—No opportunity for man to better himself, 30439-40.

Prevention of too much accumulation of Land in the hands of one Tenant.

One man who had got holding from Board might be allowed to buy from another if more successful, but State should be able to buy back additional farms and prevent him accumulating too much land; fairly good living could be made out of 50 acres; he would not feel the compulsion because he would know that he bought more than 100 acres at his own risk, 30441-50.—This should be continued always; farm of more than 500 or 1,000 acres should never be accumulated, 30451.—People had been driven from the country in the past by that process; it could not be good, 30452-4.—Difficult to prevent tenant from acting as landlord had done if he were put in landlord's position, 30455.

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See pp. 93-100.

Witness was manager for Mr. Cook, general merchant, Tubbercurry, 30461-2.

Congestion in Tubbercurry.

District within radius of seven miles of Tubbercurry should be acquired by Board, ecclesiastical parishes of Tubbercurry, Curry, Kilmacteigue, and portions of Mullinbreena and Bunninadden much congested, portions were scheduled, 30464-5.

Untenanted Land.

Land was untenanted whether in possession of landlord, owner, tenant, grazier, or middleman, so long as it was not occupied by resident tenant or landlord, 30466.—So long as land was under grass and not used for dairying it should be acquired, 30467-8, 30601.—Much untenanted land in Mullinbreena and Bunninadden, also in neighbouring parishes of Collooney, Riverstown, Ballymote, and Keash, 30465, 30468.—Line from Bunninadden to Collooney and thence to Riverstown, Ballyrush, Keash, and Bunninadden would give boundary of fertile districts whence tenants were evicted in "forties" and "fifties," enough to provide economic holdings for 500 or 600 families, enlarge present occupiers' holdings and still leave ample grazing lands, 30468.

Compulsory Acquisition of Land.

Authority needed for Board to acquire compulsorily, on reasonable basis of compensation, lands which present owners acquired compulsorily without compensation, 30468.—Reasonable basis of compensation would be what a competent valuer thought just as between owner and tenant; attitude of landowners incomprehensible considering State was buying lands for tenants, 30561.—No witness had given good reason against application of principle of compulsion; only adequate objections would be that Government were going to cheat landlords or deal unfairly with them, for which belief there was no foundation; or that Irish landlords accustomed to wield the power of a king could not see their way to giving up their property altogether, 30562.

Relief of Taxation.

Good might be done by giving County Councils power to withhold exemption or abatement in poor rate at present reverting to owners of untenanted land through operation of Local Government Act, 1898, 30468.—They should have power to levy full rate on untenanted lands and large landholders, any saving thus affected should be applied by them to improve condition of people in congested areas, 30468, 30472-4.—Out of duty of 11*s.* per gallon on whiskey, 6*d.* was set aside by Treasury for relief of local rates; out of an excise duty of 7*s.* 9*d.* per barrel on porter, 1*s.* 3*d.* was given for relief of taxation, 30499.—Part of money raised on tea and other dutiable articles handed back in aid of taxation, chiefly that on whiskey, beer, and porter, 30501.—This money handed over by Government to County Councils was not Imperial money, but had been collected from Irish taxpayer, 30469-71.—This State grant was shared by everyone equally according to his valuation, 30488-9, 30495-6.—Small occupiers consumed dutiable articles and contributed to taxation; in that way 100 acres of land in hands of small occupiers contributed more to public revenue than 100 acres under grass, 30502-6, 30509.—The greater the number of occupiers the more they contributed to the source from whence relief of taxation came, 30510.—This money contributed by poor inhabitants of congested districts was virtually handed over to large grazeirs, the people least in need getting the lion's share, 30468, 30471, 30497.—In future, money should not be distributed equally as it was at present, 30498.—Graziers did not pay taxes on the profits they derived from sale of bullocks, but a merchant selling rolls of cloth paid income tax on profits, 30475-6.—Local taxation based on valuation made years ago, 30491-2.—Each man had to pay certain rate according to his valuation, 30493-4.—Tax of 4*s.* or 4*s.* 2*d.* in the £ paid by man in congested district on valuation of house and garden, while the landowner had 1*s.* 6*d.* or 1*s.* 8*d.* of his rate paid for him, 30477, 30481, 30487.—Landowner paid income

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tax once on valuation of land, occupier paid one-third; where owner and occupier were the same he pa'd one and a third on valuation, 30485-7.—Local rate on 100 acres the same whether they were occupied by one man or by many, 30507.—100 acres under grass had not the same claim to aid as where it was in the hands of occupiers, 30508.

Operations of Congested Districts Board.

Board at present operating on D'Arcy estate at Doocastle, on Phibbs estate at Moylough, and on Armstrong estate at Achonry; they purchased Fitzgerald estate at Tullycusheen five years ago, striped it and improved it, making roads, fences, etc., it was now sold to tenants who were mostly well satisfied, 30512.

Migration.

Alleged difficulty of migrating tenants did not exist to any large extent; ill-treatment in the past the reason why people were not always so enterprising as inhabitants of well-governed counties; tenants on D'Arcy estate would not move because their means were so small, they were afraid of eviction if they should encounter one or two bad years; tenants willing to pay high purchase price (in instalments) rather than move, so as to keep a grip of the homestead, which was Parnell's advice to them, 30512.—Board met difficulty by migrating larger tenants and dividing their holdings amongst adjoining ones; drawback to this was that holdings though improved were still uneconomic; most desirable tenants, those in prime of life, would generally migrate if reasonable inducements were offered; Parish Committee's advice useful in facilitating migration, 30512A.

Parish Committees.

Parish Committees the most competent bodies for bettering people's condition; much good done in Tubbercurry parish and Curry by means of grants administered by them; people exerted themselves to improve dwellings, etc., and even borrowed money to complete work; grants should be continued and increased; Committees should be empowered to make similar advances for fencing, draining, planting, etc.; local schemes should be left to Parish Committees, unwise of Government Board to carry out work; Government Boards unpopular, could never acquire same intimate knowledge of people, cost of administration greater; cost of administering £100 by Parish Committee only £10, by Government Board it would be nearer £70 or £80, 30512A-17.—Value of work done by £100 was £270, about three times amount of grant, therefore cost of administering £300 was only £10, 30518-22.

Industries.—Peat Industries.

Establishment of industries should accompany schemes for bettering people's condition; peat industry could be developed at Tubbercurry, plenty of bog and cheap labour within radius of four miles, good roads, under proper business management and with co-operation of railway company it would be remunerative and give employment, 30523, 30626.—general peat industry such as there was on the Continent involved selling peat and taking by-products out; Irish people had no experience of it and could get no instruction from Department of Agriculture, 30527-8.

Question of Fuel.

Fuel imported from England while there was abundance of bog, 30529.—No danger of bog running out, 30530.—Landlords would not allow tenants to cut it, 30531.—Reasonable supply should first be given to tenants, enough to supply them at present rate for 100 years; after that bog should be used to create local industry, 30532-7.—In 100 years' time there would be new contrivances for fuel, 30538-9.—Coal at present cheaper from Newcastle than from neighbourhood, owing to bad transit system, 30540.—Turf not used instead of coal because landlords would not allow it to be sold, also uncertainty of seasons affected price and there was difficulty in getting labour to cut

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it, as men were harvesting in England at time it should be saved, 30541-2.—Better wages obtained in England; good price could not be got for turf unless landlord were willing, 30543.—Turf and peat were different commodities, 30543.—Men cut turf and spread it out, leaving women and children to save it while they were in England, no surplus supply of labour, 30545-6.—No peat industry in Tubbercurry, 30547.—Turf not manufactured, only wetted and dried in sun, peat was manufactured turf, 30548.—Peat industry would make fuel cheaper, 30549-50.—Manufactured peat sent sixty miles by rail and sold in Toronto for 17*s.* a ton, while coal there was 28*s.* a ton, although easy to obtain, 30547.—Peat industry formerly at Coolaney failed for want of proper financial management, 30550.—Peat was compressed hardened turf, 30551.—Other products taken from peat; as result of experiment £4 worth of material had been taken from one ton of common bog, 30552.—No successful peat factory in Ireland; there was one in Germany, where it was used for several purposes, both illuminating and "producer" gas extracted from it, 30553-5.—Col. Warburton had made inquiries of Department's peat expert who replied he knew nothing of production of gas from peat except what was in the Dublin papers, 30556-7.

Industries for Girls.

Nuns of Marist Convent, which had just been built, would be glad to help in establishment of industries for girls such as hosiery or shirt-making; nothing of that kind done as yet, 30523-4.—Lace industry successful, 30524.

Timber-Planting.

Portions of Tubbercurry and Curry in need of drainage and planting; farmers and labourers would benefit if Board planted timber; plantations could afterwards be handed over to County or District Councils at reasonable terms and they would be a source of profit, 30557.

Demolition of Trees by Board.

Board had cut down small plantations of timber at Doocastle and had not replanted them; this was a great loss as district was bleak, 30557, 30602-4, 30612, 30648.—Land cleared of trees used to enlarge holdings, 30605.—Plantation consisted of ten or twelve acres, it was a shelter plantation but not enough to shelter any considerable area, 30606-9.—Holder a shopkeeper, 30613.—Some timber given to tenants to repair dwellings, small amount required, 30610.—People objected to cutting and destruction of a beauty spot, 30649.—Some trees might have been cut down because they were injurious to houses, but not all, 30650.—Ground might have been necessary for striping of land; better to give other land to tenants that did not involve destruction of trees, 30651-6.

Remittances from America.

Tenants of Tubbercurry, Curry, and Kilmateigue were largely dependent on earnings of themselves and children in England and America; during December each year witness cashed £700 or £800 of American cheques, which was a small fraction of amount sent into district, 30557-9.—Without American money rent would be in arrears, 30559.

Direct Sales.

Direct sales in congested districts should not be sanctioned without inspection; in 1904-5 four or five estates were offered at 23 to 26 years' purchase, only tenants willing to buy were those with arrears who would be unable to carry out bargains; those with children in America to rely on refused to buy at that price; in quoting price landlord stated reductions offered, not number of years' purchase; price demanded before 1900 was 17 or 18 years' purchase, 30559.

Potato Crop.

Potato crop of four-fifths of tenants had failed, 30559.

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Hay and Transit.

Hay crop exceptionally fine, no market for extra supply, 30559.—French crop bad, price £4 to £4 10*s.* a ton, import duty only 4*s.* per ton; market not available for Irish owing to bad transit and to fact that Ireland had lost her direct foreign trade; with proper transit Sligo farmer could sell hay at Sligo and Ballina for £2 10*s.* to £3 per ton, 30560.

Indebtedness to Shopkeepers.

Witness's employer supplied small farmers, 30563-4.—Considerable amount of debt among farmers though their position was better than fifteen years ago, 30565-7, 30569, 30574.—Indebtedness diminished in a good season, 30568.—People's position better at present, but one bad year would eclipse that, 30575.—They were less inclined to run into debt than formerly, 30579-80.—People usually as anxious about price of article whether they paid ready money or not; some were heedless about price, not because they could not pay cash, but because they trusted to honesty of shopkeeper; those who felt they had no claims to bargains unless they had ready money were not more than four in 100, 30581-5.—Man who bought on long credit belonged to a careless class, he would rarely become careful even if he had the ready money, 30587-8.—People buying on credit not necessarily careless, they were more careful and businesslike now than formerly, 30589-90.—They were not quite so independent as those who had cash, 30586.—People on the whole were becoming more hard-headed, and took things more seriously, 30591.—600 out of 900 customers paid ready money, that was to say they settled account at end of half-year, 30599-600.—Debts frequently paid in kind; witness's employer did not buy live stock or farm produce, his own oats and hay were bought by his customers, amount of unpaid debts trifling, 30592-4.—Butter, milk, and eggs, taken by co-operative creamery, cattle sold at fairs to supply rent, 30593-5.

Standard of Living.

Standard of living better now than fifty or sixty years ago, no difference in last fifteen years, 30570.—No more money spent but goods of higher quality purchased, 30571, 30578-9.—Same class of tea and sugar, etc., used better quality clothing; manure and goods for upkeep of farm bought, 30572-3.—No more money being made, improvement came from money earned in England and America, 30576-7.—Spirit licence attached to witness's business, no diminution in consumption of spirits, but less drunkenness at fairs, 30596-7.

Improvement in People.

There was improvement in spirit of people in Tubbercurry district where Board had operated, they were more independent, sober, thrifty, and industrious; men had paid old out-of-date bills since they got under Board, 30559.

Investments for Shopkeepers.

Some shopkeepers held land used for agricultural purposes on which they did not reside, 30614-7.—Nowhere else for him to invest his money except in Post Office Savings Bank or joint stock bank, etc.; men of that class must have some other outlet for investment of capital besides land intended for distribution among farmers; if there were industries in Ireland as in other countries they would have opportunities of investment, 30618, 30620.—Shopkeeper should be expropriated from land, an Irish Government should do it, 30619-20, 30622-3.—Shopkeeper like the grazier was hurrying land to destruction, 30621-2.—If there were an Irish Government, a sufficient public confidence for security of investments in industrial enterprises, with a banking system and Stock Exchange not under threat of British Government and Lord Lieutenant there would be plenty of opportunities, and shopkeepers and others would be willing to invest in enterprises with reasonable chance of success, 30624, 30643.—Limited liability company required to start industry like peat; unless backed by political influence such a company would not get quotation on Stock Exchange, so could not dispose of their shares should they wish to, 30627.—Banking system and Stock Exchange both against them, 30628.—Irish banking system not the same as English, 30629.—Members of Stock Exchange appointed by Lord Lieutenant who had to satisfy himself of loyalty of applicant, 30630-6.—If there were industries in the country investments would be at once available, 30644.

Settlement of problem of congestion urgent, 30637-8.—It could not be delayed till there was Home Rule, 30640.—Witness would prefer expropriation under Irish Government, but would not delay it till then, 30641-2.—Irish self-government the real foundation of Irish industry, 30645-7.

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See pp. 100-104.

Farm in Moylough on Phibbs Estate.

Witness was a shopkeeper in Tubbercurry; farm on Phibbs estate bought by witness about ten years ago from former tenant before Congested Districts Board had acquired it, 30663-5, 30676, 30680.—No particular Act of Parliament required to sanction purchase; it was purchased in the ordinary course, 30681-2.—Valuation, £49 10*s.*, and first term judicial rent, £42, 30666.—130 or 140 acres clear, and 40 or 50 acres bog and waste, 30667.

Witness attacked for not surrendering Tenant Interest of Holding—No one had made an Offer.

Witness had bought tenants' interest and latterly had been attacked for not surrendering it to Congested Districts Board, 30669-70, 30673.—Board had bought the estate, also landlord's interest, and witness was a tenant of theirs, 30671-2.—About a year ago a notice had been sent round by Congested Districts Board stating that they had a number of holdings all over the town; witness had offered to exchange with them and received a query sheet to fill up as to how he had acquired his holding, etc.; he had returned it and had not heard from them since; resolution had been passed by Moylough branch of United Irish League calling on people not to have anything to do with witness till he had surrendered the holding, nor with Mr. Cooke, who had a big farm adjoining witness's, 30674-5, 30678, 30683, 30721-2, 30728-9.—Witness wished to surrender tenancy, but had not been offered anything for it, 30677.

Migration.

He was hardly prepared to surrender the tenancy and migrate, as he was planted in Tubbercurry, but if he got a better farm within reasonable distance of a non-congested area he would not have the least objection, or if he knew he would get a decent price, 30679, 30687, 30730.—Witness had offered to exchange his farm for Chaffpool, but a neighbour of his (Mr. Cooke) had been negotiating for it and was most anxious to get it for various reasons, 30730, 30732, 30750-1.—There were 50 acres at Chaffpool, a great deal of which was wet, 30749.—Negotiations for exchange were dropped as the houses were of no value to witness and they were to Mr. Cooke, 30750.—Mr. Cooke owned about 80 acres of good land at Kilterna, 30751-2.—People nearest the land would have first claim to the 80 acres, 30753.—Chaffpool very little use to a tenant; Moylough a far better farm as far as the agricultural portions of it were concerned, 30754.—Great deal of Chaffpool wooded; these no good to tenant, 30755.—No difficulty in matter of price if Congested Districts Board exercised power of expropriation; witness sold a farm a week ago and got £500 for it freely, 30701, 30710.—He had improved it since he bought it; it had cost him £500 or £600, 30702.

Compulsory Powers of Congested Districts Board.

Witness did not know that Congested Districts Board had power to compulsorily take land, 30717.—He had not seen them doing it anywhere, 30718.—(*Mr. Doran—Board had already decided to exercise that power in witness's case,* 30720).—First thing ought to be to try to make a price, and then if witness were unreasonable they could exercise compulsion, 30724.—Witness had not made people aware that he wished to give up farm; Congested Districts Board should have approached and asked him what he was prepared to sell it at, 30685, 30723.—Mr. Doran had

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stated that Board were determined to use compulsion; not one word about an amicable arrangement, 30736.—Board could scarcely call witness's a non-residential holding; he had a good two-storey house put up there and showed every appearance of taking up his residence; only advantage Board could take was that he had not gone there yet, 30737.

Description of Witness's Land.

Witness's farm was tilled and grazed, 30628.—He had his own beasts on it and did not take in grazing; it was a good sheep farm, 30697-8.—Grazing paid better than tillage; tillage nearly impossible to a man like witness, 30769-700.—40 acres was cutaway bog and 16 acres good land; 8 or 9 acres tilled this year, 30690.—Witness let the farm in conacre, which deteriorated it, 30691-2.—He had manured it a good deal with slag and had built a house on it, 30694, 30696.—There was a herd with a farm of about 5 or 6 acres, 30694, 30713.—Witness would be relieved of a certain amount of superintendence if a sum of money were invested, 31714-5.—Suitable to enlarge small holdings, but witness's land was on extreme edge of townland of Moylough that was sold; Mr. Cooke's farm ran between small tenants and witness's land, 30704.—He owned about 80 acres of good land, 30752.—He did not reside on the land; a tenant there had obstructed him in trying to exchange with Congested Districts Board, 30705.—Not in Mr. Coke's power to let them have the land at its fair value, 30706.—Witness would look favourably on any offer of Congested Districts Board provided he got reasonable compensation for his purchase price and improvements; if he could get 5 per cent. for it he would not keep it two minutes, 30707-8.

Necessity for Inspection of Estate.

Absolutely necessary that Board should send down inspector when estate was vested to make enquiries and report to Board, 30734.—He should report upon farms which Board should acquire for relief of congestion, 30735.

Non-Residential Farms.

There were different farms that had been put down as non-residential which were residential farms, 30740, 30756-7.—Two of them belonged to men who had grown-up sons, another belonged to Mr. Boyers, and one to Mr. Layng, 30740.—Mr. Boyers' son was twenty-seven or twenty-eight; he bought his farm six or seven years ago at a publi auction, 30742.—On Layng's farm there was a herd house, a fairly good house; he got a man to build a new house, 30743.—It was started two or three months ago, 30744.—Farm had been grazed for last six years and he conacred it a good deal yet, 30746.—He did not take stock from local farmers, 30747.—As he had means enough to stock it himself, 30748.—Witness could not tell how many cases there were in which owners fitted out these farms for their sons, 30757.—He knew the district well, but he had not the names of the farms, 30758, 30760.—One witness had said there was 500 acres of non-residential grazing land in vicinity, 30756, 30762-9.—Witness contradicted the statement, 30759, 30778, 30781-2.—He had ear-marked those holdings that the witness mentioned and included them as non-residential; witness would call them residential, 30769-71.—Other witness had put on a meaning that no sensible man would consider correct, but it was a mere difference of opinion, 30772-3.—(Occupiers enumerated by Mr. Nicholson, 30774-6).—Twice as many more could be counted if Ox Mountains were taken in, 30776.—There were 5,000 acres on Ox Mountains, 30777.—Witness still persisted in his contradiction, and he would go further and say there were 5,000 acres, 30782.—Sole point of difference was the view taken of non-residential holdings, 30783-4.

Difference between Residential and Non-Residential Holdings.

Witness thought a non-residential holding was one which was held available for a son or a daughter, 30785-6.—Quite a number of cases where it had been held for a brother, but that was going outside one's own family, 30787-8.—Houses were not new; farms had been lately acquired and houses were on them

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that former tenants had occupied, 30789.—They were residential holdings at one time, 30790.—Some of the men who owned ranches had grown-up sons who would occupy after them; one man had no sons, but most of them had sons; Mrs. Brennan had a big family, some full-grown, and if land was taken from her she would have to send them away to turn to something else, 30791-2.—If a man had a grown family and had two holdings, one on which he lived, and the other on which he did not live, the second would be residential if he built a house and put his son on it; very unreasonable if it were taken away from him and quite unfair to send him away; he should have first claim to it, 30793-6.—No difference whether son was actually owner or whether he was only acting on behalf of his father, 30796.—Very hard if son spent his time working for his father and the holding was intended for him, though he did not actually reside there, 30797.—Where there was land with a residence upon it it was always possible to turn a non-residential into a residential holding 30798-802.

Effect of Tillage.

Towns would go on much the same if future farming were tillage, which would cause the farmers to employ more labour, 30803.—Witness did not think there would be any improvement, 30804.

Effect of Poverty and Congestion on Trade.

In small towns, generally, the more congestion and poverty the better the trade; where farms were larger people went to the bigger towns; shopkeepers in small towns obtained more money from poor people; richer people went to Sligo, 30805, 30805A, 30806, 30814.—Witness would be very sorry to suggest keeping people in poverty, 30805A.—But he was not in favour of too much land being in hands of any man, 30807.—Very good to have 900 regular customers out of 1,400 customers as one witness had, 30809.—But probably four-fifths were customers also of another shop in town, 30810.—If population were diminished and farms made bigger there would not be so many customers; they would go to Sligo, or further afield, and there would be no trade for Tubbercurry, 30812-3.—Distribution of land would not affect the people much, as long as population was there it would not affect local towns much, 30808.

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See pp. 104-5.

Doongeelagh Estate.

Estate situate in townlands of Doongeelagh and Coultalough.

Multiplication of Landlords a Grievance.

Multiplication of landlords was the principal grievance complained of; four landlords collecting rent on the estate, 30815-6.—Estate was in hands of Land Judges Court and was divided between the four landlords, 30817-8.—Witness paid rent to two landlords through agent, who gave receipt for each separately, 30819-20, 30822.—Rent was £8, 30821.—One landlord would let rent go for a year, the other would serve process if not paid up to the day, 30823.

Quality of the Land.

Land of the very worst quality; extremely hard to till, and crops even in favourable season were deficient both in quality and quantity, 30824.

Remittances from England and America.

Tenants unable to make a living without constant remittances from America and England, and when these resources fell short they had to bear heavy burden in shape of law costs at suit of the four landlords, 30825.

Migration.

Estate was portion of Tawnagh grazing land; 100 acres at present let as ranches for grazing cattle,

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30825-6.—Desire of tenants that Estates Commissioners or some such public body should acquire the property, and if a scheme of migration was carried out by moving smaller tenants to part of Tawnagh now going to ruin, and remainder of holdings were enlarged by surplus land thus obtained and let to tenants at reasonable rent, they would be in better position and not so much at mercy of a bad season or shortage of remittances from England and America; this part of property was formerly barren waste and considerable amount of labour was expended on it by tenants and their predecessors, 30826.

Price asked for Land. Tenants debarred in some cases from getting Fair Rents fixed.

One landlord had made an offer to sell at unreasonable price of 24½ years' purchase, which tenants refused to accept; a good many holdings had been converted into future tenancies by process of chicanery on part of landlords, and tenants in these cases were debarred from entering Land Court to have fair rent fixed; 5 acres of holding of one of these tenants had been inundated by a small lake and landlords had refused any consideration; eight tenants under £5; eight under £10, and four over £10, 30826-7.

GALLAGHER, Mr. PATRICK.

See page 105.

Non-Residential Farms in Parish of Killoran.

On Dodwell Estate there were 253 acres of non-residential farms; Kelbrillar had 53; Golden, 58; Conboy, 91; M'Corrick, 48; Phipps, 108; representatives of Stokes, 104; Dane Heather, 305, 30828.—Major O'Hara had 357 acres and Mrs. Geddes, 126 acres, 30829.—Total acreage over 1,100, from which several families had been evicted during the forties and fifties, 30832.—Portion of Dodwell Estate let in grass and portion in conacre to local grazier on 11 months' system, 30836-8.—He probably had thousands of acres on the mountains, but no arable land, 30839.—Golden let his farm in conacre and took in grazing cattle, 30841, 30844-5.—He lived about a mile away and had about 50 or 60 acres, 30842.—Conboy lived in County Leitrim; he was a grazing tenant and stocked the farm entirely himself, 30846-7.—M'Carrick lived about a mile away; he had 50 acres and grazed it himself, 30849-50.—Representative of Stokes was living on the land at present; Stokes himself had about 150 acres of home farm, 30851.—Major O'Hara let his grazing land on 11 months' system; he lived within a couple of miles away on his property; Geddes lived about four miles away and had a farm of 500 or 600 acres, 30852.

Uneconomic Holdings.

The districts which comprised these lands were not scheduled; they should have been, 30853.—There were uneconomic holdings in district which needed special treatment just as much as holdings in scheduled districts to which Congested Districts Board devoted their attention, 30854.—Very poor district; numerous uneconomic holdings on mountain slopes; occupiers of which came across the river to these non-residential farms and paid high price for conacre and grazing, 30832.—These farms should be acquired by Congested Districts Board or Estates Commissioners, 30833.—And small holders in neighbourhood should be put upon them or have their holdings enlarged if possible, 30834.

Shopkeepers with Grazing Farms, Question of Expropriation.

None of these holders of grazing farms were shopkeepers, 30855.—There were some men living in the towns who had shops in a small way, but who made their living entirely by land in the country, 30856.—Witness would be in favour of expropriating them from the country and taking possession of the farms as long as they had good position in the town, 30857-8.—Some of these men might till more on the farm than they would if they had not the outlying grazing farm, 30859.—But these men did not live by tillage

GALLAGHER, Mr. PATRICK—*continued.*

or by farming property, but by grazing, 30863.—They used the grazing farms in connection with their home farms, 30860-2, 30864.—Witness would put them in same class as man who takes in grazing cattle, 30865.

Eviction.

There was an evicted tenant on a neighbouring estate in Carnaskea electoral division who had cost ratepayers and State £384 during last fifteen years; she had been ruthlessly evicted and had been confined in Sligo Asylum ever since, until recently, when she died; next-of-kin would be entitled to get the place back from which she was evicted, 30866.

CAWLEY, Mr. PETER.

See pp. 105-6.

Scheduling Carnaskea as Congested advocated.

Carnaskea not scheduled, if it were it would not be in present position, 30871.—One portion of parish scheduled, 30873.—District should be scheduled as congested, there were 103 families in Carnaskea division on the mountain side, occupants of these small holdings had been evicted from non-residential farms, 30867.—Those who did not die were hurled into the mountains, or had to go to America, 30870.—People would like Commission if possible to come and inspect the place, 30867.—Inconvenience and loss of time caused by flooding of the rivers, people could not get their goods to market unless they started the day before, 30867.

Conacre.

There were no roads in the mountain places, men had to come off the mountain and take conacre at from £5 to £6 an acre, and at the time of taking the conacre they had to sign bills for the owner to draw the money from the bank in November, 30868.—When these poor people had taken the potatoes out of the land they had to leave them in pits, until floods went down, 30869.—Necessity of Congested Districts Board purchasing the estate in order to put these poor people on better holdings on the non-residential land, 30869.

Evictions.

There were several cases of people evicted from these non-residential farms, in one case a woman had been evicted sixteen years ago, after eviction agent had ordered bailiffs to set fire to the home, and the poor creature had fled, but had been captured by the police, found to be mad, and taken to Sligo Asylum, she had remained there ever since until her death recently, having cost the ratepayers £384, if she had been allowed to keep her small holding of three and a half acres there would have been no expense to anybody, there was another case of eviction at Colhouna of a woman who had since been in Sligo Asylum nine years at expense to ratepayers of £24 a year, Congested Districts Board or Estates Commissioners should investigate these cases and restore these people, or their next-of-kin to the little holdings from which they had been evicted, 30870.

Price asked for Major O'Hara's Estate.

Major O'Hara had made good roads on his property, but when offering estate for sale he would not sell for less than twenty-six years' purchase and sporting rights, 30873.

M'MANANNY, Mr. PATRICK.

See pp. 106-7.

Cloonloo and Killaraught.

Division was divided by Lake Gara into two portions, Cloonloo and Killaraught, Cloonloo portion was mostly barren land, bog, mountain, and shrubberies and highly congested, number of householders in

M'MANANNY, Mr. PATRICK—*continued.*

Cloonloo was 185, gross valuation £720, on an average of about £3 17*s.* 10*d.* per householder, 96 of these householders valued at £4 and under, 79 whose valuation was between £4 and £10, 6 between £10 and £15, and 4 between £15 and £20, 30874.

Migratory Labour and Remittances from America in Cloonloo.

Large number of small farmers went to England every year to earn for themselves and families, and were it not for this and money they receive from their families in America they would not be able to live at all, 30876.

Breaking up of Grazing Ranches in Killaraught.

Killaraught was all rich land and chiefly composed of grazing ranches, it possessed 900 acres of untenanted land, so that cure for congestion in Cloonloo was at the door if proper steps were taken, these 900 acres would give 20-acre farms to forty-five out of the ninety-six in Cloonloo, whose valuation was £4 and under, and in a great measure relieve congestion, 30874, 30876.

Question of Grants for Reclamation and Drainage.

Even if congestion were removed, a large portion of those left behind would never be able to make a decent living owing to quality of land, and would require special treatment, which should consist of money grants to enable them to reclaim and drain their land and make roads which were much required, taking parish of Cloonloo as a whole, it was no better than the worst portion of Dillon Estate, which was bought at fifteen years' purchase, it would have been scheduled as congested from the start were it not for ranches and large valuation in Killaraught, Commission should visit district and see for themselves, 30874, 30876.—There were two men whose valuation was £413 15*s.* and £404 5*s.* respectively, or £88 more than the 185 householders in Cloonloo, 30874.—These men held 683 acres between them, 30875.

Definition of Congestion Unsatisfactory.

Electoral division of Kilgree had been scheduled, witness represented it on the County Council, 30878.—There were only 202 holdings under £10 valuation, whereas in Killaraught there were 225, which showed that law was defective, and definition of congestion unsatisfactory, but for the grazing ranches in the southern portion it would have been scheduled long ago, 30879.

Advantages of Migration.

Migration recommended as a cure for congestion, 30880.—If two or three small holders were taken away, those left behind would be richer by the amalgamated holdings, 30881-2, 30886-8, 30892.—Man who was left behind might have 100 acres of mountain land, 30893.—Holding as a rule about four or five acres of land apart from grazing rights, all small farmers, some held twenty, twenty-five, and thirty acres, but owing to quality of land they were not comfortable, 30894.

Class of Land.

Depended on quality of land, and how it was obtained whether they could live comfortably on enlarged holdings, 30895-6.—A man and his son could till two Irish acres with a loy and a shovel, 30883.—Not a class of land that ought to be all tilled, in the half-parish only fifty acres on which a plough could run, it therefore had to be done by a spade, loy, and shovel, 30885.—Land would stay in grass about five years, then it would go back to its original nothingness, necessity for drainage, 30889-90.

MORAN, Mr. THOMAS.

See pp. 107-8.

Armstrong Estate.

Armstrong Estate purchased by Congested Districts Board about three years ago, area of tenanted land, 3,524 acres, untenanted, 326 acres, purchase money for whole estate, £44,000, poor law valuation, £1,783 11*s.*, number of years' purchase 24¾ of the valuation; most

MORAN, Mr. THOMAS—*continued.*

of the estate situate in Achonry; seventy tenants under £10 valuation; it would have been scheduled as congested but for waste ranches let to graziers on eleven months' system, thereby depriving poor tenants of any assistance from Congested Districts Board; estate bought over the heads of tenants, who were not consulted in any way and did not know how many years' purchase they had to pay for their holdings; at request of tenantry parish priest wrote to Board to ascertain the price, reply being 20 years' purchase of first judicial rents, 23 years' purchase of second; price excessive as great many of these poor tenants never had judicial rent fixed, but accepted 3*s.* in the £, abatement each year; they owed arrears, etc., and when they spoke to agent about getting fair rent fixed they were told he would process for all arrears, which meant ruin to tenants; they were thus deprived of the benefit of the Act; if they had a free hand they would have obtained five or six shillings in the £, majority of tenants could not maintain themselves for one quarter of the year if it were not for remittances from England and America.

Migratory Labourers.

About sixty migratory labourers went to England every year to earn rent and keep their parents and remainder of family to eke out a living at home.

Inspection before Purchase.

Congested Districts Board should make personal inspection of each holding before purchasing to see if it were security for price they were paying; not done on Armstrong Estate; price paid excessive when compared with price for adjoining estate purchased under Act of 1886; Lord Norbury's estate sold at 16 years' purchase; land far superior to Armstrong Estate, and tenants would get reduction of 2*s.* in the £ at end of every ten years.

First two Estates purchased under Act of 1903 in County Sligo.

First two estates purchased under Act of 1903 in County Sligo were Marginson and Armstrong Estates, former bought at 13¼ years' purchase, latter at 24¾ years' purchase, though amount of untenanted land on Marginson Estate was comparatively greater; 506 acres tenanted land on Marginson Estate, 405 untenanted, £4,412 purchase money, £171 13*s.* 6*d.* rent of untenanted land; on Armstrong Estate, 3,524 acres tenanted, 326 untenanted land, £4,440 purchase money, and £1,899 11*s.* 2*d.*, rent of untenanted land.

Tenants on Armstrong Estate aggrieved at Congested Districts Board—Collection of Rent, Inaction as to Improvements, Importation of Strangers.

Tenants on Armstrong Estate felt aggrieved, for although Board had purchased estate nearly three years, tenants had derived no benefit under sale up to the present; Board had collected full rent for the third year; taking average reduction tenants would be entitled to 6*s.* 8*d.* in the £ as five-sixths of them were first judicial tenants; Board would have extracted from tenants one year's rent, or £1,899 11*s.* 2*d.*; if tenants bought direct from landlord or from Estates Commissioners they would get the benefit of the purchase from the time of purchase as nearly all first judicial tenancies had expired before purchase of this estate and tenants were prepared to go into Court to have judicial rent fixed, but they expected to get benefit of the purchase; very unfair of Board to demand full rent for third year, Board purchased all arrears on this property, some of which accrued twenty-five years' ago, and landlord found it impossible to collect them as people had no means to pay; Board sued all cases for arrears; and there had never been any combination of tenantry against paying rent on this property; people indignant to see Board make a rent-collection machine of itself, sending sheriff's bailiffs to seize on these poor tenants' cattle, 30898.—No benefit from the improvements, 30898.—Board had not improved tenants' land, only the ranches, 30899.—Tenants derived no benefit from the ranches, full rent collected just the same, 30900, 30928.—Ranch not broken up yet, 30901.—Apportioned into economic holdings; Board should not buy

MORAN, Mr. THOMAS—*continued.*

arrears from landlord unless they got a grant to wipe them out; tenants from Mayo had been put in on the ranches before claims of small landholders were considered; it had been promised that no person should be imported into the district until all uneconomic holdings on the estate were enlarged, yet in violation of that promise they imported a certain party in on the demesne lands; if Board wanted to deal fairly with tenants there was no room on the estate for importation; seventy small tenants under £10 valuation, and land available would not suffice to give economic holdings to such a number; there were herds who were evicted on those ranches for refusing to herd for graziers, also young men who left employment of graziers, and their claims should have been considered before Board imported any person into the district; Board would not have been purchasers of ranches but for prompt action of Nationalists of the district, as graziers were negotiating with landlords to purchase tenants' interest of the ranches at time agitation was raised against that pernicious system, 30902.—The ranches had become tenanted land, Board was paying all attention to them, 30925.—They had been handed over to tenants by Board, 30926-7.—Improvement schemes were going on on the ranches that were being handed over to tenants, but not on tenants' land up to the present, 30931.—Tenants' land needed improvements, property affected by the Owenmore, 30931-2.

Compulsory Powers for Congested Districts Board, Proposed.

Congested Districts Board should have compulsory powers to purchase these waste and non-residential holdings at a fair price, and should be supplied with sufficient funds to enable them to carry out propect of planting people on the land of their forefathers; they would be able to give an economic holding to every young man in Connaught and thereby prevent emigration, 30902, 30919-21.

Lace-Making.

No local industry, but lace making; there was a technical hall in the parish where lace-making was taught, it was built free by Sir J. Gore-Booth and handed over to Parish Committee; there was a competent teacher from Banada, 30902, 30907-8.—But Committee had not sufficient funds to work up the industry; witness thought Congested Districts Board should give a free grant to this institution and provide market for the work performed by the young girls attending the class, 30902-3.—Agricultural Board provided market for other commodities, 30904.—And lace industry should not be thrown over for want of market, 30906.—Agricultural Board gave a grant but local people equipped the school, cost left in the hands of Father Quinn, 30909-13.—If there were more funds more pupils could be accommodated, about thirty or forty at present, there could be 100, 30914-6.—If the work was encouraged they would be able to sell the lace, 30917.—No industry which existed in the locality worth carrying on unless it could be done profitably, 30933-4.

Drainage and Roads.

Drainage of the Owenmore an important matter as some of the tenants' lands were periodically flooded by tributaries of that river, 30902.—Roads should be made for tenants and Board should drain the lands on all estates they purchase, which they had not done on Armstrong Estate, except through the ranches, 30922-4.

SLEIN, Mr. PATRICK.

See pp. 108-9.

Uneconomic Holdings in Aughanagh, Valuation, etc.

Witness's holding consisted of about twenty-three English acres in the Boyle No. 2 Rural District Electoral Division of Aughanagh; thirty-four holdings on estate under £5 10*s.*, and in addition seventeen families

SLEIN, Mr. PATRICK—*continued.*

who were unrated; average valuation £2 10*s.*, many of them lived in huts and had to send their children to England and America to earn the necessaries of life; American remittances had been received by almost every person in the division; total valuation of division was £2,126 1*s.*; four people owned £847 worth, leaving, average valuation of remaining 156 at about £8; there were 424 acres of untenanted land of very best quality, which should be divided among these poor people; people paying big rents for bad lands, 30936-7.

Compulsory Powers of Congested Districts Board, Proposed.

Congested Districts Board should have power to purchase this untenanted land and to use it for increasing holdings of small holders; landlords refused to sell, one had asked such an exorbitant price that tenants could not purchase, the other would sell at over twenty-seven years' purchase; compulsion was necessary, 30938-40.

Rent on Phibbs Estate.

On Phibb's Estate a number of people prevented from going into court, about thirteen years ago one townland was held in rundale, landlord had land striped, fixed new rent, and tenants signed new agreements, but afterwards found they were returned as future tenants and prevented from going into court, so they still had to pay exorbitant rent, 30941.

Alteration of Law as to Fixing of Fair Rents desired.

Arrangement made twelve or fourteen years ago, 30942.—People would like to have law altered as remedy for this grievance, two of the tenants who did not agree to the re-striping arrangement went into court and got 7*s.* in the £ reduction, 30943.

Flooding.

There was a lake which caused flooding of about 200 acres periodically, and did great damage; lake should be drained by Congested Districts Board, if this were done there would be no need for expenditure on the road, 30943-4.

DURCAN, Mr. EDWARD.

See pp. 109-10.

Messrs. Knox's Bellaghy Estate.

Messrs. Knox had been asked to sell their estate to the tenants, and the people were told that they might put Congested Districts Board in motion; landlords then asked to sell to Congested Districts Board and people had also written to Secretary of Congested Districts Board asking Board to buy; letter was received from agent of above estate stating that he had been in correspondence with Congested Districts Board office on the subject of a sale, and that as the estate was circumstanced at present and owned in individual shares Board would not purchase; and having investigated into prices usually given for congested estates having no grass lands Messrs. Knox were not disposed to go to expense of furnishing particulars required by the Board because they felt confident price that would be offered could not be accepted; landlords again asked for what number of years' purchase they would sell estate to tenants; reply stating that Messrs. Knox were not at all willing to sell estate and did not see why they should make a proposal, but if some person would make a reasonable offer on behalf of the tenants it would be submitted to Messrs. Knox, 30945.

Compulsory Purchase Bill Proposed.

Government had been asked to pass Compulsory Purchase Bill, to deal with landlords of this kind, otherwise tenants were powerless to deal with them, 30945.

DURCAN, Mr. EDWARD—*continued.*

Inspection of Holdings Before Purchase.

The following instances of sales under the Ashbourne Act showed the necessity for inspection of holdings; Coragon Estate was purchased at from five to eleven and a half years' purchase, averaging about nine years, tenants and landlord had agreed to fourteen years' purchase, but when Government inspector came he found it was not value for fourteen years' purchase; other examples were M'Dermott Estate and Lord Norbury's estate, 30946.

Protest against the Increased Prices asked by Landlords.

Tenants on Knox Estate should not be asked to pay more in 1907 than tenants on adjoining estates paid under Ashbourne Act on first term rents, 30946-7.—Most of rents on Knox Estate were first term rents, 30947.—Sir Granville Brewitt had agreed to sell his estate at fourteen years' purchase nine or ten years ago, now he wanted twenty years' purchase, 30948.—It was owing to some misunderstanding between an adjoining landlord as to a bog that the sale fell through, 30949.

Drainage Scheme Proposed.

Greater portion of land in the district was wet and swampy, and Government were requested to start drainage scheme with a view to having number of rivers sunk which overflowed and caused great damage to crops and loss to farmers, 30949.—Congested Districts Board should undertake arterial drainage, 30950-1.

MAYE, Mr. MICHAEL.

See p. 110.

Powell Estate.

Number of tenants on Powell Estate was seventy-five, and average tenantry valuation £2 14*s.* per holding; three holdings alone being valued at £10, and remainder ranged from 10*s.* to £6 10*s.*; landlord lived on estate, which had not been purchased under any Act, but which was one of the most congested in Connaught and deserved special treatment, 30954.

Turbary.

Large supply of bog on the estate, which could be made more valuable, but there were about twenty-four holders of small farms who were not in possession of any turbary, and who had, in past years, to obtain bog on adjoining estates though landlord had been supplying outsiders, 30954-5,

Grazing Ranch.

There was a grazing ranch of about seventy acres on the estate in occupation of the landlord and division of this would in some measure relieve congestion, but though Congested Districts Board had been approached, nothing came of it, as landlord was unwilling to part with ranch, 30955-8.

Compulsory Powers Proposed.

Necessity for the Board to acquire compulsory powers to take over such ranches, otherwise refusal of individual to accept equitable compensation would render efforts to relieve congestion futile; relief of congestion was essential and could alone be satisfactorily carried out by giving Board conpulsory powers, 30958-9.

Migration.

Unwillingness of tenants to submit to migratory scheme arose from fear of contracting obligations they would not be able to discharge; they felt it would be necessary to incur fairly large initial expense in fitting up a new home; this difficulty could be overcome by making provision for granting a sum necessary in such cases, and tenants would, no doubt, be willing to enter into such an arrangement.

MAYE, Mr. MICHAEL—*continued.*

Water Supply.

Many of the tenants suffered much for want of water during summer and autumn; provision in this respect would prove a boon.

Uneconomic Holdings.

Number of uneconomic holdings at present existed on Cooper's estate brought about by arbitrary action of landlord some forty years ago, he having evicted the then holders and put in their stead "planters" and even after they had been removed land which they reclaimed was subsequently given over to those who were planted in their place, 30958.

M'LOUGHLIN, Rev. PATRICK.

See pp. 111-8.

Congested Districts Board's Operations in Leitrim.

Operations of Congested Districts Board very limited in County Leitrim, total amount of funds expended in county showed correctness of belief, 30962, 30985.

Local Representative Needed.

Limitation of operations partly due to want of representation of county on Board, 30962, 30963.—Some members of Board most kindly disposed to county might have displayed considerable interest, yet witness did not believe they would have intensity of interest required by representative to work projects proposed by the people, 30963.—Board left initiative of works too much to simple people, 30962, 30985.—Peasantry and many connected with them could not initiate schemes or deal with problems, 30986.—No assistance was received in such matters, 30963.—Except from one or two members of Board, 30986, 31046.—When the people or their representatives put forward schemes, or made inquiries, Board always found objections to particular scheme, 30963.—Reasons alleged generally want of funds or that powers and funds were confined by laws and rules, 30963, 30986, 31010.—Peasantry or their representatives would not find out other things to their benefit and so practically everything fell through, 30986, 31004, 31049-50.—Witness did not say the Board had failed, avoided that word, 30985.—Practically everything fell through, 30986, 31004, 31049-50.—Powers and funds of Board should be increased, 30963.—At present there were no local representatives on Board as such, principle very good, but witness would prefer a representative, 30964.—Would like construction of Board changed in such way that at least each county in which were scheduled areas, should have a representative, 30965, 30966, 30969.

Elected Representative would be Best.

In regard to mode of appointment, elected representatives of some sort would be looked for; as a popular representative witness would not deny right of nomination, 30967.—Generally speaking, for a position of the kind an elected representative was best, 30967.—Representatives might be elected in various ways, by representative bodies, not necessarily by individual voters, 30968.

Order in which Congested Districts should be dealt with.

It would never be possible to grant Board a sufficient sum to meet requirements of all congested district counties at once, things should be done gradually, 30970.—Witness did not mean that some places would have to be dealt with before others, but that a great deal of good could be done in each county by taking the work piecemeal, 30971.—When powers and income of Board were increased, even if some places would have to be dealt with before others, it might have done enough already in some, and time of Leitrim should now come, 30791.—If the Board had at their disposal a given sum, supposing there were things on which they ought to spend money in Galway and other things apparently not so pressing in Kerry, no

M'LOUGHLIN, Rev. PATRICK—*continued.*

reasonable person should consider money ought to be spent on things practically unnecessary, 30973.—To a certain extent pressing things should be dealt with first, wherever found, 30974.—Pressure might be relative, 30975.—If a county was pressed it might be given some relief without absolutely depriving another of what it required, if Board had greater powers and funds it might do great deal of good in several counties without doing all they required, 30976.

Possible Disadvantages of having Local Representation.

Effect of adoption of two representatives from each county would not be to divide the funds in Board's possession amongst counties to meet the pressure put upon it by representatives, thereby depriving a particular county where a great deal of immediate work was needed, 30977-8.—If funds were common to all congested counties a representative and his constituents would think they were entitled to portion of these funds, impossible for these constituents to measure their need with that of which they did not know, they would look at their own necessities from purely local point of view, 30980.—Division of funds and consequent deprivation of a county a hypothetical case, 30980.—As things existed it was not a hypothesis witness would consider, 30981, 30983.—Witness had never been in West Connemara, Mayo, or the Rosses in Donegal, and seen their condition as compared with that of his own county, had scarcely ever been out of his county, 30984.

Cattle Scheme.

Improvement of cattle scheme had failed, 30987.—Witness spoke of all the years until the cattle scheme practically ceased in Leitrim as far as Congested Districts Board was concerned, 30988-9.—The Agricultural Department had taken over the whole, 31002-3.—Witness would not now be disposed to say Board had been backward in giving help to the district, 31004.—From want of funds and powers Board was forced to form a scheme, result of which was that farmers who took the leading animals were robbed, 30990.—Price farmers had to pay, system of keep they were forced to adopt, and sum received for animals when disposed of, left them losers for the sake of assisting their neighbours; result was they gave up these things, 30991-3, 31116.—Board's idea was accurate enough, 30993, 30996, 31114.—Breakdown was in financial system, and was due to the Board, not to farmers, 30994-5, 30997, 31000, 31115-6.—Sufficient knowledge was not brought to bear upon the class of bulls suitable to the varying lands, 30998, 31000, 31114-5.—Class suitable to the county generally if not put on best adapted lands deteriorated instead of improving, 31000.—A considerable number of cattle had been placed in Leitrim in the first years, but for the past years they had fallen away badly; Board had changed their schemes somewhat through time, and given some more facilities in the end, 31117.

Matters Requiring Attention of Board.

Amongst matters Board should deal with were the condition of land, congestion connected with it, emigration going on, 31005-6.—And drainage, 31006-7, 31054.—It should partially take initiative in a county like Leitrim, except in very commonplace schemes, 31051-2.—Board, or similar body, should explore mineral wealth of country, 31053.

Deterioration of Land in Leitrim.

Condition of land had deteriorated in the last thirty years owing to various circumstances, 31010-16, 31018-19.—There was more flooded land, and there were half acres of stones on the best land in Leitrim, 31013.

Liming.

More culture and more lime were required, 31010.—No lime had been put upon that part of country for over thirty years, 31012, 31015-6.—Comparing time before the Act of 1881 and since, the habit of putting lime and attending land and keeping it in heart had altered, 31017.—Liming implied possibility of getting lime, and plenty of labour to put it in, 31019-20.—Lime had disappeared, 31021.—Limestone was not exhausted, but the means to burn it,

M'LOUGHLIN, Rev. PATRICK—*continued.*

31022.—Turf was formerly burnt, 31033, 31037.—Falling off in supply of lime was attributable in great part to diminution of turf available, 31023-4, 31026, 31028.—Twenty or thirty years' cutting made great difference with bogs, 31037.—Bog was not to be found in large quantity in the county, in many instances turf could only be got from mountains miles distant, 31025-6.—Whatever lime-kilns were now in the county were fed almost exclusively by the remains of coal, because of scarcity and difficulty in obtaining turf, 31026, 31034-6.

Previously there were several lime-kilns burning lime which farmers bought, 31027-8.—Witness never knew landlords supply anything except processes in his district, 31029.—The farmer set up the lime-kiln and probably had turf on his own farm, 31026.—He might have had five or six miles to go for limestone or have had it beside him, it was sometimes necessary to remove six or ten feet of clay to obtain it; this was now impossible for want of labour, 31030.—Causes of cessation of lime-burning were the poverty of the individual tenant and inability to get together the several elements necessary for production of lime, 31031.—There was more money in one parish thirty years ago than in ten now, 31038.—At that time there was a large population in the country, and two kinds of manure were used, lime and "blue sand" or gravel; people were engaged in manuring the land with the blue gravel in a way unfit for human beings, but by this system the land had been brought into a state of cultivation very different from the present, 31019.—Witness, when a boy, had seen fifteen ricks of oats at individual houses, whilst so much could not be got now from the whole parish, 31019.—Any quantity of corn could then be obtained, 31020-21.—Now none could be got, 31021.

Falling off in Production of Corn.

Falling off in production of corn was attributable principally to condition of trade, 31043.—Sometimes to the price, 31044.—This had, however, risen in 1907 to £1 a sack instead of 15*s.* a year or two previous, but this was useless to witness's district for they had no corn, 31045, 31111.—Each county had different names for the quantity sold, in Leitrim a sack of oats meant twenty-four stone, 31045.

Artificial Manure.

Artificial manure was now used to a very limited extent for potatoes, or a piece of meadow, 31039.—Basic slag somewhat taking the place of lime-burning, 31040.—Not because cheaper than lime, 31041.—But because it should be better than lime if it contained the elements stated, 31042.

Land Available in Leitrim for Relief of Congestion.

Much land had gone out of cultivation, 31102.—There was a large extent of untenanted land in the county, though not so great as in the midlands, 31006.—As regarded grazing tracts that might be available for new holdings, there was much evicted land, 31103.—It was about equally in the hands of large tenants and the landlords, 31104; on a townland in witness's parish there had been fourteen tenants; all had been evicted except two, but the Estates Commissioners had now restored those tenants, except in the case of a large farm recently sold; witness knew of no others, but in other parts of the county they would be plenty, 31113.

Drainage and Reclamation of Land.

A quantity of waste land, or what was little better might be greatly improved if drained, 31006, 31010.—This would be equivalent to the purchase of ranches, 31105, 31136.—Witness believed that by attention to drainage in all the land he knew in North Leitrim a different state of things would obtain, 31010.—The extent of land and bog reclaimable from Largeydonnel River by expenditure of £300 would be several hundred acres, 31105, 31136.—The productive power of farms and the value of holdings would be increased 31138-9.—The value of individual holdings would not enormously increase, 31137.—Those in witness's parish were so small it would be very hard to increase their value to any great extent, 31138.—Schemes for drainage were much required and

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the Board should do more, on a large scale, in Leitrim, 31007, 31010, 31054, 31111, 31140.—Both arterial and field drainage were required in the county, 31055-6. —All old drains were closed up, rivers were stopped and closed, 31012.—As in witness's parish, by rocks; hundreds and hundreds of acres of land were flooded; crops were torn away in harvest-time, 31106-7.—Mouths of bridges were choked and floods turned out on the land, 31013, 31108.—The Bonet River, for instance, rising from a little lake in witness's parish, was in great need of a large scheme of drainage, eyes of bridge crossing it as it left the lake, were completely filled, recently, by the flood, getting further up the country; a man had lost his horse and nearly his own life, 31108-9.—Witness's parish was a glen, and when floods came they carried all before them; the same happened in practically all the parishes, because of same natural formation, 31106.—Much land would be reclaimed by edge of lake; river was ruining health of people, owing to its water-logged condition a mist rose over the whole place at night, 31111. —Unless two rocks were removed the water could not be got rid of, 31141.—River must be opened to the sea, 31140.—It entered the latter at Bunduff, where a salmon fishery existed, 31141.—If these rocks were removed river would keep itself clean afterwards, and there should be little or no cost of maintenance, 31140-1.—Board should have charge of drainage schemes, for it alone knew its powers and had engineers at command for advice. 31054.—Witness did not advocate Board doing anything, or all, the people required, but there were certain things Government must do to build up commerce in Ireland as it had in England; people must be protected by laws, facilities be given, and obstacles be removed; only a Board such as Congested Districts Board, could deal with drainage schemes where Fishery Company was concerned, a man like a parish priest would be unwilling to act, 31141.—Witness had heard no objection to improvements on Bonet River by "fishery people," but all knew what these were like, 31142.—The Board of Conservators were one Board, and the men who used the fishery, another, 31143.—Witness knew little of legal constitution of Board of Conservators, only knew he would be afraid to touch a fisherman for fear of being "booked," 31144.

Action Taken by Board in Regard to Drainage Works.

Board had taken question of drainage into consideration, 31008.—Numbers of communications had been exchanged between public bodies of the county, clergymen, members of Parliament and other representatives indicating schemes, officers of Board had visited localities, and engineers had prepared estimates, 31009, 31010.—After the visit of certain Commissioners, Board had proposed to contribute to drainage works in the county on condition of formation of a Drainage Board, 31057-8, 31060, 31063, 31080.—Or offered a contribution to the County Council in certain cases, if Council undertook the work, 31059-60. 31080.—As regards Largeydonnel River, Board had offered £100 conditional on formation of Drainage Board and County Council contributing £200 towards scheme, 31063. Difficulties in carrying out schemes were insurmountable, formation of a Drainage Board was very expensive and so complicated that a parish priest and the unsophisticated people could not approach such a problem, 31061.

Board's Conditions not Acceptable.

It was very difficult even for a County Council to carry out drainage works; Board's condition to its contribution to County Council involved additional rates and taxation, 31062.—Conditions were such as to imply failure, 31067.—Public all said Board must have known this, 31062-3.—People were already very highly and even over-taxed, 31063-4, 31078.—Condition of getting subscription from rates would kill a scheme in that part of country, 31067.

Powers of the Boards and Funds.

Public sympathy would never be secured for any Board imposing additional taxation, 31066.—The contribution promised was insufficient in proportion to that asked from County Council, 31067.—Whatever the Board intended to give for any scheme should be given on its own account, and it should have sufficient power to carry out the work, 31065.—It should have

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sufficient funds to execute its own works, great or small, and absolute powers as beneficiaries of the community, 31083, 31133.—All schemes put forward by Board require greater powers to carry them out, 31061, 31111.—These powers might possibly include that of levying a small rate upon a district benefited for the maintenance of works done by money of Board, 31134.—If the Board had sufficient power to carry out a drainage scheme in proper way once for all, the cost of maintenance would be so trifling that either the Board might impose a merely nominal tax or consider one altogether unnecessary, 31140.—Witness preferred not to speak on the question of rates or on those matters that concerned the County Council, 31135, 31081, 31110.—He was a most unwilling witness, and was only present because commanded to attend, 31082.

When Father O'Hara and Dr. O'Donnell had visited North Leitrim six or seven years ago many projects for that district had been discussed with witness; the county had always felt the peculiarly kindly interest of some members of Board, 31046-48. —All these projects had failed, 31049-50.

Road-Making.

At the time referred to large contributions were offered by Board for making certain roads in the district, but, conditional on the rates, 31068.—It had been previously ascertained or was thought that the local authority would provide the balance required, 31069-70.—Practically there were only the two contributors, the Board and the local rates, very likely both parties thought the work would go on, but when the County or District Council met they thought, considering their taxation, the amount demaned from them was excessive, 31074-5, 31077.—Witness was not aware that there was a sum of £2,000 offered by the Board for roads and drains on condition of certain contributions and that this money had not been taken up, 31076.—The County Council in dealing with roads considered two classes, roads already formed and new roads; the Council would undertake the former much more readily than the new, because whilst in case of a new road the Board offered only a contribution to the cost, the Council had to examine how many families the road would accommodate, these might be comparatively few although the district owing to its remoteness might demand the road ;in promoting drainage works or road-making Board practically offered a contribution and left all further responsibility and the cost of maintenance to the local authority. This responsibility, especially that of putting forward the scheme and running the risk of legal claims, the local authority was unwilling to take, and they considered the Board should have the necessary power to save them from this, 31078-80.—In the question of roads, especially where large projects were concerned, the County Council should have a voice, but where there would be only small works involving an expenditure of from £30 to £100, the Board should have absolute power and ample funds to carry them out, 31085, 31145.—A difference should be made between large and small works, because large works would involve expenditure of £1,500 or £2,000 on a long road of 2,500 perches or so, 31085.—Where old roads existed the rights referring to them had already been determined; as regards short cuts to bogs they were not considered rateable property, *i.e.*, works the County Council was obliged to maintain, 31086.—No local authority generally looked after these roads, the few persons going to a bog and having a common roadway kept it up themselves; in cases of serious repairs or to make a road, if the Board gave a small contribution, say of £20 or £30, the people did the work, and the Council should have nothing to say to that as they were not responsibible for further repairs, 31087-8, 31093.—The people in the district maintained such bog-roads, 31097.—Witness was not aware that any other class in the community did this, 31098.—They also paid road rates for other roads, 31096.—System a good one, and with regard to small roads, the Board should make a contribution, allow the people to make the road and impose on them the duty of maintaining it, 31087, 31099.—As regards large roads the District Council must of necessity take them over and maintain them, 31088, 31145.—The County Council should carry out the work and keep it in hand, 31100.—The Board paying a sum of money to the Council, 31101.

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—Both authorities should join and make the road, 31146-7.—The County Council should keep it up, of course, but Congested Districts Board got the best of the bargain, 31089-91.—Proportion of cost offered by Board was insufficient, having regard to further upkeep and expenses subsequently arising for which Council was responsible, 31101, 31148.

Parish Committees; Extension of Work Desirable.

Respecting industries to be started, witness favoured Board taking initiative, suggestion had been made by local people and witness about Parish Committees, 31118.—Some suggestions for benefit of people had come from outside, 31120.—For three years the Parish Committees had been working in the place, 31119.—An extraodinary amount of good had been done, people and Committees working honestly together, 31121.

Improvement of Houses.

Witness would like to point out some desirable extensions. Small sum received by Parish Committee, say, £70, was insufficient for improvements; it was seeking to effect where there were so many bad houses; small windows should be replaced by good ones to admit light and air; and old flagged bedroom floors, or concrete and clay floors be boarded; Committees did precisely what Board required, 31122-3.—It was a scheme of subsidy in witness's parish, 31124.—£70 was the sum received by that Committee, 31130.—For that sum three times £70 worth of work was done by the people themselves, 31131.—The year was now closed, 31132.

Planting Suggested.

Work of Parish Committees in congested areas was confined to valuation under £7, this as work developed, should be increased to £10 at least, 31149-50.—If funds in this respect were increased and the Board took partial initiative in improving condition of people, much more could be done through the Committees; in witness's parish, it was intended when the houses were improved, to ask the Board's permission for expenditure of one year's grant on plantnig sheltering belts and beauty spots; fruit trees and bushes, save gooseberries and currants, would not live in the district, 31150-51.

Crochet Industry.

Witness had suggested a teacher for crochet industry at Kiltyclogher, 31126-28.—The class had been a success until witness left the district, 31129.—He had no present information as to its continuance, 31125.—Witness was of opinion that it would be impossible for tenants to pay the present prices of rents in his district, 31151.

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See pp. 118-128.

Neglect of Leitrim by Board.

County Leitrim had been extremely neglected by Congested Districts Board, 31153, 31193, 31222, 31232-3, 31335.—This was to be seen from the Board's reports, which gave separate returns for special districts; witness based his remarks upon the Fifteenth Report of the Board and the Table of Expenditure it contained, 31153, 31224.

Land Purchase.

Total amount spent on purchase of estates in congested districts was £547,847; up to the present one estate only had been bought in Leitrim, at Kirgariff, at a cost of £805, 31153.—The amount was given in the Board's report as £805; the sum of £1,205 might include improvements; it was for the compiler to reconcile the figures, 31155-6.—Witness knew the estate well; it was purchased in 1903, 31155.—Estates and farms in the county had been offered to the Board; three in witness's parish, and there would be many more in other parishes, 31157, 31159.—As regards witness's parish, they wrote to the Board asking them to buy a tenant-right farm in order to carry out the work of migration, and the Board refused, 31157.—The ground for refusal was inability to buy tenant-right farms; unsatisfactory reason, as the Report showed such farms were bought elsewhere, 31158, 31191.—In this case it had been proposed to sell the tenant-right only, 31159.—The tenant farmer, Holmes, had written at witness's suggestion and had the Board's letters, 31167.—Witness had gathered from the reports that the Board could only buy the tenant-right of a farm from its income, whilst in the purchase of an estate it obtained an advance from the Land Commission, 31190, 31192.—This made a difference, 31191.—But it was unfortunate the Board had done absolutely nothing for the county in the purchase of estates, despite its great work elsewhere, 31180, 31193.—The second estate offered in witness's parish was a small one in Lisnagowan, containing three or four farms; the place had been sold within the last four or five years, 31159, 31168.—Witness had written himself to the Board at the request of two or three occupiers, and had kept the reply, 31167, 31169.—Neither agent nor proprietor had communicated with the Board as far as witness was aware, 31170-71.—No communication was made by witness to owners representing desirability of sale to Board, 31172, 31174.—But he had pointed out to the Board that the land was being sold in Court, 31172.—The transactions were presumably under the Estates Commissioners; there were negotiations for sale between some parties, 31173.—The land was good grass land, with mountain ranches beside it, which could have been added to the farms, 31160.—There were no holdings in rundale in County Leitrim as far as witness knew, 31161.—Regarding the third estate, there was a splendid vacant farm, containing at least a hundred acres of very good land, immediately adjoining a congested district, which would have been very suitable for migration schemes, 31162-4, 31176.—The land was still untenanted, 31165.—The estate was Dr. Roden's, in the districts of Drumkeeran, Manorhamilton, lying just along the congested district of Killarga, 31166, 31176.—The matter was brought to the notice of the Board by the owner himself, 31162-3, 31177, 31181.—There was sent a letter of acknowledgment, together with a circular and there the matter had stopped, 31162, 31182.—Witness had examined the circular very carefully to see whether it contained any reason justifying the Board for its abstention, and had found none, 31182.—Witness could not tell whether the circular had been filled in by the owner and returned to the Board; Dr. Roden had stated that he could get no further communication from the Board, 31193-4.—Witness would expect the Board, if anxious to further the work they were engaged in, to supply a little deficiency of the kind in the case of a person selling an estate by making further inquiries; there was a *prima facie* case for the purchase by the representations of the owner, and it should not have fallen through owing to the mere fact of his not having gone through a very elaborate series of replies, 31185-88.—Witness could not say that it had been suggested to the Board to resume the matter; the question was very recent, since 1903, 31139.—Witness had the correspondence in his possession, including a recent letter of Dr. Roden's in reply to witness's request for particulars, 31178.—Witness had not seen in any of the reports that the Board considered it inadvisable to take the initiative in approaching owners, 31175.—He quite understood the disadvantage at which the Board would be put by offering to purchase an estate; nevertheless he regretted that practically nothing had been done for Leitrim, 31180.

All the Board had done for Leitrim was to send a Spanish Donkey and some wretched Fowls.

The initiative should not be put on the people; witness came into his present parish of Killarga in 1895; up to that time, the Board which had been in existence four or five years, had done nothing for the district except to send down a "sort of Spanish donkey," which was subsequently found to have come from Kerry, where it had been for years; in 1897, after some trouble, the Board had sent a lot of fowl, but through some accident they were a wretched set of Minorcas, with spurs of great length; in 1898 and 1899 a couple of fowl were obtained; this was all the Board had done, 31194-5.

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LEITRIM PEOPLE IGNORANT OF BOARD'S PURPOSES AND EVEN OF ITS EXISTENCE.

Previous to 1897 or 1895 neither witness nor his people had known anything of the Congested Districts Board, 31194-5, 31338-9.—As far as the people of Leitrim were concerned the Board might as well have been in Mars, 31337.—They did not know the Board was willing to benefit the county, and they were justified in this by the Board's action up to 1896 or 1897, 31341, 31347.—It must have been necessarily totally unaware of the needs of Leitrim, having made no effort whatever to remedy them, 31335.—It was the duty of the people to bring their work and requirements before the Board, but how should they do so under the circumstances, and with sixty-seven or sixty-eight boards in Dublin how should Leitrim peasants have known to which board they should apply, 31337, 31340.—Witness concurred that the Board were working almost heroically and doing their very best, but it had not been in Leitrim, 31342.—For several years its officers never came to the district, 31333.—No member of the Board ever visited the county prior to 1903, when two members came "motoring round on an outside car" as quickly as possible, 31195.—Witness had met the party by pure accident when calling on the parish priest, 31196-7. —It was decidedly fair that the parish priest should be called upon; no complaint was implied; but witness happened to be living in the congested district and had written many times to the Board, not so the priest, 31198-9.—Amongst projects put before the party were those for two roads, 31200-1.—The grant and subsidy asked for were given, 31202.—The grant for the Parish Committee did not come as a suggestion from the party referred to, 31229.—Witness and the district wished to emphasise the fact that it was not the money matter to which they sought to draw attention, but the absence in Leitrim of guidance the Board extended elsewhere, 31215-6.—The Board's efforts in the county were expended almost in no other way except Parish Committee schemes, the easiest way for them as entailing very little supervision, 31330-1.—The principle of encouraging local people to do all they could was good, but the Board's officers were experts and could have done much more than those groping their way could do for themselves, 31332.—A huge staff would not necessarily be required; the present staff might visit the district; it was too bad that it had not done so for years, 31333.

EXPENDITURE ON IMPROVEMENTS.

As regards the improvement of estates, the total sum spent in Ireland was £480,362, that in Leitrim, in Kilgariff was £131 10*s.*; the Board having probably raised £134 from the estate there was no net benefit, 31212.—Witness was aware that the receipts correspond with the expenditure, but regretted that very few estates had been bought in the county, and the very small expenditure on improvements in consequence, 31213-4; the Board improved estates out of the rents paid, allowing 5½ or 10 per cent, 31221.

LEITRIM HAD NOT RECEIVED ITS PROPER SHARE OF EXPENDITURE.

Respecting agricultural schemes, Leitrim had not received its proper share, whether on the basis of population of congested districts or on that of number of scheduled districts, 31215-6, 31222, 31334.—Taking population as the basis, for every £15 5*s.* spent in congested districts in Ireland, Leitrim was entitled to £1, or to 1 in 15; taking the total of 428 scheduled districts in Ireland, Leitrim with 38, or 1 to 11·02, was entitled to £1 for every £11 spent elsewhere, 31215-6, 31326.—Leitrim greatly needed expenditure in many ways, there was no county in Ireland where the capital held by farmers was so small, 31217.—A valuation of 6*s.* per head, such as that of Swinford Union, the very poorest place in the jurisdiction of the Board, was lower, and the claims of such a place should come first, but in Leitrim they were not patriotic enough to sacrifice themselves even for Mayo; comparing the treatment accorded to Swinford Union, where £375,000 had been spent on the purchase and improvement of estates, and much trouble taken in arranging migration, and that meted

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to all Leitrim put together, Leitrim had been extremely neglected; the same was the case as regards Parish Committees's schemes, £1,390 having been spent under that head alone in the one parish of Kilmaine, and £7,855 13*s.* 6*d.* in the Swinford Union, 31218-22.

EXPENDITURE ON PARISH COMMITTEES.

Parish Committees were started in other districts and thousands had been expended before they were begun at all in Leitrim, 31231-31310.—It was not right utterly to ignore the district until 1903, 31232-3.—Parish Committee grants had only recently begun in the county, this was indicated by the total of £729 spent, 31222-31306, 31322-3.—These figures, taken from the Fifteenth Report of the Board, included the total expenditure on such committees in Leitrim up to date, 31223-5, 31322.—Witness was not in a position to say positively the grants had been increased, 31306.—The sum expended in year ending March, 1905, was £729 18*s.*; the grant for 1905-6 was £1,090, but included two years, and expenditure was not indicated, 31324, 31328.—Witness, although not sure any figures brought forward by himself were incorrect accepted that of £1,796 for total expenditure prior to 1907 as given by Dr. O'Donnell; as there were however no means of comparing the relative amounts given to Leitrim and other counties, it was useless to put forward such figures by themselves, 31326-9.—The returns showed, not only amounts spent for year previous to 1905, but the whole of the amounts spent by any Parish Committee up to 1905, 31319.—The amounts being made up for the financial year ending 31st March did not necessarily include in all cases the total expenditure, a larger amount might have been received in 1905, because they had not understood things exactly, or might not have been quite in time, 31308-9.—Much money spent on what was practically Parish Committee work not included at all in reports, 31231.—The omission of expenditure from reports was only natural consequence of the system and time of their compilation and publication, the actual expenditure for the year would appear in the next report, 31325.

KILLARGA PARISH COMMITTEE.

There was a Parish Committee in witness's parish of Killarga, which had received a grant of £50 for two or three years, 31226-8, 31233.—With one exception this committee, established in 1904-5, was the first set up in Leitrim, 31311, 31315.—1906-7 was their third year, 31312.—The one Parish Committee existing a year earlier than Killarga, that of Mahana, Inismagrath, had spent £50 before Killarga spent anything, 31315-19.—The grant appeared in the return under the name of Tullycleenan, there was none for 1905-6, Tullycleenan being now merged in Inismagrath parish, 31320-1.—Killarga committee was started and grant obtained on witness's own initiative after his reading the Congested Districts Board Report, a little local agricultural society failing to take up the matter, 31229-30.—The total paid the committee prior to 1905 was £37 16*s.* 7*d.*, or £40 for the first year, 31307, 31313.—The gross grant for 1905-6, the second year, was £50, 31307, 31314.—The work of the Parish Committee was on wrong lines; the great work of the Board was to convert uneconomic holdings into economic; the committee allowed no grant to any person whose valuation was over £7; this was helping to improve houses so as to render people more reluctant to leave them hereafter, and helping to stereotype congestion, 31233, 31244, 31294.

VALUATION LIMIT SHOULD BE RAISED.

Limit of valuation should be extended at least to £10, 31234, 31238, 31241.—It should be £14 or £15, particularly in more backward parts of Leitrim, 31247, 31262.—This had been represented several times to officials of the Board, 31234-5.—The Board itself should have seen the necessity, 31238-41.—Witness strongly insisted on the point that unless the small grant of £50 was increased in a district where almost nothing had been done, it was useless to level up farmers to £10, 31235, 31241.—The grant was available for the congested area of Killarga, all of which was not congested, 31236-7.—Coming for a great

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many years the sum would do a great deal for the parish, especially if Parish Committee and estate work went on together, 31242-4.

Improvement of Houses, etc.

—Witness would not leave the homes of those under the economic level of £10 or £15 unimproved until the holdings could be enlarged in some way; some of these homes were extremely wretched and should be improved in every possible way; it was the greatest necessity of all, affecting health, welfare and happiness of the people, and more important than drainage even, 31248-53, 31305.—It might be well to extend the improvement of houses to some extent to economic holders, 31304.—Poorest naturally had the greatest claim upon the grant, 31235.—Witness therefore concluded that the committee was doing the right thing, but with a drawback, 31254, 31294.—Parish Committees were particularly good for Leitrim, as there was no other way of reaching the Board at all, 31255.

Size of Economic Holdings in Leitrim.

A holding in Leitrim, valued at £7, would never become economic under present circumstances, or even if drained, 31245-6.—Holdings in Leitrim below £15 valuation could hardly be classed as economic, 31262, 31266, 31271.—Holdings under £15 formed 83 per cent. of the total holdings in Leitrim; in Killarga, 83 per cent. would be uneconomic, 31266.—Killarga consisted of the electoral districts of Cloonlogher, Belhavel, Killarga, Mohalla, and part of Garvagh, 31267-8. The poor holdings could be rendered economic by the addition of land adjoining, if such were available, 31269-70.—Even in the case of the addition of bad land to bad land provided the valuation were thus raised over £15, 31271-3.—The acreage necessary for an economic holding depended entirely on the class of land; in Leitrim, where it was particularly bad, the amount must be very large, especially in mountain districts where 20 to 30 acres would not nearly equal 15 to 20 acres in the townlands, 31263-4.—Even bad land by industry might be sufficient with good meadows, but assuming a large migration scheme by which two out of every three holdings were vacated, there should be a little good land in each; the man remaining, living on his own farm many years, cultivating it to the utmost, should, assuming the land added to be equally cultivated, be three times better off for the addition, 31273-6.—This would entail three times the amount of labour in order to keep up the land to the previous extent of tillage, but with the enlarged holding the farmer might keep a horse and so be enabled to do what three men did before, 31277-8, 31284.—Such a holding could be worked by a man's own labour and that of his family, 31279-80.—It would give a farmer no return to employ labour on any farm in County Leitrim, 31281-3. —It might be a good principle to limit the extent of land given to a man to what he could properly till with the help of a horse, 31285-6.—A man with a £15 valuation would probably keep a horse, 31265. —One reason for their not being used more in the county was that farmers could not afford to do so, 31359.—Sometimes neighbours had a horse between two or three, 31360.—There were hardly any ploughs in the district, and only two or three in Killarga parish, 31265.—Spade labour was almost exclusively used in County Leitrim, 31265, 31277, 31355.—Leitrim farms were extremely hilly, even on economic holdings it would not be possible to plough the land and work a horse on, perhaps, 50 per cent. of the county, 31355-8.—Another reason for not using horses was that the soil was not deep, and it would not suit for a plough to dig up sub-soil of such bad nature, 31359.—The land was bad, practically all millstone grit, very bad for cropping, and extremely hard to work with spade labour. on bad land tillage was more laborious, occupied more time, and there was less return, 31265, 31355, 31370.— The difficulty might account for the small amount of acreage cropped in Leitrim, 31265.—Tillage in the county was practically stationary, labour was becoming difficult to get and therefore there would be a tendency for tillage to go down to some extent, 31353-4.—It might be possible to give a man too much land, but no one would object to having it at a fair rate, 31286, 31300.

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Restoration of Evicted Tenants.

The people who had been driven from lands, even in other parishes, should, if possible, be brought back, they or their descendants having first claim on such land in any re-division, 31290, 31348.—The very best land in Killarga had been taken from nine or ten people of two townlands, and the houses razed to the ground, 31290.—Forty years ago one of these men was given land which was completely tossocks and bog, and he had brought it into a fairly good farm, others would do the same, 31290-1.

Migration.

There were about 202 families within the scheduled area of Killarga parish, 31287.—Other remedies than migration should be first tried for rendering holdings economic, 31288-9, 31293.—Migration within the parish might take place, and would be preferable, 31295, 31348.—There were about eight or nine farms in Killarga whose holders should be moved, 31296-7.— Mountain land and bogs adjoining holdings should be brought into cultivation by means of loan from Government at small rate of interest secured as first charge against farm, 31288, 31291-2, 31298.

Question of Reluctance to Migrate.

Farmers were said to be reluctant to migrate, numbers of them told witness they would go anywhere to get a good farm, out of their county, or to any part of the world, provided there were no objection in the county or district migrated to, such migration would, of course, be better in colonies than singly, 31349-51.

Local Opposition to Migration.

Witness feared the farmers of Meath or Westmeath would hardly accord Leitrim farmers the welcome extended to those of Donegal, Fermanagh, and Kerry by Leitrim at the time of the Cromwellian settlement, but members of the Commission would be in a better position to judge whether objections might be removed by judicious management, 31351-2.—If lands long untenanted were bought and striped, there was no reasonable objection the farmers of the district could put forward, provided they obtained a fair price, they might even be glad to see their land turned into tillage, grass land, bullock walks being no longer profitable, 31352.

Labour in Leitrim, Wages, &c.

Want of employment and a demand for labour characterised the district, very little labour was to be had, Leitrim's return of 9*s.* 3*d.* a week was the very lowest on Foxe's returns, one gentleman present had told the House of Commons, and also witness, that he could obtain any amount of labour for 6*s.* a week. 31354, 31366.

Labourers' Cottages.

A sum of nearly £2,500 had been sanctioned in the union of Manorhamilton for putting up labourers' cottages, which could scarcely be classed as high as holdings, but were rather temporary homes, the labourer being expected to labour on the land about, 31367-8.—Many of these were tradesmen, masons and carpenters, and went out to labour, 31372-3.—Witness knew of no instance amongst the 325 small holders in Killarga under £4 valuation, of one going out to labour, they would willingly do so, but there was no demand, 31369, 31371.—Tillage on bad land occupied much time, one acre of potatoes cost at least seventy-eight days' work, and forty-eight additional days if the Department of Agriculture's suggestions were followed, 31370.

Railways Needed.

There were other remedies for congestion besides agriculture and its bye-industries, 31302-3.—Railway-making was the principal need of witness's district as shown by an article written by him in the *New Ireland Review*, the Board presumably not having the funds required to carry out the work itself,

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should, as in the case of the Killibegs Railway, obtain a grant for the purpose from Government, 31440.

Domestic Science Classes.

Three Domestic Science Classes had been instituted under the Board in the district to witness's knowledge, and was their very best work, he could not say whether any other parishes had applied for classes, many lacking exact knowledge of these things, 31343-7.

Sanitary Inspectors.

Very little was done by the Parish Committee to induce people to remove manure heaps from front of their houses, 31361.—In union of Manorhamilton nearly £50 was yearly paid out of rates and State money for sanitary inspectors, these were sporadically active, as at present, extremely so when an epidemic arose, and slept rest of the time, 31361-5.

Drainage Scheme rejected by Board.

The Board had turned its back on a feasible scheme placed before it, one for drainage of a river running along congested district, witness's letter was answered after six months with statement that the matter could not then be attended to, the correspondence continuing two years without anything being done, if, as stated by Dr. O'Donnell, Board had not requisite power to do the work, all the worse for Leitrim, and witness should have been informed at the outset, 31256-61.

Special Disadvantages of County Leitrim.

Leitrim was practically a non-maritime county, having about a mile and a half of sea coast, it derived no benefit from the fisheries to which the Board devoted a vast amount of attention, 31373-4.—Another disadvantage was the absence of public institutions of any kind, a great annual drain upon it was caused by yearly sum of £7,658 sent out for support of the asylum situate in County Sligo, instead of its being circulated within county, 31375-6.—Emigration constituted another great drain, about 1,000 people leaving Leitrim every year, just when they were strongest, taking £120 a year as their average worth to the country, this meant a loss of £120,000 a year, but the worst feature was the probable deterioration of the Celtic race, 31390-3.

Absentee Landlords.

The vast majority, at least seven-eighths, of the landlords of Leitrim, lived elsewhere, having an agent, an extremely clever man, to deal with the tenants, 31377, 31379-80.—The loss to County Leitrim from this absenteeism was on a very rough estimate £100,000, estimate arrived at by taking total valuations of estates in the county as given in Thom's Directory, and deducting the valuation of those landlords living in the county, 31377, 31382, 31388.—It did not include the large grazing ranches left with nothing but a herd upon them, 31378.—As an instance of absenteeism, Lord Massey took £24,000 out of the county, and no one had ever seen him there; Mr. Clements, of Glenbuoy, had only been seen once even by his agent, 31381.—It was no benefit to Leitrim that Lord Massey lived and kept a large staff in Limerick, witness would prefer his living in Limerick rather than London, and London rather than the Continent, but, before all, his living and spending his money in Leitrim, 31383-4.—Leitrim was by absenteeism much worse off than Sligo, where one of the best landlords in the country, Sir Josslyn Gore-Booth, lived, 31385-6.—It was a decided advantage to a district to have landlords living on their demesnes, they should not only live in their places and spend their money in the county, but take a leading place, 31387, 31394-9, 31407.—Only a man wanting in intellect or energy would not find plenty to do wherever he was placed, 31396, 31400.—One landlord had devoted much time to daffodil culture, this of course implied that he had retained the family home, 31400-1.—With the landlords' power clipped, the people would be glad to have them in the country, but witness would be very sorry to have such a one living there as Mr. Montgomery, in Killarga, who spent his money there, but knew the estate of every farmer, and increased the rent whenever he saw a farmer able to bear it, 31394.

MEEHAN, Rev JOSEPH—*continued.*

Inducements for Landlords to remain in the Country.

In order to induce landlords to remain in the country, it would be necessary for them to retain even a large amount of land, 31408.—Witness had not thought of a general rule, individual cases would have to be considered, 31403-4.—No claim to acquire land within the demesne wall should be supported except where no use was made of it, whilst people were starving for want of land, 31405.—There should be a Court of Appeal of some kind for such cases, 31406.—Landlords should not have land from which tenants had been evicted, 31402.

Sporting and Fishing Rights.

Sporting would be a great attraction to men, especially young men, to remain in the country, 31409.—Game and fish were a national asset not to be reserved exclusively for the landlords, if landlord had exclusive rights to hunt hares, and could enter tenants' lands for that purpose, the tenant would not hesitate to bill a hare wherever he saw one, rural life was dark enough compared to town life, and those who had a taste for hunting should be allowed to indulge it, 31410-1, 31418.—As regards salmon fishing, where a landlord had exclusive right to a salmon river passing through his land, and the land passed to the tenants, landlord's right should not be confiscated, but it would be far better that this exclusive right should cease, and the tenant have an interest in the fishing, 31412, 31415, 31431.—People had the main right to all the fish going past their doors, this was God's natural provision for their food, 31413-14, 31426-7, 31435-6, 31439.—The people of Leitrim derived no benefit from the fishing on the Bonnet and the rivers about except that of nabbing a stray fish, and if they were caught they would go to jail for it, as far as witness knew, the profits went into the hands of some gentlemen in Sligo, 31414, 31417, 31420-22, 31425, 31427, 31429 30.—Witness did not mean that landlord and tenant were to have the fishing rights among them, and anybody could fish who liked, 31416.—There should be some set rules so that anyone wishing to fish must get permission from some authority, if the landlord and tenants had some committee and owned the rights between them, the public spirit of the tenants would cause them to put down poaching, so that they might fish themselves, and the fishing become an economic benefit to the whole district, 31417.—A Board of Conservators such as there were in England, managing fishing in the interests of the people, without question of private rights, was wanted, 31419.—Witness was not a fisherman, and knew very little of the Board of Conservators, his opinion of its constitution was worthless, but if the present constitution was such that the conditions in Leitrim described above was legal, witness was decidedly against it, 31423-4, 31427-8.—The best means of making fishing a national asset would be to transfer it to the occupier on reasonable terms, witness did not know the foundation of present fishing rights in Ireland, but if the landlord had prescriptive rights, they should be confiscated, if such rights were good and of long standing, he should be compensated for their loss, 31432-3.—Sea-fishing was in quite a different position, 31437.—Witness would not admit that if the rights of the landlord to exclusive fishing were bad in the case of a salmon river, those of a tenant would be equally so, or that the man with a holding not bordering on river should have similar rights, in that case there would be a natural right for the French, English, or Spanish to come within the three miles limit of the Irish coast and fish as they liked, 31438-9.

Explanation of Memorandum.

Witness had said in his memorandum that he wished it clearly understood he did "not favour

MEEHAN, Rev JOSEPH—*continued.*

confiscation—righting wrongs by other wrongs," the sentence was not purely academic, though perhaps not very clear and written hurriedly, it was put in to further clear ideas on the subject, 31445-6, 31449-50.—It meant that supposing it were decided to carry out migration, and a man had a large farm he had held for a number of years, which could be utilised for the easement of congestion, the farm should not be taken from that man except at a fair valuation, even if he did not need the farm, to take it without compensation would be a wrong, 31441-2, 31444.—No one had ever suggested such a course, witness had never heard a Nationalist member of Parliament, or any man on a public platform in County Leitrim, suggest the taking of a grazing farm for improvements without giving full value for it; no such case of righting wrongs by wrongs had happened in the county to witness's knowledge, 31445, 31447-8.—The other wrongs referred to were those done to tenants by confiscating their property, driving them to the morasses and mountains, by piling on rents whenever tenant was seen to be strong enough to bear it, 31290, 31387, 31402, 31443.—No people in the world had suffered such wrongs as witness knew them to have suffered in his parish, 31452.—Examples of this treatment and of the duties of bailiffs were given in his memorandum, the landlord evicted when a man showed independence, and had a notice to quit printed on the back of the receipt, the tenants were treated mercilessly, and felt themselves in practical slavery, 31211.—In the memorandum witness had stated that he was not a thorough partisan, and that he had begun to study the land question biassed, if anything, against the tenant, 31203.—Translated into clearer language, this meant that he had approached the subject with a perfectly clear mind, 31207, 31209-10.—Witness had tried his best to find out the truth from all sources, and to tell it now, 31204-5.—He was thoroughly in sympathy with the tenants, but had left it to others to be more energetic on their behalf, 31208, 31452.—He had already given one reason for the opportunities he had had of seeing their side of the question, namely, the fact that his brother had suffered very much from the landlords, 31206, 31208.—The sentence "Personally, I accept the situation, and I humbly urge," meant that witness accepted things as they are, he was utterly sorry for the present position, but the sentence did not suggest that the situation previously existing would be more commendable, the discussion was one on points of rhetoric, not of fact, he decidedly did not mean that he was sorry the tenants had a grip of the land, he was delighted they had, and thought it entirely due to their own exertions, and the exertions of their leaders in Parliament, 31451-4.

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See pp. 128-42.

Definition of Congestion needed Amendment.

Classification of congested districts a blot on present system; there were slums in Kildare and elsewhere needing re-settlement as much as any other part of Ireland, 31462.—All electoral divisions containing fifty or more families whose average agricultural rent did not exceed £5, or whose holdings did not exceed 10 acres should be provisionally declared congested; final declaration to depend on report of Board's officials, 31488-9.

Board's Duties should not be transferred to Land Commission.

Time had not arrived for transfer of duties of Congested Districts Board to Land Commission; Commission already had more to do than they could manage, 31462.—Further duties were thrown on Commissioners by Bill of 26th February, 1907, 31812.

Constitution of Board.

Congested Districts Board might be increased by, say, three members; half the Board should retire by

HEWSON, Mr. G.—*continued.*

rotation every three years and not be eligible for re-election for another three years; outgoing members should be replaced by persons representing different districts, 31462.—And a small *ex-officio* element would be an advantage, 31462-4.—Work of Board would soon be learnt by new members, who would, moreover, be kept straight by old members, 31465-9.—Witness not at all dissatisfied with present *personnel* of that Board who had looked after their own districts very well, 31471-2.—But he wanted other districts to have their turn and a representative on the Board would see that they got it, 31469-70, 31472, 31485-7.—Swinford district had been extremely well looked after, partly, at any rate, because Father O'Hara was on the Board to urge its needs, 31473-8.—It would not be well to give each congested county its share of funds regardless of its necessities, and there was no reason why local representation should have any such result, 31482-3.—Counties must be taken in some sort of order, the absolutely fair way would be to put their names in a hat and take them out one by one, 31483-4.

Migration: Importance of transferring Migrants to conditions similar to those they were leaving.

Success of any migration scheme depended on migrant being transferred to a district where conditions of life and agriculture resembled those in district he left; as great a mistake to bring a West Donegal man to Roscommon as to take a Meath man to Connemara, 31490-4.—West Donegal (Gweedore) man was used to live beside his turf, have large rights for grazing sheep, and seaweed for manure; in Roscommon, supposing he would consent to go there, conditions would be entirely different, 31495-504, 31737.—Even if he were put on virgin soil he would not understand the class of agriculture required, 31507-10, 31515.—Though as a young man he might have served his apprenticeship in a very good agricultural district, and as far as knowledge of tillage went the Gweedore farmer who had decent land was as good as any other farmer, 31516-8.—Emigration would not present greater disadvantages, 31505-6.—Bog holdings did not give their holders a living; they were merely a kind of accommodation holding, 31512.—Leitrim men who had come to Donegal as herds were all exceedingly poor, 31519.—But witness had no actual case to quote of a Donegal man who moved to Roscommon and failed, 31522-3.—And men moved from a bog holding to a grass holding in same county had succeeded in many cases, 31524-5.—Transfer to another county was different; people were very clannish and styles of agriculture varied widely in different parts of Ireland, 31526-7, 31529, 31759.—Sligo and Roscommon might be grouped together, as conditions in those two counties were much the same, 31528, 31530.—And Mayo as far as Tubbercurry, 31531.—But it would not do to bring a Belmullet man to Tubbercurry, 31532-3.—Most small farmers in congested districts had turf, 31534.—Proximity to bog and a good supply of water a vital necessity for grass lands to be settled, 31738-9, 31747.—People had lived on these grass lands before, but it was a question of environment and habit for migrants, and very often bogs had been cut out, 31740-7, 31760-3.—In the islands of Lettermore turf was brought over in lighters as in Tory Island, 31535.—Turf could hardly be supplied at a rate they could pay to small holders in Roscommon, supposing grass lands were broken up, 31536-8, 31570-3.—Compressed peat had failed for want of a market; migrants might perhaps help the market, 31574-8.

Reluctance to Migrate.

People would not migrate in sufficient number to relieve congestion, 31540.—This was an opinion advanced, not statement founded on actual experience, 31542-7.—People would no doubt go to moderately rented farms ten or twelve miles off, 31570.

Local Opposition to Migration.

Dromard Farm, near Mohill, was bought by philanthropists to provide houses for Massareene tenants; local opposition was too strong and land was finally given to natives who had cut down all the timber, 31570-7, 31581-4.—If farm had been divided among

HEWSON, Mr. G.—*continued.*

strangers there would have been no land left for local people, 31578.—People for whose benefit land was bought were evicted tenants, not congests, 31580. —Congested Districts Board would probably have succeeded no better, 31585.

Migration from unpurchased Estates.

Landlords of congested estates would not object to removal of tenants to better surroundings even if migratory tenants went to one of the Board's estates; Witness's experience contrary to Mr. Finucane's evidence; no reason why notices should not be put in congested districts telling uneconomic holders to apply to Board, 31734-7.—No need to make a gift of tenants' interest to landlord; migrant could sell his interest to adjoining tenant and so secure a little money to start with in his new holding, 31737, 31764-7.—Migration of sons of tenants as migratory labourers to district where new farms were laid out would be very expensive, 31767.

Migration of Tenant Purchasers.

Tenant purchaser would lose nothing by migrating; he would sell holding on which he had already paid, say, twenty-five instalments, at an enhanced price, 31781.

Remedies for Congestion.

Problem of congestion, as a whole, was insoluble, 31539-40.—Impossible to make all holdings "economic," 31644.—Bulk of real distress consisted of cases where old people were left without a family, where husband or wife died leaving a family of young children, etc., which might occur under any circumstances, 31718.—Migration would help a little, 31538. —Board should also have right of pre-emption as at present exercised by landlords; should undertake main drainage and establish a bureau of information as to employment available in England, Ireland, and Scotland; small holders should be encouraged to keep their drains clear and to raise their standard of cleanliness, and sub-division should be prohibited by law, 31539.

Circulation of Money in Neighbourhood Required.

Circulation of money was the great want now that landlords were gone, 31539.—Congested Districts Board should take their place and do the work of a good landlord, 31548.—At present there were many absentees, 31554.—But twenty-five years ago many landlords lived and spent their income in County Leitrim, 31549-51, 31555.—Some landlords spent large sums on improvements, 31556-9, 31600.—Mr. Wynne spent large sums on the railway, 31560.—Forty-two miles of railway made; money raised by local guarantee, 31601.—Mr. Wynne got nothing back, there never was any prospect of getting anything back, 31601-2.—No occupiers joined in guarantee, 31603-5.—Railway scheme had been re-arranged and was now doing very well, 31606-7.—Witness did not know whether proximity of railway was considered in fixing rents, 31608.

Practically no Land available for Relief of Congestion in Leitrim.

Leitrim congested districts peculiarly situated; no fishing; very little land let on 11 months' system; in consequence there was not much land available for migration and practically none for enlargement, 31561.—Not enough untenanted land in Leitrim to put up more than 100 families, 31570.—No congested estates with large farms adjoining, 31781.—Statistics of untenanted land quite unreliable; bulk of it was mountain, 31812.—Rents of holdings not an appreciable factor in occupier's budget, 31561.—System of dual ownership seemed to be impossible owing to legislation, 31561.—Legislation since 1881 had tended to drive out landlords, and the only remedy was to purchase, 31562, 31568-9.—Compulsion not necessary, landlord would be willing to disappear if he got a fair price, 31564-7.—Much could be done in Leitrim by draining and fencing mountains and by planting, 31595.—Coal flags and iron ore in Arigna district

HEWSON, Mr. G.—*continued.*

could not be properly worked for want of easy access to a port, 31595-8.—Witness had advised several clients to sell outlying farms in other counties, but landlords had been unwilling to sell, 31599-600.

Size of an Economic Holding.

Impossible to say what area or what valuation should be held by each occupier, 31570.

Breaking up Grass Lands: Effect on Cattle Trade.

Not likely that migration could be carried out on scale large enough to make much difference to the store cattle trade for years to come; a serious attempt to prevent graziers taking grass lands would affect the trade, 31586.—Large infusion of graziers necessary to well-being of the country, 31587.—Small holders would not be able to finish their stores and do away with middleman's profit; they would not have room, 31589-91.—It was not done in Ireland, 31592.—New holders would probably till as little as possible; modern education made young people disinclined to work land, 31586, 31594, 31644.

Dangers of such an Experiment.

Dangerous experiment to revolutionise whole system of agriculture; till land was broken it was impossible to tell what it would grow; experiences of Famine time ought to be a warning, 31685-92.—There was no sign of a crash in letting of grazing farms, 31812.—Grazing was now profitable and successful and going back to tillage might endanger agricultural prosperity of the country, 31695-8, 31700, 31727.—Witness would like to see people on the land if the scheme would be a success, 31724-6, 31732-3.—They were on the land before, but though in many cases landlords had made clearances in many others it was natural causes that turned holdings into grazing ranches, 31728-31.—Witness did not apprehend danger from addition to grazing lands and diminution of tillage concentrating agricultural prosperity of Ireland in the cattle trade, 31693, 31701-8.

Probable effect of Importation of Canadian Stores.

Importation of Canadian store cattle would ruin the small breeder in the West, but the ordinary grazier would make money by it, 31709-12, 31715.—If it were certain that Canadian cattle would come it might be wise to put men on 20-acre holdings and let them learn to be ready for the change, 31713-4, 31716-8.

Difficulty of selecting Land to cut up in event of Compulsion.

If land were compulsorily taken, selection of which farm to take and which to leave would be excessively difficult, 31718-23.—Suggestion as to cutting up farms of over £50 valuation would be unworkable in many cases, 31781.—Mr. Finucane's proposal to treat everyone alike and if landlords' land would not go round take that of the big tenants was an impossible and unjust one, 31783-8.—The residential tenant ought not to be touched, 31789-94.

Distinction between Land let on 11 Months' System and Land held by Large Farmers.

There was plenty of land let on 11 months' system which could be broken up, but it would be ruinous to do away with the large farmers, 31694, 31699, 31782, 31795.

Conacre Letting.

Large farmer who let land in conacre should not be interfered with either, it was a mistake to interfere with markets and political economy, 31796-801.—If the small tenants were removed the large man would be driven to tillage, 31806-9.

Compulsory Powers.

Compulsory powers should not be exercised except as a very last resort, 31803.

HEWSON, Mr. G.—*continued.*

Creameries in Leitrim.

Creameries were the principal industry started in Leitrim; as a result good butter was made, but a source of employment was taken from the women and breed of cattle was deteriorating from want of proper feeding of calves, 31595.

Small Holdings as a Security.

As an investment large property of small holders, if fairly circumstanced, was preferable to one of large tenants; on many congested estates witness had almost invariably collected the year's rent, one year with another; accumulation of arrears was generally due to mismanagement, 3160-9.—If a congested estate paid as a whole the landlord could probably make more of it in his own hands, 31819-20.

Price of Land.

Price at which Board had hitherto bought land could not be taken as basis for price in future; Board had got cheap lots of what might be called bankrupt stock; there was no reason why other landlords should be compelled to accept such prices except for public reasons, 31611-2.—Landlords were willing to sell at a fair price, that is, one which would not involve them in too much loss, 31613-4.—Witness had himself made losses in four out of six sales notwithstanding bonus, 31615-24, 31626.—Landlords had to pay local rate in case of untenanted land, 31629-32.—Rate of interest on investment was about 3½ per cent., 31625. —In bulk of estates sold at middle price between the zones landlord must lose; he could make money only in case of a mortgaged estate, 31628.—Many reasons why landlords should sell, 31627-8, 31633.—They preferred a fixed income to an investment in Irish land, 31634-5.—They sold at a loss because they could not help it, 31636-8.—Witness did not anticipate fall in value of land, it was a toss up, 31641-3.—Witness could see no ground for Mr. Finucane's proposal to take twenty-six times tenement valuation as basis for price, 31812.—Prices received for holdings had greatly increased within last few years, 31812.—Assumption that Estates Commissioners would not depart from a price already fixed would put them in a difficult position, 31781.

Disastrous to Ireland if money earned by labour in England and Scotland were lost, 31644-5.

Small farming could not be started in Ireland on a large scale without protection, 31644.

Estate sold direct to Tenants in Mayo, Grass Lands used to enlarge Uneconomic Holdings.

Reasonable amount of land at fair price available in Mayo for relief of congestion, 31648.—Witness had sold an estate in Mayo having tenants of congested district on its borders, and he had split up a large farm, 31648-50.—It was a direct sale, 31651.—No philanthropic reasons for sale, it was purely a business matter, 31660-1.—There were uneconomic holdings on estate, and these were being enlarged from grass land; no fines being charged, 31652-5.—If witness had sold through Congested Districts Board or Estates Commissioners there was no guarantee that tenants would get these grass lands, the Board might bring in congests from a distance, 31675-8.—As it was, tenants were industrious and would carry out the improvements needed, 31656-9.—And landlord knew what price he was getting, 31662-5, 31677.—There had been no inspection for value, 31667.—But if tenants and landlords were satisfied there was no more to say, 31668.—In case of default in payment of annuities, default might be borne by rates, but the country got that back at the next payment, 31669-71.

Loss suffered by Landlords through Delays in Completing Sales.

Landlord willing to sell untenanted land ought to be sure of getting his cash in a reasonable time; at present he might have to wait four years and could not let his land during the interregnum; if he did not get cash, State should give him interest equal to his

HEWSON, Mr. G.—*continued.*

average income pending final distribution; if securities in which Land Commission invested landlord's money dropped he lost his money; one remedy would be to allow tenant purchasers to pay off balances owing to State in Land Stock, 31680.—Witness who said that under certain circumstances a landlord with the bonus would get more than his present income at 3½ per cent. had forgotten that vendor had to redeem head rents, pay costs of sale, live for three or four years on 25 per cent. less than his income, and bear any loss that might occur in selling out of securities in which Land Commission had invested his purchase money, 31680, 31812.—Loss of sporting rights was often loss of a valuable asset; cost of selling a small estate was almost prohibitive, 31680. —Action of modern Government in dealing with Ireland was like that of a child pulling up a plant to see how it was growing, 31680-4.

Improvement of Estates sold direct from Landlord to Tenant.

Land Commission should have power to provide for improvement of estates sold direct from landlord to tenant from Reserve Fund; power must exist since free grants were made to evicted tenants in direct sales, 31768-72.—Inability to make loan or advance might be met by an arrangement between landlord and tenant, whereby there would be a proportion of price on which no bonus was paid and tenant would get a certain portion to improve his holding, 31773-8. —Danger of tenants agreeing to pay annuities out of proportion to capacity of land could be guarded against in agreement, 31779.—Provision should be made for maintaining improvements and Congested Districts Board would be a suitable body to make such provision, 31779-81.

Number of Uneconomic Holdings sold.

Statistics as to number of uneconomic holdings sold were not entirely reliable; two or three holdings sometimes sold to same man or additional holding sold to man who had already purchased another, 31779.—Tenant who was absolute owner of his farm could get money from Board of Works for improvements, 31781.—Improvement was more than a question of staff; if carried out in districts where labour had to be imported expense would be enormous, 31812.

Character of Leitrim Peasantry.

Hitherto the people had had no chance of learning how to make the best of their material, or the advantages of steady work; the best remedy was to make the tenant owner of his holding and encourage him in every way to improve it, 31812.

Prices in 1735.

Statistics as to price of commodities in 1735—37 tons 14 cwts. of straw sold for £24 10*s.* 5*d.*; 30 sheep and a cow for £4 10*s.* 3*d.*, 31813-4.—Witness paid large labour bills on several estates, but he had to emigrate his family, 31812, 31818.

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See pp. 142-4.

Work of Congested Districts Board.

Congested Districts Board only Board that had done anything for country, 31824.—It had the confidence of the people, because it had benefited them as far as it possibly could.

O'HARA, Rev. F.—*continued.*

Case of Evicted Farm bought by a Scotchman who wanted to sell it to the Board at a Profit.

One of three properties put before Board to purchase was an evicted farm, which had been left for years, and which Scotchman had bought twenty years ago and built on and then wanted to sell to Congested Districts Board, 31825.—No one would touch the property was the reason Scotchman had got it conveniently and he wanted then to make more profit, 31826.—He was not the man who should benefit, 31827.—If man was unjustly evicted from his home, and had done all he could to keep it, he would like to return to it on honest and just terms, 31828.—And he might have been able to return if the other man had not interfered, 31829-1.—Whatever price was paid for holding, it would be arrears of rent to landlord, 31833.—Owner had not paid for tenant-right, and witness objected to his getting price of tenant-right, 31834-5.—If Congested Districts Board paid him for tenant-right, and restored tenant, he would be paid twice over, 31836.—Evicted tenant came into possession while Act of 1881 was in operation, 31838-9.—Scotchman restored and built house and improved farm, 31840-1.—Witness thought Commission should know particulars of case as it was put forward, 31843.—Foundation of case was wrong and unjust, and no money expended would compensate, 31844-5.

Board should not buy Land from which Tenants had been unjustly Evicted.

Congested Districts Board should refuse to buy land unjustly evicted, and where there was contention and feeling against it, 31857-8.—Prescription would give a right, but in case of Roscommon business it would be very ancient, case referred to happened within last twenty years, and was not forgotten, 31860.

Board should have increased Powers and Funds.

Witness would give more powers to Congested Districts Board, and more funds, 31847, 31854.—Leitrim not very congested, and Board had considered cases put before them and people were well satisfied, 31848-9.

Condition of Board.

Board should have an inspector, which would be better than county representatives, 31850.—Present inspector too much confined to certain districts, 31851.—Satisfactory if Board could hold meetings in County Leitrim, 31852.

Drainage.

Necessity for better drainage in County Leitrim, rivers in bad state, houses flooded, and people had to leave their houses at night, 31851.—About £100 necessary to remedy the drainage, one river surrounded by fairly good land, landlord had borrowed money at cheap rate for remedying drainage, but one or two people had objected, necessity that Board should have absolute power, 31854.

Grants for Cottage Dairies Needed.

Leitrim a county for good butter, if Congested Districts Board could make an allowance or grants for dairies to be built, they would benefit the people, too many applications under £7 grant, 31863.—Increasing amount spent in working cottage dairies through Parish Committees suggested, 31864-5.—Two congested districts in parish of Ross and Ballaghameehan, 31866.

Deterioration of Land owing to Climatic Causes.

Witness had met Professor Baldwin, who had been in Leitrim fifteen or twenty years before, he knew of no part of Ireland that had suffered so much from climatic influences, it was farmers' experience that land had deteriorated at least a fourth in last

O'HARA, Rev. F.—*continued.*

thirty or forty years, 31868-9.—Land had fallen as if it had suffered from earthquake, 31870-3.—Excessive rainfall was the great drawback, 31873-5.

Professor Baldwin's Decisions set Aside.

Although Professor Baldwin was one of the greatest authorities, when he gave his decisions and reductions in rent, his decisions were appealed against, and rents raised back again, 31876-80.

CONNOLLY, Rev. TERENCE C.

See pp. 144-8.

Poverty of North Leitrim.

North Leitrim very poor, had suffered from various causes in the past, had had little done for it, required special care, 900 a year of population lost, average valuation lowest in Ireland, 86,000 less people now than in 1881, 31882.—Population 69,000 last Census, an eighth lost between 1881 and 1891, 31883.

Flax Industry.

Flax industry important some years ago, absolutely disappeared now, three acres of flax in Leitrim, 31883, 31891.—There would be a market if it were produced, 31884-5, 31886-7.—Nineteen scutch mills thirty years ago, none now, 31888.—There was market in Cavan and Monaghan, 31889.—More flax imported from abroad every year, 31894.—Farmers in Cavan took £40 an acre for flax, 31895.—It had been steeped in a hole and scutched, 31896.—White flax steeped in running water as was done abroad fetched higher price, that could not be done in Ireland, 31896-9.—Industry revived a little in northern counties, 80 acres flax in Louth last year, 31900.—Industry might be revived, 31901.

Occupations of Seaboard Population—Kelp Industry, &c.

County had seaboard of nine or ten miles, former kelp industry practically disappeared, 31901.—Price gone down since iodine was produced from other things, 31902-4.—It was not the most economical way of producing it, although people were content with small wage, modern law of commerce was that things must be produced from cheapest and most natural products, 31905-7.—Kelp industry paid a small wage in other parts of Ireland, 31907.—Seaboard district alluded to was in Tullaghan division in union of Ballyshannon, average valuation £3, population forty or fifty, people living by fishing, nothing had been done for them, 31907-8.—They had no landing place, no instruction, and no fishing gear, 31909.—Mr. Green went down eight years ago and talked matter over with people, 31911-4.—They took haddock, whiting, codfish, lobsters, were skilful if they got a chance, 31914.—Pier to suit people might be economically placed at Tullaghan, exact spot could be left to inspector, 31916-7.

Coal Mining—Transit Facilities Needed.

North Leitrim had a valuable coal mining area absolutely undeveloped, coal could be got at pit mouth for 10*s.* which cost 21*s.* or 22*s.* sixteen miles away, only one man doing anything, he employed thirty men every day of the year, 31918.—This was in North Arigna, 31919.—Transit needed to Irvinestown, Tyrone, Ballyshannon, and Enniskillen, 31921-2.—No railway in North Leitrim, 31924.—Sligo and North Counties line ran by, and there was a station at Manorhamilton, 31925-6.—Proposal to connect Arigna with Dromahair not sound, 31927.—People would not give a guarantee after their experience with Cavan and Leitrim Light Railway, 31928-33. 31937-8.—Existing railway was no use to coal district, 31934-6.—Railway should come from Drumkeeran to a mile west of Manorhamilton, then down from Glenade to Bundoran or from Ballaghmeehan to

CONNOLLY, Rev. TERENCE C.—*continued.*

Belleek, carried on across other line, 31939-40.—Not so far east as Kiltogher, 31942.—Dromahair was the nearest point, but once there the line could go no further, besides coal obtained by water trans-shipment would not sell in Sligo, 31941.—£6,759 guarantee paid for deficit on Cavan and Leitrim line; £4,295 got back from local taxation over benefiting area, 31944.

Roads Needed.

Roads bad, Lord Iveagh's motor scheme would benefit the country if roads were made, County Council could not induce ratepayers to improve roads, 31948-52.—Enormous expenditure needed, 31953.—It would be enough to put main roads in order, 31954.—Interest on borrowed money had to be paid by ratepayers, 31955.—And rates were too high to be raised, 31956-8.

Reafforestation Needed.

1,500 acres of forest supposed to exist in North Leitrim according to Thom were not visible, reafforestation was needed, there, very little drainage, 31958.—Land wet and exposed to sea, 31959.—Trees would give shelter and lessen bad results of rainfall by helping the natural drainage, 31960-2.—Large plantations preferred, 31963.—Magnificent to plant two miles of hillside, 31964-5.—Land used at present for cattle and sheep, easy to clear, some tenants too public-spirited to want compensation, 31966-8.—Sheep not paying, they had gone down in North Leitrim, 31969.—Total number, 13,000 last year, Galway had 577,000, Mayo 306,000, Roscommon, 165,000, 31970.—1,000 lost in Leitrim from 1905 to 1906, 31972, 31977.—Sheep would be better, and have better wool if one-fourth mountains were planted in trees, 31973.—Locality would be better sheltered, 31974.

Agricultural Products of Leitrim compared with Roscommon and Mayo.

No proportion between number of sheep in Leitrim and in Roscommon and Mayo, same could be said of other agricultural products, 31985-6.—781 acres of turnips, 300 less than year before, only 271 acres of mangel, 1,000 acres of cabbage less than year before, 3 acres of vetches, 1 acre rape, 5 acres flax, 5,000 horses in Leitrim, that was 200 more than last year, while in Galway there were 28,000 horses, and 11,000 in Roscommon, 31977-80.—Fewer asses than any other county, 31981.—Number of horned cattle gone up, there were 3,000 last year, bacon industry used to be important, and could still be made so, nearly 25,000 pigs in Leitrim, against 38,000 in Roscommon, number had gone up, but was still absurdly low, if agriculture were more prevalent pigs would have better chance, 31982-6.—Mayo and Galway were five and three times the size of Leitrim, but Mayo had large tracts of bog and bad land, while Leitrim had only little lots, 31987.

Manuring and Drainage.

Instruction in manuring and drainage needed; hills were bleached for want of drainage, and much land was not economic, because not properly drained and manured, 31987-8.—Large number of cornmills formerly, two or three now, only 7,000 acres of oats grown this year, 500 less than last year, 31989-90.

Capital Needed.

Serious thing for country that people bought from foreign countries what they could get from their own farms, farmers sold pig at 4½*d.* a pound, and bought Canadian bacon at 6½*d.*, people so rack-rented they had not the capital, and were obliged to sell pig to get ready money, shopkeeper would wait, something should be done to give capital for agricultural industries, drainage, &c., 31991.—Congested Districts Board should do it through Parish Committees within their ambit, 31993.

Definition of Congestion needed Amendment.

Some poor not in scheduled areas, scheduling system absurd, poor men penalised for living next door to rich ones, Board should have power to work everywhere in county with farmer under certain valuation, 31993, 32006-7.

CONNOLLY, Rev. TERENCE C.—*continued.*

Agricultural Credit Societies.

Agricultural Credit Societies good, but very small, and involved a lot of trouble, especially to priest, who was expected to do everything, 31994-2001, 32003.—Witness made chairman by tenants on seven estates, and carried through sales of eight estates, 32002-4.

Success of Parish Committee—Economy in Administration, &c.

Parish Committee in witness's parish doing well, they were good, but should be able to reach poor outside the area, 32005-6.—£5,000 given by Board to Leitrim within last six or seven years, more good done by Board's money than by twice the amount from Department, witness would like Board to get more money, and larger powers and hold meetings in district to get people's views, Board administered money very economically in some cases, through Parish Committee whole cheque reached poor man, with nothing for administrative expenses, 32007-11.—There were supervisors, but one did ten parishes, they were paid 10 per cent. on grant, 32012-15.—Officers were paid for carrying out Board's schemes, 32008.

Agriculture and Industries based on it of most importance for Leitrim.

Agriculture as such, and industries based on agriculture, required closest attention in Leitrim, there was no raw material for factories, 32016-7.

Lace-making and Sprigging.

Sprigging important industry for women some years ago, almost disappeared, 31885.—There should be lace-making or sprigging for girls deprived of churning by the creamery, but the idea was not followed up after Department was started, as those who assisted before thought there was now money enough, Department did it in a sort of way, 32018.

KEAVENY, Mr. M.

See pp. 148-51.

Districts Needing to be Scheduled.

In witness's parish three congested electoral divisions, Mahanagh, St. Patrick's, and Arigna, Drumkeeran, was within parish and should be scheduled, in three scheduled divisions there were 395 persons with holding rated under £7, 109 rated from £7 10*s.* to £10, and 504 rated at £10 and under, in unscheduled division there were 355 ratepayers of £10 valuation and under, some holdings in Drumkeeran valued from £2 to £2 10*s.*, some as low as 5*s.*, 32020.—Garvagh district was very poor, 103 holdings below £7 valuation, 32021.

In Killanummery Electoral Division there were a number of non-residential holdings, 227 registered occupiers, area 5,138 acres, valuation £1,882, of those 227 holdings 17 were non-residential, containing upwards of 700 acres and five of 395 acres, valued at £255 10*s.*, 32022.—This included the mountain sides, 49 holdings valued at an average of £24 3*s.* 5*d.*, 178 at an average of £3 19*s.*, average value of 227, £8 5*s.* 9*d.*, average value of 222 £7 6*s.*, 32032.—These not in scheduled districts, lot of unfortunate people living close to large farms were deprived of benefits of Congested Districts Board, 32024.—Should any large farm be sold Congested Districts Board should buy it to provide farms for parties living in congested areas, 32025.—Non-residential farms, but tenanted, 32026-8.

Land Available for Board to Buy.

One or two farms for sale, application made to Congested Districts Board to buy, but they declined, 32028, 32032.—138 acres belonging to Mr. Hamilton, which witness thought was for sale, would be convenient to Congested Districts Board and advisable for Board to buy but for expense of working property, at a distance from its other work, 32029-31, 32038-9.—Misses Hamilton, the tenants, were willing

KEAVENY, Mr. M.—*continued.*

to sell, but witness did not know whether landlord was, 32033-4.—Farm sold under one of Purchase Acts, 32037.—Hundreds of acres of mountain land in Kilanummery, 32035-6.—There was a farm for sale by auction in St. Patrick's held under Land Commission, no purchasers, as people around were too poor, very useful to district if Congested Districts Board would buy it, 32040-2.—77 acres in it, 32042.—If split up into small holdings it would sell better, 32044.—Only one bid of £280 for farm, 32045.—Rent, £20, 32046.—Well-to-do shopkeepers bought land formerly, but farmers were going to the bad, and shopkeepers had to go with them, 32043.

Development of Industries.

Employment should be found for people in such districts in order to relieve congestion, 32046.—Board doing important things in other parts of country, giving assistance to factories, 32047.—Large number of girls without employment, 32048.—They had to emigrate, 32049-51.—If Congested Districts Board would make a line from Drumkeeran to St. Patrick's an industry might be started in plaster of Paris and fire-clay, extensive industry ten or fifteen years ago, but failed, 32052.—There had been flourishing industry in manufacturing bricks, tiles and pipes, but company started a public-house, and nothing was done right after, 32053-5, 32069-73.—Bricks were exported in a poor way, as there was no railway, 32057.—Industry might pay well, 32056.—If started now on account of line going to Arigna it would not be so expensive to carry out work, nor so expensive to send to Ballinamore and Belfast, 32058.—Drainage pipes made which farmers found better and cheaper than stones, 32061-3.—Good demand, two large steamers employed, and bricks sent on to Limerick, 32064.—Strangers constituted the company and farmers of locality had no control, 32065-8.—Coal found in locality, company started at Spencer Harbour, and Lord Spencer christened the Harbour, 32059-60.—Steamers carried coal to Limerick and took away bricks, 32074-5.

Work of Parish Committee.

There was a Parish Committee which did well, but funds were limited, 32076-7.—And they were not allowed to work outside scheduled area, 32078.—They worked at fencing, drains, and buildings, 32079.—Witness would like funds of Parish Committee increased to £400 or £500, 32080.—365 parties entitled to share of present grant of £100, 32081.

Roads Needed.

Necessity for completion of chain of roads, 32082.—Considerable sum offered as subsidy, 32083.—They were so backward they could do with money for construction of roads and funds of Parish Committees increased, they only got £932 for construction of roads in County Leitrim to 31st March, 1905, 32084.—All Leitrim had for construction of roads from Congested Districts Board since it was formed was £1,674, while Donegal got 26,992, 32086.—Ratepayers in Manorhamilton Union were overtaxed and too poor to accept, £2,000 offered, 32087-8.—North Leitrim was the poorest part in Ireland, 32089, 32102.—Leitrim could still get money offered, in 1905 Parish Committees in Donegal got £2,553 and in Leitrim £21, 32090-2.—If more money could be got through Parish Committee people were willing to earn it, 32093-5.—If industry were again started all would depend on management, 32096-7.—Witness did not think the industry would have to be artificially kept on, 32098.—Money given to Parish Committees would be used in making permanent improvements, 32099-101.

Butter Industry.

They had small industry in Tarmon where farms churned their own milk and sent butter to be manufactured, 32102-4.—Butter was improved and reduced to certain quality and sent away in 56lb. boxes, 32105-7.—Locality so poor and hilly and creameries so far away that butter factory worked better, 32108-10.

Sanitary Work of Parish Committees.

Parish Committees had done much to improve sanitary conditions, removing manure heaps, etc., 32111-2.

KEAVENY, Mr. M.—*continued.*

—£50 spent annually in sanitary officers in union of Manorhamilton to travel the country, and see that manure heaps were a certain distance from houses, 32113, 32116-8.—Man could not get a grant from Congested Districts Board unless manure heap was a certain distance from house, it did not cost Board anything to remove them, 32114-5.

Railway Facilities Needed.

1,400 acres of land untouched for want of railway facilities, 32118.

Poverty of the Soil.

Tillage going down for want of labour, people so poor they had to emigrate, 32121-5, 32127-9.—Farms were small and land bad, witness planted 16 cwt. of seed last year, and had not 20 cwt. to take out of it, 32126, 32132-3.—Years when potato crop was good it would pay them, but there would not be enough for two years, 32130-1.—Man could not rear family on five, six, or seven acres with a valuation of 30s., 32133.—Tilling ground on an enlarged holding would pay better than emigration, 32134-6.

ROONEY, Mr. P.

See pp. 151-4.

Grass Lands Should be Broken Up and Migrants Settled on them.

Suitable grass lands should be purchased and divided into holdings to persons migrated from congested districts, 32137.—In any part of Ireland wherever tillable land would be found, 32138-40.—Heads of families were willing to migrate in most cases, 32141-2.—If landlords refused to sell at reasonable price, compulsory powers should be given to Estates Commissioners and Congested Districts Board, so that untenanted land could be obtained, 32142, 32225.—If not available in congested district Board should have power to acquire in any part of Ireland, 32142. An amount of available land over length and breadth of Ireland, 32226.—If there was not sufficient witness would strike a line at a farm of £50, he would take part away from man who had too much and was not able to labour it, 32227.

Farmers' Sons Should Get Farms in Order to Keep them in the Country.

Farmers' sons under £10 valuation should get farms in order to stop emigration, 32142, 32204-5.—People in congested districts should have first claim, a larger holding would provide labour for whole family, 32205-13.—Persons should be at liberty to inspect farms and if satisfied with terms of purchase, to have the same title to holding as other purchasing tenants; term of repayment for migrated people should be extended in order to reduce half-yearly instalment, 32142.—If migrated family were able to sell interest in little vacated holdings they would have means to stock the new holding, 32144-6.—More advantageous for remaining parties if they got the land for nothing, 32147.—People would have little means to start on new holding, and if they borrowed it would be a heavy sum yearly to pay back, 32150-2.—Loan would be an advantage, 32154-9.—Congestion worst in mountainous districts, 32160.

Mountain Grazing should be Secured for Tenants.

Mountain grazing should be secured for tenants at purchase of holdings, 32160.

Price of Land.

Estates Commissioners should have land inspected before tenants purchased to see if it was worth the price, 32161, 32173.—When a man got a great amount of arrears of rent and was in difficulties he agreed to purchase his holding at too high a price in order to get over difficulty, he was often unable to pay instalments, and many decrees had been taken out where tenants had made

ROONEY, Mr. P.—*continued.*

bad bargains with landlords, 32162-5, 32170-2.—There had been purchasers under Ashbourne Act, but witness did not know of any case where man had been turned out of holding for not paying his annuities, 32166-9.—Estates Commissioners should fix a fair price, and landlord and tenant should be bound to accept those terms, 32174.—Success and failure did not depend on tenant paying 5*s.* or 6*s.* a year more, 32175-8, 32184-6, 32189.—But tenant would benefit by reduction, 32178-9, 32190-2.—Man who paid £3 rental could not maintain himself and family, he had to find some outside sources, 32187-8.—Half the people would not be able to live in the county if they had not help from their children in America, 32180-2.—Inspection might not benefit tenant altogether, but witness wished for it, he had confidence in the Estates Commissioners, 32183, 32193-5.—Rates would be mulcted later if tenant bought at exorbitant prices, 32196.—18 years' purchase under Ashbourne Act was fair, 32197-201.—Under new Act Government was giving a bonus of three years' purchase to landlord, who ought not to profit because tenants got a cheap loan, 32201-4.

Development of Industries Needed.

Industries suitable to each locality should be established, a woollen factory might be established in congested district of Glenarriff, 32213-4.—Enterprising landlord might start some useful industry, 32215-7.

Importation of Cattle.

Necessity that small farmers should be protected, sale of store cattle was mostly all their means of making money, and if foreign store cattle were imported into England without restriction prices would fall in Ireland, and the small farmer be ruined, 32218-20.—Small holder must sell his cattle, he had not the means to hold them over, 32221.—Bigger farmers and graziers made the market for them, 32223.—They all went to England in the end, 32224.

Witness represented one of the poorest congested districts in North Leitim, in Glenarriff division they had 190 holdings under £5 valuation, 51 over £5 and under £10, and 12 over £10, only 12 persons in the whole division that had land enough to live on, 32227.

Sporting Rights.

Sporting rights were of little value to tenants, sons were better employed on working the lands, it was better for tenant to purchase the rights of landlord in case of burning in the dry season, when there would be a claim for malicious damages, 32231.—If tenants purchased sporting rights they should appoint a committee to look after game, to preserve it and sell it, and proceeds go to pay taxes, 32236, 32238.—If sporting rights had been sold proceeds should go to the revenue of the tenants, and not to the Parish Committee, 32237.—Tenants should not be allowed to shoot at will, 32239-40.

REYNOLDS, Mr. P.

See pp. 154-7.

White Estate.

2,072 acres of untenanted land on Whyte Estate and some of it rough mountain grazing, 32246-8.—Estate not sold on account of difference as to price, 32246.—Not fit for tillage; of 192 tenants, 77 were under £5 valuation, and 72 over £5 and under £10; uneconomic holdings on estate could be improved by adding grass lands to some of them, 32249.—Some of the 2,000 acres was grass land and fit for grazing cattle, 32250-2.—Other holdings in division of Sraghmore not easily accessible, could be improved by consolidating two farms into one; in townland of Carrickinero, Mr. Whyte had 119 acres, 1 rood, 16 perches untenanted, of valuation of £47 on land and £7 10*s.* on buildings, suitable for dividing among tenants, 32252.—In Carrickfad Mr. Whyte had 30 acres, 2 roods, 17 perches, and 70 acres, 32253.—They claimed that 70 acres were not the demesne, as he built on 7 acres and took the rest, 32254.—Mansion house was valued at £22 and £4 5*s.*; in Cartron Mr. Whyte had 59 acres, 3 roods 22 perches; 7 acres 0 roods, 37 perches; and

REYNOLDS, Mr. P.—*continued.*

4 acres, 2 roods, 22 perches, with valuations of £27 15*s.*, £3, and £2; in Corray he had 125 acres, 2 roods, 13 perches; in Cornalaghta 3 acres, 0 roods, 7 perches, valuation, 10*s.*; in Curraghan, 42 acres, 3 roods, 31 perches, valuation, £3 10*s.*; in Doonkelly 54 acres 0 roods, 6 perches, valuation, £7, 32255.—Owner took in grazing cattle from surrounding people, 32256-7.—In Doonmorgan he had 36 acres, 3 roods, 3 perches, valuation, £12 5*s.*, some fit for tillage and tenants could be put on to it; 978 acres not fit for tillage with exception of what would make two farms; known as Lecaun and Fawnlion sheep walk, and some holdings made very small and miserable by late Col-Whyte, 32257, 32262.—Some land taken away from tenants in the early sixties, 32258-9.—Very few evicted, but every man curtailed, 32263-4.—No compensation given, the following were a few instances: D. O'Connor lost about 28 acres and only 4½ left; O'Dolan lost 30 acres and 6½ left; P. Dolan 32 acres and only 8 left; T. Murray lost 30 acres and 8 left; rent and rates reduced very little, grass lands had deteriorated since taken from tenants; land taken from 6 tenants and let into one ranch, had only 5 cows on it the last few years, while formerly 20 were able to graze on it; by tillage and manure it might be brought back to former state, but would cost much money and labour, 32265-6.—Overrun with rabbits that ate the roots of the grass away; tenants could be put on to the land again if it was cropped, 32268.—It would not pay landlord to crop it himself, but farmers gave their labour for nothing, 32269-71.

Negotiations for Sale.

There had been negotiations going on for a sale of property under Wyndham Act, landlord had asked 26 years' purchase, and through clamouring of tenants in arrears, tenants had bid 21 years, but bid had been withdrawn, 32291-4.—Landlord had offered the bad part to tenants, and wanted to keep the good part offered, 32299.—Tenants were anxious to buy through Estates Commissioners at what they considered the value when they inspected it; there were 25 tenants' sons who were anxious to get new farms; if they did not, they would have to emigrate, 32291.

Dolan Property.

Dolan property was another estate, of which Mr. Whyte was head landlord; there were 14 tenants on Dolan property, 7 under £4 valuation, 5 under £7, and 3 from £10 to £12 10*s.*; landlord held 114 acres of untenanted land and 18 acres belonged to an evicted tenant; small farms could be improved by addition of some grass land, which was accessible to tenants, but was in the landlord's hands.

Parks Estate.

On estate of Col. R. Parks, of which Mr. Whyte was the head landlord, there were two tenants, the landlord holding 110 acres, all arable land, which he had let on eleven months' system; some of this could go to improve holdings on Whyte Estate, and others adjoining it, five of which were very barren and barely fit for cultivation; remainder would make three or four new farms, 32299.

Size of an Economic Holding.

Witness would not take £5 valuation as a basis for uneconomic holdings; some holdings valued at £10 were uneconomic, because they had not enough arable land for rotation of crops, and consequently they had bad crops, 32271.

Witness's Method of Farming Twenty Acres.

Witness farmed twenty acres and considered six or seven acres arable, 32272-3.—Whole was tilled in rotation about one and a half acres at a time, 32274-5.—He grew turnips and cabbages besides potatoes and had to buy manure and a lot of hay, he spent about £2 on manure, 32276, 32278-9.—And kept five cows, 32277.—And often five calves, 32281.—A man with five cows could only find manure for an acre of tillage on bad land, 32282, 32285.—Witness took a conacre, which cost £5, 32280, 32283.—Some stock were out in summer, but were housed in winter, 32286-7.—Pigs and poultry were kept, his wife made more out of the poultry than he did of the cows, the eggs sold in Sligo, 32288-9.—Congested Districts Board had assisted them, by giving them eggs from the poultry stations, 32290-1.

REYNOLDS, Mr. P.—*continued.*

Migration Prospects.

Some tenants would be willing to migrate if they got a better holding, and if they were given some compensation, 32300.—Witness and his father had expended a lot of labour on his holding, which would be hard to leave, 32301, 32316, 32318.—And neighbours who entered would have to insist to pay annuities, 32392.—He was willing to migrate, 32303-4, 32307.—If he gave up his holding he would do so for relief of congestion, and if he got leave to sell, some man might buy it, the neighbours could not afford to, and congestion would not be any better, 32306-10.—If new holding were large enough, so that he could afford to keep a horse, he felt that he could work it to the fullest extent, 32319-1.—And neighbours were of same opinion, 32322.—Witness did not agree with Mr. Hewson's evidence, he would sooner have twenty acres in Roscommon than 200 acres in Canada, 32323-5.—There were plenty of farmers willing to migrate, 32326.

Reductions of Rent.

Witness wished to mention some reductions of rent in Land Courts and annuities, case of M. Dolan whose old rent was £15 and reduced to £7 10*s.*, and his annuity now was £5 2*s.* 4*d.*, that man had improved his land since he purchased it.

MITCHELL, Mr. P.

See p. 157.

Farm of some middling fair land and some moss or boggy land; employment needed most for people, to keep them at home and give them a living, 32329.—Manorhamilton a suitable place for industries, being nearly central in North Leitrim, 32330.—Some parts of district needed scheduling to give people means to improve farms and houses, 32329.—Portion of road from Manorhamilton to Garrison made by Government in 1846 should be opened up; waste lands in and around Manorhamilton should be parcelled out and distributed among small farmers, labourers and artisans. 32330.

GILMARTIN, Mr. J.

See pp. 157-9.

Bad Quality of Land in Rossinver.

Witness resides in Rossinver on eighteen acres of land, of which five or six were arable, situated on mountain slope; land was bad and not able to maintain beasts of good quality, they died of disease called cruppen; all labour was done with the spade, 32332.—It was not possible to till, manure had to be taken up the side of a hill in donkey loads in a wet season; there were 100 uneconomic holdings, and none large enough except a few where tenants had left in 1846 or 1847; only one farm where horses could possibly be kept, migration was the only means of relieving congestion; there had been a private creamery, but it was closed. 32333.

Creamery Needed.

If congested districts would put up a creamery it would help the people and they would get better prices for their milk, 32333-4.—Agricultural Organisation Society had been asked to help in erection of creamery; an organiser had been down and there were a certain number of shares, but people were so poor it had fallen through; farmers kept four cows on the average, some only one or two; average price for calves reared was £2 or £3, 32335.—Farmers depended on earnings of families or friends abroad for support or else some other industry; holdings too small and inconveniently situated, 32333, 32336-7.—People had to take their cattle up in the morning and bring them back in the evening.

Work of Parish Committee.

Parish Committee was doing good work but funds were so limited they could not meet the demands; only £50 placed at disposal of Committee last year and

GILMARTIN Mr. J.—*continued.*

they could have easily spent £150; number of people who applied got no assistance; works satisfactorily carried out, 32338.—Witness had a salary of £5 or 10 per cent. of grant, no bicycle allowance, 32339-41.—Works on house repairs or outhouse repairs generally carried out, 32342.—They could usefully employ money on drainage and reclamation, 32343.—People did not have cattle in their houses, witness had found young calves in one house and fowls in another, and he had made them provide outhouse accommodation; people of between £7 and £10 valuation needed a grant as much as many under; standard of valuation should be raised to £10 in this parish, 32345.—Grant-in-aid scheme had been working for three years in parish, the people were too poor for the prize system, 32345-8.—Witness made estimate of cost of work, 32349.—Certain amount of money given according to estimate, 32350.—Proportion fixed from a third to a sixth, 32351.—Subject to sanction of Congested Districts Board, 32352.—Works were supervised by an inspector, 32353-5.—Papers were forwarded to Congested Districts Board and supervisor's estimate checked before work was carried out, 32356-8.—When works were completed they were inspected by inspector but supervisor had authority to give a certificate that they were completed, 32359.—Liable to inspection of works at any time, 32360-1.—Witness's estimate had never been altered, 32362.—Complete reports sent of actual grants to be made to particular persons, 32363.—Additional grants made for reclamation and fences, 32365-6.—Applicant would get about a fifth of cost for draining a field, 32367.—Labour was valued at so much a day and actual cost furnished, 32368-9.—Drainage could be done with the farmer's voluntary labour, but if he went in for house repairs he would be money out of pocket, 32370-2.—Stones for drainage were sometimes taken from a distance, and he would do it by his own labour, 32373-5.—Drainage and road-making calculated at so much a perch; two electoral divisions scheduled and in one unscheduled division people were as badly off as the scheduled districts; Ballaghameehan should be scheduled, work done would be about five times the amount of grant received; parish committee was a publicly elected body and the people had every confidence in them, 32391-5.

Agricultural Bank.

Agricultural Bank was doing good work, many of the loans were for purchase and saving of stock; borrowing powers were 250 and should be raised to £400, a third of the stock would not be in district if it were not for the Bank; people were industrious and honest.

Drainage.

Drainage of Lough Melvin of great importance; Congested Districts Board had been appealed to for grant and they replied that if Drainage Board was formed they would consider what amount they could give towards the work; one scheme comprised the Kilcoo River, Lough Melvin and Bundromer River, from twenty to twenty-five miles of work; Lough Melvin was obstructed by a rock in River Bundromer, it dammed up the lake and damaged the land surrounding it, when the lake was at high water; there were two rivers emptying into it, and no outlet for the water, it flowed into people's dwellinghouses, and last August whole crops were destroyed, 32377.—If grant was given they would sink the river, 32378.

Spraying.

Potatoes were sprayed once as a rule, but this did not ensure a good crop, 32379-83.—Witness had been instructed that three sprayings were necessary, but it had never been tried in this district, 32396.—From experience he had found spraying once was useful and twice was better, 32398-9, 32408.—In wet season it was almost impossible to find suitable days for spraying, 32409.—There was a difficulty in getting spraying machines, 32384-5.—Congested Districts Board had been applied to about a scheme, but the Board had given that Branch over to the Department of Agriculture, 32386.—Useful if Parish Committee could have spraying machines to let out and a good mixture which could be guaranteed, 32387-9.—It was clay land and in a wet season potatoes were not worth turning out, 32381.—They had had a change of seed this year, 32390.

GILMARTIN, Mr. J.—*continued.*

Agricultural Instruction without Experiments useless.

Agricultural instructor was not much use, he never put his lectures into practice, so nobody derived any benefit, 32400-2.—Agricultural instruction in this form without experiments was a waste of money, 32404.—Work was done through County Committee, 32403.—And witness's parish was not represented, 32405.

Protest against Direct Sale.

No direct sales should take place between landlord and tenant, if they were continued congestion would remain; Congested Districts Board should see what could be done; migration would be a great benefit, and drainage and other things would relieve congestion; if people had their farms free they could not live on them, 32410.

CONNOLLY, Mr. M.

See pp. 159-60.

Little done by Congested Districts Board.

Witness farmed 33 acres of very rough land, £2 10*s.* valuation and 10*s.* on buildings, only benefit locality derived from Congested Districts Board was through Parish Committee work, but grant of £70 when extended over area of twelve miles was very slight, it covered two electoral divisions, Tullaghan and Gubacreeny, grant should be greatly enlarged, 32413, 32425.—Very large population, registered list of voters in Tullaghan was 400 and in Gubacreeny 350, great number of holdings in both divisions exceptionally small, 32411-3.

Lack of Water Supply at Gubacreeny.

In Gubacreeny division there were six miles without a single well of pure water, great necessity for grant for erection of pump or provision of pure water, 32411-3.

Grazing Lands Available for Relief of Congestion.

Kinough Electoral Division needed to be scheduled, there were grazing lands available which could be purchased for relief of congestion if compulsory powers were given to Estates Commissioners and Congested Districts Board, Mr. St. G. R. Johnston owned a ranch of 414 acres 2 roods 32 perches, valuation £180 and £3 on buildings, there was another holding in same division of 62 acres 2 roods 24 perches, valuation £45 15*s.*, there was no valuation on houses or buildings on the lands, showing that they were unoccupied holdings, there were about 60 small holdings on Dickson Estate, Tawley, with an average valuation of £2 10*s.*, there was a grazing ranch of 260 acres close to these holdings which tenants had used for grazing and conacre for forty years, 32411-3.

Increase in Supply of Turbary if River Duff were Drained.

River Duff should be drained and bogs divided, and road made through the bog, this would be a source of industry, a turf market being available, turf was plentiful in plot referred to, but in other parts it was scarce, there was a co-operative dairy society wrought by an engine and engine was fed by turf, there were 400 acres without a way into it, some on Dickson Estate and some on Dunlop Estate, drainage of River Duff and making of a road would open up this bog, 32411-3.

Improvident Bargains made by Tenants on Dickson Estate.

Improvident bargains had been made by tenants on Dickson Estate under threat of arrears of rent, instances given—J. Murray's first-term rent was £2 10*s.*, he was promised 8*s.* in the pound by consent to purchase, first demand he got in lieu of rent was £2 5*s.* 6*d.*, only allowing 4*s.* 6*d.*, 32413.—Estates Commissioners took no action in matter, estate was in Land Judge's Court, and was sold in Dublin a year ago, 32414.—Promise of 8*s.* was made through the receiver on estate, Land Court refused to accept tenants' offer, and Congested Districts Board had not worked on their behalf as they expected, judge refused to abide by bargain; another instance was that of W. M'Gowan, who paid a rent of £3 first-term, purchase agreement would make it £2 7*s.*, at an application in County Court the rent was reduced to £1 15*s.*, 32415-6.—Improvident bargains would still be made in the future unless they had inspection and interests of tenants were safeguarded, 32417.—Witness wished to show how congested the district was, and that there were grazing ranches in it which could not be got for relief of congestion, extent and particulars of Mr. M'Gowan's holding was—Valuation 17*s.*, 12*s.* on land and 5*s.* on buildings, rent £2 3*s.*, he was only enabled to live by help from America, and others similarly situated, 32418-23.—Maps and valuations could be produced to support this evidence, 32424.

CONNOLLY, Mr. M.—*continued.*

Necessity for Pier or Boatslip on Leitrim Coast.

Necessity for a pier or boatslip for accommodation of fishermen on Leitrim coast, if there was a boatslip at Tullaghan it would help the fishing industry, holdings so miserable and small they wanted some industry to help them to exist, 32424.

GALLAGHER, Mr. HUGH.

See pp. 160-1.

Description of Holdings on the Tottenham Estate.

Witness the eldest of six, no brothers and sisters in America, 32438-9.—His father had two farms 300 yards from each other, 32440, 32445.—One in Leitrim of 23 acres, 32427, 32449.—Valuation £5 5*s.*, 32427.—The other in Fermanagh, a tillage farm of 60 acres, 32441, 32443, 32449.—The two were farmed as one, most people had not two, 32446.—Witness had not been out of Ireland, 32442.—He lived on the Fermanagh farm on borders of Leitrim, 32444.—Leitrim farm was on Tottenham Estate, Fermanagh one on Mrs. Grey's, 32453.—Valuation of latter was £14, 32456.—Witness's father employed labour at certain seasons, 32454.—If 60-acre farm were broken up it would help the people round by providing labour, they were in bad condition on mountain land, 32450-2, 32455.—Majority of land in neighbourhood of Leitrim farm was heather, the country was hilly and incapable of producing crops, the farms were all spade labour farms, district was scheduled, there was one large estate, one small, large estate the Tottenham, famous for evictions in Land War, people too poor to pay rent, holdings uneconomic, men went to England and Scotland to earn rent and support families, 32427, 32466.

Sale of Tottenham Estate.

Tottenham Estate had been sold to tenants, agreements signed, money not yet paid, the people had been morally forced to buy, they were threatened with evictions, and all the tenants were in arrears, mostly five or six years, and threatened with procedure for recovery, 32456-9.—They could not pay rent without paying instalments of arrears, holdings were insufficient to pay rent, 32462.—Rents were fixed by the Court, in some cases there were a number of future tenancies, 32463-4.—75 per cent. had relatives in America, 32465.—Arrears had been increasing for 25 or 30 years, 32467.

Sale of Cullum Estate.

On the Cullum Estate people were in same condition, nine were to be evicted, so they purchased at high price rather than be thrown out, 32468.—Same thing occurred everywhere, 32469.

Migration.

There was grazing land in neighbourhood, farmers would migrate if given better holdings, beneficial to introduce migration system, 32427-8.—Witness and his father would migrate, 32428, 32447-8.

Investigation of Mineral Resources of District Proposed.

Rich minerals in district, people would be thankful if Board sent inspector and started industries, iron mines at Kiltogher pronounced best in Kingdom, transit facilities poor, roads needed improvement, and

GALLAGHER, Mr. HUGH—*continued.*

a railway would be beneficial, 32429.—Iron worked centuries ago at Garrison, 10 miles away, 32430.—Conditions improved since then, 32431.—There was delph clay in district and water power, factory for delph would be a benefit, clay taken to Belleek did not come from there, 32432-4.

No Industries.

There were no cottage industries, there had been a lace class, but the girls emigrated, only a few could turn out lace fit for market, 32435-7.

Drainage Required.

District like the rest of North Leitrim required a proper drainage system, rivers were blocked, and small farms could not be drained till leading streams were opened, flooded lands could not produce crops, tenants would drain if larger streams were opened, 32470-1.

Attitude Towards Congested Districts Board.

Board had people's confidence, little had been done, but the people had hopes for the future, they thought Board willing to do something if income were increased, Board's efforts would be seconded by people, 32471.

Value of a Corn Mill.

Corn mill would be useful, old disused one could be purchased at small expense, corn carried eight or nine miles, there were disused water-power mills in neighbourhood, 32471-4.—Mill witness referred to had been used fifteen years ago, shutting up of mills not due to lack of corn, 32475-6.

GILROY, Mr. JOHN.

See pp. 161-2.

Witness's Farm at Mullagh, Dromahair.

Farm consisted of fifteen acres owned by witness's father, it was mountain two portions of land owned, witness lived on one, cattle and milch cows kept, calves, pigs, poultry, etc., reared, 32478-9.—Milk sent to creamery at Dromahair, 7 cows kept, they did not all calve at regular time, 32480.—Calves fed on separated milk, grass, Indian meal, and flour, cod liver oil too expensive, witness had heard of it being used, 32481-4.

District not Scheduled on Account of 2,000 Acres of Untenanted Land.

District congested and one of the poorest in Leitrim, got no benefit from Board, not scheduled, 32485-6.—It should be scheduled, in Mullagh there were 24 tenants, 17 under £5 valuation, 6 under £10, valuation of one holding was £13, 8 with valuation of 10*s.* to 25*s.* with men rearing families of five or six on two or three acres of bad land, 32487.—It was the Fox Estate, and was not scheduled on account of Whyte Estate adjoining, and 2,000 acres untenanted land in Drumlease, Fox estate bought by Land Commission in 1902 under Ashbourne Act, but it did little good, people could not live on the land, holdings too small to rear cattle, 32488-90.

Other Townlands Near Mullagh which were also Congested.

Bohey, near Mullagh, was also congested, there were 15 tenants, nine with valuation not exceeding £5, mostly from £1 to £1 5*s.* and £2, in Rockvalley, also in neighbourhood, there were 12 tenants, 10 under £5 valuation, mostly from 10*s.* to £1 5*s.*, to over £5 and under £10, 32490-1.

Question of Migration to Moneyduff Grazing Ranch.

Grazing ranch called Moneyduff adjoining was formerly used by people to graze cows for milk, they stopped that, in order to try and force landlord to sell, 32490-1.—Tenants might be migrated to ranch, 32491.—It was over 400 acres, and belonged to C. B. Whyte, he had no cattle on it, and did not use it for agriculture, 32492-4.—People in witness's district used to depend on it to graze cows in summer, they paid for the grazing, 32495-6.—It was tenanted land

GILROY, Mr. JOHN—*continued.*

and waste at one time, tenants were evicted, and land turned into grazing, 32497-8.—Landlord lived in Carrick-on-Shannon, 32499.

Development of Tourist Traffic by Steamer on Lough Gill.

Steamer on Lough Gill would develop tourist traffic from Sligo to Dromahair, and bring cargo as well, 32499-500.—Turf nearly exhausted in Mullagh, 32500.

Question of Railway for Conveyance of Coal.

Railway from Arigna to Dromahair to convey coal at cheap rate would meet want, people could not afford present price of 1*s.* 4*d.* and 1*s.* 5*d.* a cwt., 32500.—Arigna 16 miles by road from any part of lake, 32501.—Railway would have to be made from south end of Leitrim, 32502.

GILLIGAN, Very Rev. Canon.

See pp. 163-165.

Congestion in Kiltoghert—Sufficient Grass Lands available.

Fifty congested families in parish of Kiltoghert, each had half an acre to two acres of land, 32505, 32543.—Lived by going to England and Scotland, 32505, 32518, 32546.—District not scheduled, twenty of the families were near Carrick-on-Shannon, thirty in Gowan district they could be relieved by giving them small farms, with suitable houses and offices, 32505.—Three large grazing ranches in hands of occupiers, which occupiers were willing to sell to Congested Districts Board, 32505, 32518.—Occupiers were Mr. MacDermot, who told witness he was willing to sell, Mr. Vaugh, who would also sell if he got fair price, third owner Mr. Harrison, 32507-8.—500 acres of grass altogether, it lay east of Carrick-on-Shannon, 32509-11.—Witness thought occupiers had purchased, 32515.—The largest place belonged to Mr. Latouche, and it was once occupied by tenants, but they were cleared out in the bad times since 1848, 32516-8.—Tenants constantly evicted all over Ireland, 32518.—No necessity to migrate them in this district, as land was available, they would not like to leave neighbourhood, 32518.—Breaking up grass lands the only way of providing for them, as county was not agricultural, 32518.

Soil of the Parish was mostly Wet.

The soil was wet, with retentive sub-soil, water remained on surface, only nine inches of soil, six foot drain needed to do any good, farmers could not work the land, but it did very well for grass, 32518.—This wet land lay on both sides of road from Carrick-on-Shannon to Jamestown, it was a town park, and belonged to Mrs. Whyte, 32528-30.—Town parks round Carrick-on-Shannon were all wet, the grass lands were due east, they were on limestone, and water got away, 32530.—Unsuitability of soil accounts for failure of tenants, as they could get no employment, 32519.—Few of those evicted in Famine time remained, they emigrated to America, 32520.—Failure of potato crop would be enough to account for tenants' breakdown, 32521-2.—Certain amount of tillage essential to success of small farmer, 23523-4.—The ranches had good tillage land, 32525.—Labourers could not get employment, because it was all grazing, and farmers had not more than they could till for themselves, 32526.—Every farmer had some tillage, he drained part of his land, manured it and petted it, biggest farmers had only a small amount, it was all grazing, 32527, 32551.—No difference between town park and ranch, except town park was near a town, 32531.—Ranches very suitable for allotting to small holders, occupier would only want cottage and offices to get on, 32532.—All the other lands were saturated with water and unsuitable, 32533-4.—Ranch land best in parish, all of it would not be needed for small holders, 32535, 32548.—It was near the small holdings, a mile or two away at most, tenants would leave present cabins, and new houses, &c. would be provided, three or four of the old holdings should be

GILLIGAN, Very Rev. Canon—*continued.*

amalgamated, 32538.—They were nearly all suitable for tillage, 32539.—Two would not be enough to amalgamate, three or four would enable a man to live, 32541.—In such a farm there would be two acres for tillage, and three or four for grazing, 32542.

Congested Small Holders were really Agricultural Labourers.

The fifty congested small holders were really only agricultural labourers, they had only small gardens to grow roots and potatoes, and feed pigs, they were not grazing farmers, 32545.—Ranch land was partly level, partly high, country was undulating, there were some comfortable farmers on it, and no poor, congested people, such as the small holders a couple of miles away, 32549-50.—Small holders grew potatoes, turnips and mangels, for pigs, they had no cattle, with manure anyone could grow roots, they had manure, great pig fairs in Carrick-on-Shannon, 32551-6.—Tenants in Gowan were in one union but in different electoral divisions, Gowan the principal one, 32559-60.—Priest lived in that direction, he could give the electoral divisions they lived in, 32561-2.

Protest against Extension of Railways in County Leitrim owing to burden of Taxation.

Witness wished to fight against railways, they had already put overwhelming taxation on Leitrim, further extension without prospect of return would be fatal, 32563.—It might pay to extend them in direction of coal mines and quarries, in that instance line if opened up might pay and give employment, 32564.

VAUGH, Mr. WILTON.

See pp. 165-70.

Size that a Self-supporting Holding should be in County Leitrim.

Witness paid £800 a year in rent and taxes, £150 of that was taxes, 4*s.* in the pound on most of the lands, 32567-8, 32582.—He knew County Leitrim well, and never knew industrious tenant who could not live and pay rent no matter how small his farm, man with five acres sometimes better off than one with thirty, 32568, 32573.—Man with less than five acres a labourer, who needed outside employment, or his holding enlarged, 32569-70.—An industrious man if he could not get enough from the land would find employment, 32571, 32575.—With proper management every farm should yield enough profit, 32572.—Five acres enough to live on, 32574.—That was the smallest amount possible, 32577.—Witness's chief faith was in the man himself, 32579.—Rather a good man with five acres than a bad man with thirty, 32580.—Every man ought to have twenty acres, 32581.—If a man lost calf or was disabled from any cause he came round in a short time; if he were an industrious man he could always get a friend to help him, 32584.—There was little congestion near Carrick-on-Shannon, but it was to be found in every electoral division in County Leitrim, more or less, industrious men should be migrated on to good holdings, proper men bound to succeed, farms vacated would be used to enlarge adjoining ones, 32584, 32629-31.

Price of Land for Migration Purposes.

Plenty of land to be had for migration if a fair price were paid, witness held farm of 287 acres on King-Harman Estate, when Estates Commissioners bought estate in 1905 he offered to sell at price that would yield his net income when invested at 3½ per cent., 32385, 32587, 32636.—Witness not tenant purchaser, he paid rent to Land Commission who had bought estate, 32585A.—The farm was in County Roscommon on border of Leitrim, Estates Commissioners inspected it and said it would suit, but when

VAUGH, Mr. WILTON—*continued.*

witness stated his price of £3,000 they wrote and said, considering the short time he had been in possession, it was too high, and asked him to take off a third, 32586-8.—Witness's net income was £210, he had bought estate eight years before paying £1,500 for the tenant's interest, 32588-91, 32596, 32615-6.—He did not answer Estates Commissioners' letter, he thought it was no use, 32588.—He was tenant of Land Commission and paid them rent every half year, 32593-4.—Farm well situated, good water, good land, 32595.—Abatement demanded was unreasonable, price paid by witness for estate had nothing to do with Estates Commissioners, if Guinness's shares were bought at £15 and rose to £56, owner of shares would not be asked to sell for £15, 32898.—Witness was prepared to show figures to support statement *re* income, 32600.—If he were allowed to cut farm into thirty-acre lots he would get £5,000, 32601, 32605.—Value of land had gone up, though not so much as Guinness's shares, 32602-2A.—Guinness's merely mentioned as an instance of market going up, 32603.—Because purchaser wanted to know previous price paid, there was no reason article should be sold cheaper than seller thought proper, 32604.—Farm sold in one case for £1,000, that was bought five years before for £700, in another a farm fetched £1,400, that was bought for £1,000, 32608.—Witness had bought his farm cheaper, 32609.—Witness had not argued out matter because he thought Estates Commissioners did not approach him in the right way, short tenure of farm was nothing to them he bought out tenants' interest, 32610-2, 32648.—Rent of farm was £217 9*s.* a year, 32616, 32619.—Valuation £317, 32754.—Lease held on term of three lives and forty years after the last life expired, term not yet expired, 32617-20, 32624.—Some of those lives still existing, 32623.—Reversion was to Estates Commissioners, they had no power to resume while witness paid rent, 32625-6.—If estate were put up to auction he would not sell at £2,000, 32621.—Estates Commissioners' letter not prejudicial to sale, 32622.—Unless Land Commission put on rack-rent, or raised rents, series of years of lease having expired would not affect value of witness's property, they had no power to raise rents according to terms of lease until forty years after the death of last survivor, 32627-8.—Witness thought he came under section of Act that permitted leases to be broken, 32632.—Act of 1887 did not break leases, it gave power to go into court and have rent reduced, 32633.—Witness could have done so if he thought he could gain by it, 32634.—Value of land £100 over rent paid, 32635.—Reason witness made profit out of land due not to his experience and knowledge, but mostly to land itself, 32637.—Farm had yielded same income for years before he had it, 32638-9.—Ordinary farmer would make more out of it, so would witness if he could pay attention to it and stock it himself, he could make £200 a year out of it, 32640-1.—Farm in hands of National Bank when witness bought it at auction, grazing was let to three men, in whose hands witness left it, £110 a year profit got from it, 32642-3.—Sub-let on eleven months' system, 32644.—Rents and tenants never disturbed, 32645.—If farm were broken up and men put into it the return would be more, because more time and attention could be given, 32646.—Such an investment as this farm offered would never be offered again, 32647.—Only basis of price State could go on was net receipts for last five years, 32649-50.

This instance showed chief object in demanding compulsory powers was to compel landholders to sell landed property cheap, 32651.—No necessity for compulsion at all, 32753.

Inquiries by Estates Commissioners concerning Evicted Tenants.

Estates Commissioners had had an inspector making inquiries about evicted tenants in the county for past six months; he had done nothing but raise false hopes; witness had told him he had 500 acres for sale, but had heard nothing further, others also willing to sell.—Desirable to prevent sub-division and reckless cutting down of trees, 32651.

VAUGH, Mr. WILTON—*continued.*

Effect on Cattle Trade of breaking up Grass Lands.

Splitting up of grass lands would not affect County Leitrim, as there was very little there, abolition of large graziers disastrous to country generally, 32651.—Small farmers kept calves till old enough to be fattened, graziers bought them at one to one and a half years old, price would be reduced if there were no graziers to buy, £7 to £8 10*s.* got for good year old, £12 for three year old, 32652-4, 32671-2.—Graziers kept beasts till ready for English and Scotch market, 32655.—Small man would not keep beasts till they were older, even with enlarged holding, he got double profit from small beasts, 32656, 32659.—Big grazier did not breed, 32658.—He would not be troubled to rear cows and keep servants to do milking, 32660-1.—He had to pay for the help, small farmer employed his own family, 32662.—Good range required for maturing year old cattle, 32663.—Could not be provided on small holdings, 32664.—One reason why small farmer did not keep his cattle to maturity, principal reason was that year-olds paid better, 32665.—The cattle had no exercise, 32666.—Scotchmen got all the profits, while the cattle were prepared in Ireland, 32667, 32676, 32684.—Great trade in Scotland for one and a half year olds, 32668.—Large grazier kept year olds a year or a year and a half, and sent them to Englishmen or Scotchmen to finish, 32669.—He bought direct from small farmer, rents of small farmers in Leitrim always well paid, 32670.

Possibility of Stall-Feeding, etc., in Ireland.

Tillage might be tried, and cattle stall-fed if country were in more solvent condition, if small holder were more solvent, witness would prefer him to grow green crops and feed cattle better, and leave stall-feeding to Englishmen, 32674, 32726.—Witness bought cattle from Mr. Lane Fox, of Yorkshire, at £11 10*s.* a head, he sold them for £26, he gave them cake and everything he could, 32676-7.—He carried on operations on a large scale, 32699-701.—The men who made the huge profits were the very large farmers, 32700.—Ireland behind the times, farmers had not the means, 32678.—No reason why it should not be done in Ireland with means, 32680.—Agricultural education not what it should be, 32679.—It was a matter of education and capital, 32683.—A good thing if Ireland could derive the principal profits from cattle she raised, 32685.—Could only be done by feeding and fattening cattle in the country, 32686.—Hard to fatten a calf with other demands on man's time, 32688.—It must be kept in good condition and hand-fed, house accommodation wanted, 32688.—To fatten and kill beasts at two years old, they must be fed continually with meal and cake, &c., from time of calving, 32689.—Big price would be got, 32690.—A number of beasts in England and Scotland, were fattened in that way and fetched 5*s.* a cwt. more, 32691.—No reason why small holder should not do the same, if he could do without money till beast were fattened, 32692.—Knowledge and capital all that was lacking, 32693.—Bank would not lend money for fattening, only for drains and houses, 32694-5.—If man with thirty-acre holding had knowledge, and could borrow money from Board at cheap rate, he could keep beast and fatten it, 32696-8.—Big men made the profits, because they had the knowledge and capital, 32703, 32706.—Small man could, perhaps, do the work himself better, usual to stall-feed number of cattle in one house, two men could feed twenty or thirty, same number required for ten, 32704.—That would make no difference, 32705.—Some men must grow the young cattle, small men would do it so long as it was profitable, 32710.—Somebody must be left to buy them, 32711.

Extent of Land necessary to make Stall-feeding possible.

Unless they got fifty acres each they would not fatten, 32712.—No chance with thirty acres, they could feed three or four young cattle for two old ones, 32713-32715.—Better to keep them if they had capital, 32714.—Twenty to twenty-five acres required for man to live comfortably on, 32716.—Fifty acres good land necessary to make stall-feeding profitable, 32717-19.

VAUGH, Mr. WILTON—*continued.*

Foreign Competition with Irish Cattle Trade.

Cattle dearer than a year ago, competition with foreigner did it, 32721.—Foreigners had done their best and their worst, cattle would not get cheaper, 32722-3.

Mixed Farming Advocated—Drainage the most urgent necessity in Leitrim.

Dairying and rearing young cattle went together, best thing for small farmers in Ireland, 32725-8.—Tillage essential to production of butter, 32729-32, 32736.—Drainage wanted above all things, first drain land, then crop it and feed cattle, then sell young cattle, that was the way to make money in Leitrim, 32732, 32734.—There was a limit to number of cattle to be kept on a property, 32733.—Milk must be had for young cattle, 32735.—Dairying better carried on by small holders who did work themselves, 32737.—Tendency of grass ranches to diminish tillage, 32738.—They should be broken up to increase tillage, every one should till more, not half enough done, 32739.—Mixed farming best, 32740.—System of small holdings better than large ones, 32741.—Connaught should go in largely for breeding calves, buyers would come from elsewhere, 32742-4.—Better not to have to go outside Connaught for grazing, great mistake if it got all over Ireland, 32745.—Prospect for small holdings was principally in Connaught, 32746.—Drains must be maintained by occupiers if made, 32746-9.—Board should appoint man to go around and direct tenants where drains should be, and to give them 6*d.* a perch for making them, 32749.—Nowhere so many rushes as in Leitrim, people would not drain land without incentive, 32750.—Few parts of the county would want large arterial drainage, 32751.—There were main drains to carry off water, 32752.—Small farms wanted draining, and that should be encouraged, 32752.

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See pp. 170-5.

Scheduled and Non-Scheduled Areas in Leitrim.

Drumshambo, part of Kiltogher parish, partly scheduled; twenty-three townlands containing 166 families scheduled; thirty-three non-scheduled townlands with 187 families, population of 990; ninety-five families in town of Drumshambo, population 553; thirty-three non-scheduled townlands should be scheduled; town of Drumshambo had something to do with non-scheduling, it raised rates; scheduled area should be extended; majority of farms uneconomic according to Congested Districts Board's definition; all uneconomic if Agricultural Board's test were applied; whole of County Leitrim might be scheduled, 32757-8

Land Purchase in Drumshambo.

One small estate in Drumshambo parish sold under Act of 1903; price, 21½ years' purchase on second term rents; greater portion of scheduled area purchased under previous Acts; price under 18 years' purchase; at the last sale, prior to 1903, there were a number of first term rents, but they were reduced 6*s.* 8*d.* in the pound and made equivalent to second term rents, 32758-9.—Negotiations were being carried on *re* estate partly in scheduled, partly in non-scheduled area; some of the tenants signed for purchase at 23 years, some did not, others refused to give more than 22¼ years' on second term rents; negotiations likely to fall through, 32759.

Description of the Land—Difficulties of Drainage.

Tenants in Drumshambo all poor; land bad, cold, shallow, and retentive; not 4½ inches soil on majority of farms, 32759.—bluish clay underneath; impossible

MANNING, Rev. JAMES—*continued.*

to drain except drains were brought to the surface or left open; draining with stones was useless; water could not get through clay, 32760-3.—Drain closed with clay became hard as slate; lower portions of land were formerly bog; there was black clay in them; there were small patches of better land in parish, 32762.—Open drains possible with tillage, 32764-6.—District rocky and mountainous; the further up the hill the wetter the land, 32767.

Fuel.

No turf in parish, 32768-9.—Culm from Arigna mines used as fuel, mixed with yellow or blue clay, burnt in lumps, made good fire, price 3*d.* or 2*d.* a cwt., 32770.—People fairly well off for fuel, 32771.—Worse off than those in turf district; they could not get a supply of culm; had to go a long way for it in all weathers with a donkey cart or creels, 32772.

Difficulty of Tenant Purchasers in paying Instalments—Holdings incapable of producing Instalments.

Rents heavy; people industrious; difficult for those who bought at 17 or 18 years' purchase to make both ends meet; they could not do so from produce of farms; people came to witness for assistance to pay instalments, or to write to Commissioners for further time, 32772-3.—State of tenants who had not purchased only a degree removed from legalised slavery, 32773.—In one case a man with big family died and his son came for a loan of 27*s.* to pay half-yearly instalment; the son was only eighteen or nineteen years old, 32775-80.—In another a hard-working young man, with father and mother to look after came to ask witness to write to Commissioners, or help him pay instalment of £2 7*s.*; he asked for 27*s.*; had probably got the other £1 from someone else; impossible to meet instalments from produce of farm, 32781-6, 32789, 32789-91.—These two cases were those of purchasing annuitants under Acts previous to 1903, 32812.—Holdings had been inspected, 32813.—These were special circumstances, 32815-6.—In the one case a death in the family, in the other case money could not be produced from land; application for assistance occurred only once, 32846-7.—The people had no other source of income but farms, unless they went to America, which they did in large numbers, 32787-8.—Help had come from America for the people who had asked witness's help, 32848.—There were holdings purchased in Drumshambo which were incapable of producing instalments, 32792-4.

Fair Method of calculating Price of Land.

Five shillings or six shillings more or less in the instalments would not mean difference between success or failure, but people thought a good deal of it, 32795-8.—Rent had to be got from sources other than land, 32799-800.—Question of sale depended on number of years' purchase; three or four years would make a difference to the people; five or six years would make a difference in negotiations, though they would not militate much against future prospects of people, 32801-5.—Population very poor; great struggle at best to get from America and other sources money to meet annuity from year to year; 5*s.* or 6*s.* made a difference, 32805A-9.—Better to purchase even if they had to pay 5*s.* or 6*s.* more, 32810-11.—Every reason why small occupier should make an equitable bargain just the same as big occupier, 32817-9, 32836-7.—Equity of bargain the important thing from landlord's point of view, that was, to sell at a price that would yield net income if invested at 3½ per cent., 32820-1, 32831-2.—Instalments should not be more or less than would yield that, simply because there was only a difference of 5*s.*, 32822-4, 32833-5, 32838-9.

Compulsion not advocated unless absolutely necessary.

Compulsion not advocated if it could be helped, but if it were necessary it should be applied all round to both landlord and tenant, 32825-8.—Tenant should not have right of determining annuity, 32829-30.—Compulsion might have to be exercised in extreme cases, 32840-1.—People so used to coercion they would not object, 32848.—If there were loss entailed it should not fall on any particular class but on the State, 32843.

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Effect of Ownership.

Purchasers took more interest in farms and kept them better than tenants who were not purchasers, 32845.

Emigration not the remedy for Congestion.

Emigration in shiploads not the remedy for congestion; it had been tried without success since 1841—in that year Irish population was 8,175,124; in 1901, 4,458,775; in 1906, 4,387,887, being a reduction of 50 per cent. in sixty years; bullocks should be emigrated and people migrated on to the land they occupied, that was the only lasting remedy, 32848.

Continuance of Congested Districts Board desired, with fuller powers.

Congested Districts Board should be continued; it had the confidence of the people, and was the only one of the many boards established that had done good to agricultural classes; Connaught should be entirely handed over to it; Board should have free hand wherever congestion prevailed; its purchase and improvement facilities should be increased; it should have power and funds to purchase wherever it could for migration purposes; additional land must be got for migration, 32848.

Compulsory Powers.

There was a Land Bill passing through House of Commons that would confer compulsory powers and enable Board to get land; principle of Act of 1903 was the land for the people; people had not yet got the land; voluntary sale preferable, but compulsion might have to be resorted to, 32848.

Parish Committee Work.

Parish Committees did work of immense advantage to small farmers, 32848.

Necessity for Drainage.

Main rivers needed draining; the mountain river tributaries of the Shannon that ran down from Slieve-an-ierin overflowed their banks periodically; Board had sent inspectors down, but nothing had been done yet; a few years ago hay-cocks near the river were all carried away, 32848.—Drain was a main drain, not an arterial drain; it was a small river, four or five yards wide, made by man in natural watercourse, it ran into Lough Allen; bed of the river needed deepening to prevent flooding, 32849-53.—It flowed down a steep mountain, 32854.—Obstruction took place on way to smaller lakes through which river passed, 32855.—Worse now than some years ago, 32856.—Drain ran between two properties; sixty years ago landlords looked after it, now it was clogged, 32857.—Nothing done to it now and it did not fulfil its purpose, 32858-61.—Tenants did nothing to it; always wanting witness to apply to Board for help, 32862.—The work was necessary, 32863.—If Board put drain in order they ought to have power to make tenants keep it in order, 32864, 32871.—Easier for tenants to drain their farms if river were deepened, 32865.—Farm drainage difficult, but something could be done with open drains, 32866-9, 32875.—Difficult for Board to conduct many operations it was entitled to conduct, 32872.—They had put up a very useful wooden bridge over same river, through Parish Committee, 32870.—River drainage absolutely necessary in non-scheduled part of parish; small drain 4½ to 5 feet wide destroying crops every year, 32874.—Impossible to drain land unless drain were exposed, 32876.—Difficulty of drainage explained last witness's (Mr. Vaugh) statement, 32876-7.

Brick and Tile Factory at Northern end of Lough Allen.

Brick and tile factory eighteen years ago at northern end of Lough Allen, ten miles away, flourished for some time; market ceased, 32878.

Spraying.

Farmers should be aided in spraying; good thing if Board could aid in supplying spraying machines, 32879.

MANNING, Rev. JAMES—*continued.*

Tree-planting.

Planting of trees also necessary; Board might assist; country bare and bleak looking, 32879.—Trees wanted for shelter and to improve land, 32880.

Benefit of additional Tillage.

Benefit to farmers of growing more food-stuffs, both for themselves and cattle; prizes might be offered as an inducement, 32880-1.

Corn Mills.

More corn mills wanted; none in Drumshambo; one in Carrigallen, 32881.

Agricultural Education.

Agricultural education of people needed attention, 32882.—County Committee sent out instructors who did a great deal of good; people profited more by agricultural education than technical; important to educate people who were to be migrated to advanced state of agriculture, 32883-9.

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See pp. 175-81.

Abolition of Dual Ownership.

Abolition of dual ownership desired, land could not under present agricultural conditions support both landlord and tenant, any Commission should try to buy out land on most advantageous terms for tenants, 32891-2.—Tenant did not work farm properly, as proprietor he would have more inducement, 32893-4.

Price of Land Inflated by Excessive Sums Paid for Tenant-Right.

Tenants disposed to pay too much for land, price inflated by retired civil servants, police pensioners, and people returning from America with capital anxious to get back their old holdings, and not paying price on commercial basis, they paid more than farm was worth for reasons of sentiment, 32894-902, 32918-9.—Farmers displaced who had not been able to make profit out of land, 32900, 32902.—Opinion based on experience, 32899.—Witness noticed the excessive prices five years ago, but they had been given within last two years, 32903-5.—Man buying had perhaps smaller family and a pension or capital brought from America, 32906-8.—One-third of the farms purchased at auctions in the district were bought by police pensioners or Americans with capital, 32909-10.—They wanted a residence, they did not put money profitably into land, 32910A-11.—One holding was bought by five successive Americans, and was found to be a total failure after a few years, 32911.—Price went up and down, 32912.—Each purchaser bought tenant-right of the other, 32913-4.—It was all tenant-right, landlord did not come in at all, 32916-7.—Land should go to highest bidder, but sale of land between tenant and landlord was very uneconomic, 32915.—Price of tenant-right induced tenant to pay higher rent, 32920.—Prices paid induced Sub-Commissioners to raise rents, 32922, 33925-9.—Tenant being unable to meet it sold tenant-right, 32923.—With police pensioners and Americans, and when tenants bought their holdings they gave excessive prices owing to competition, 32930.—Witness objected to inflated prices because the people who came in did not work land on commercial principles, 32928.—Price should not be allowed to be forced up, 32933.—Tenant should be allowed to sell tenant-right to whoever he chose, 32934-5.—And Americans, etc., could pay what they liked for it, 32936-7.—Landlord took advantage of high price of tenant-right to demand increased price for himself, 32938-9.—Americans, etc., did not come into competition with purchaser, except as giving impression of price, landlord should ask for his land, 32940.—Under Act of 1903 landlords wished to have as the basis of purchase the reduction which the tenant would get, 32941.

Points that Should be Considered in Fixing Price of Land.

Landlord should be compelled to sell for sum less than would yield his net income, 32942.—Purchaser would lose on increase of foreign competition, that should be considered, 32943-4, 32949.—Landlord did not consider it, 32945-7.—He would not go into particulars of rental or figures to disclose net profits, 32948.—Reduction necessary for increase of foreign competition, the amount had been estimated, second-term rent was on an average 2*s.* in the pound reduction of first term rent, that calculated on 15 years would give it, 32950-2. Third and fourth term rents should be fixed in that way, as causes operating for decay of Irish agriculture would operate more strongly still, 32953.—It was a question of exhaustion of soil, not of price of produce, 32956, 32958-9A.—Value of production affected the whole question, 32960.—Original reductions were reduction from rack rents, not from economic rents, 32962-3.—In estimating value of land allowance should first be made for tenant and family to get decent living, surplus profits might then be divided between landlord and tenant, 32964-8, 32971, 33005.—Number years it would take to wipe out rent altogether depended on introduction of Canadian cattle and many other things, 32969.—Number and strength of man's family a factor in rent, no tribunal would ever consider it, 32970, 32972-3.

Fair Rents—Question of Reduction and of Periodic Revision.

Under Act of 1881 fair rents were fixed, 32974.—Revisable every fifteen years, 32975.—First-term rent fixed for coming fifteen years, 32976.—Second term rent for next 15 years; when Act of 1881 was passed there was no idea of revision, 32977-9.—In fixing second term rents first term ones had been considerably reduced, 32980.—Same reasons for reduction would operate in greater degree in fixing third and fourth term rents, nothing to show that process might be reversed, 32981-6, 32994, 32999.—Under Act of 1881 rents were to be fixed for one period of 15 years, under Act of 1896 they were subject to revision every 15 years, 32987-9.—Allowances to be made in respect of improvements widened by Act of 1896, 32990.—That was one cause of fall in second term rents, 32991-2.—That had not brought the matter to its final stage, 32993.—Prices of agricultural produce might have risen since 1881, 32995.—Causes of reduction of rents were that tenants were unable to pay rack rents, country was going on in same way as when fair rents were fixed, now they were 40 per cent. lower than in 1881, nothing to indicate change in situation in next fifteen years, 32999-8, 33000-1.—Situation not exactly the same as before reductions, 33002.—Original rent was a rack rent, 33004.

In Fixing Annuities Arrangement Should First be made for a Tenant and his Family to get a Comfortable Living off the Land.

Tenant-purchaser should first get a decent living from the land, and annuity should come after that, security of State depended on what was paid to the landlord, 33008-9.—Decent living meant ordinary meals, bread, and clothing for hard-working farmer and family, with education, 33011-3.—That was roughly possible, 33014.—Farmer's budget depended largely on prices of agricultural produce, 33015-6.—Price of produce operated on what he paid for holding, 33017.—Fall of prices went to a certain extent against further reduction of rent, 33018.—Public opinion an important factor in fixing rent, Irish land problem could not be treated from economic point of view, because it never had been in the past, 33019-22.—Holdings that were incapable of supporting man and his family should have no rent, 33023, 33077-8.—They might be charged for taxes, 33079.—Witness strongly opposed State purchasing such holding, 33026.—Labourer with one acre allotment made his living in other ways, 33027-9.—Man with three acres was a labourer, if holding were so small he had to go elsewhere for employment, he might be charged a fair rent, the holdings that should have no rent were those a man was supposed to make a living on, 33030-6.—Witness not a farmer, 33039.

Labourers not Needed in County Districts.

Labourers Act conceived on wrong basis, good in environs of town, no need for labourers in country, farmers unable to pay, and labourers could not live on what farmers did offer 33040, 33052, 33061

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Breaking up of Grass Lands.

Breaking-up of grass lands into moderate-sized farms would be partial solution of problem, 33041, 33062.—3,000 acres of land and more, available between Carrick-on-Shannon and Roscommon, 33044-7, 33063.—Cutting-up of those 3,000 acres into 20-acre holdings would settle a great many men anxious to become farmers, 33048-50.—Better to settle some than none at all, 33051, 33055, 33059.—Remainder would try and struggle on, and would emigrate, 33055-9.—One-fourth of the 3,000 acres should be tilled, witness believed it to be some of the best land in Ireland, 33064-7.—Labourers would not find employment on tillage developed; peasant proprietors could not afford to pay 2*s.* 6*d.* a day all the year, which was minimum labourer could live on, 33069.—Plenty of room in Ireland to establish peasant proprietors, some of the people might become shopkeepers or go into trade, 33071-4.—Population in Roscommon could be dealt with without emigration, 33075-6.—The 3-acre tenants would be transferred to the 20-acre farms, 33080, 33083-6.—An inspector should first report on the man's enterprise, 33085.—Tenant would sell his three acres, and they would go into surrounding divisions, 33081-2.—Small holders in congested areas the class that should be first relieved, grass lands would be better developed by being split up than at present, which was another reason for giving them to tenants, 33086-8.

Cavan and Leitrim Light Railway.

Cavan and Leitrim Light Railway passed through a portion of the area, and ratepayers in district where it passed paid 1*s.* in the £; governed by Board of Directors consisting of eight members, representatives of shareholders, shareholders got five per cent., and had no interest in economical working, members of County Council of Leitrim also on the Board, greater number not interested in paying of line, £70,000 already paid out of rates since building of line in 1883, railway being in congested district, shareholders should bear part of burden, £3,000 contributed by County Leitrim besides a Treasury grant, ratepayers had no control of line, 33088-92.—Had depressing effect on farmers, 33093.—Line useful, could be more developed under responsible management, directors proposed extension to mineral works at Arigna, *sine qua non*, that it should be put under popular and responsible control, 33094.—Lack of control a greater grievance than paying the money, 33095.—Right control made for better management when there would be less to pay, Board should subsidise line, 33096.—Government gave no assistance towards construction, 33097.—Capital not all paid up yet, 33098.—There was a baronial auditor.—He could not say whether line were economically worked, 33099.—Majority of ratepayers of county did not pay rate for the railway, 33100-1.—County Council appointed four representatives, but majority of County Council represented portions of county not included in railway area, 33101.—Their representatives on Board came from ratepaying areas, but were in a minority, 33102-4.—It was a case of a limited company in which holders of debenture stock ran the entire concern, 33105.—Representatives of ratepayers should be from railway area, and in conjunction with representatives of Treasury, who gave large grant, should control line, 33106.—Original shareholders were sure of their five per cent, and did not need representation, 33107.—Line absolutely independent, had its own rolling stock, and was a narrow-gauge line, 33108-10.—Money could be saved on Dublin offices, business could be done as well in Ballinamore, 33111.

Bridge Needed Across the Shannon between Carrick-on-Shannon and Cootehall.

Bridge across Shannon needed between Carrick-on-Shannon and Cootehall, 33111.—Representations had been made to County Council, who did not see their way to pay the price of £800 or £900, 33112-4.—Cootehall ten miles away, many people coming to Carrick-on-Shannon had to go round by Cootehall, bridge a mile from Carrick-on-Shannon would be a great convenience, people in latter place would give good subscription towards it, as it led to a bog, and there was no bog in Carrick-on-Shannon.—1*d.* sometimes paid for six sods of turf, 33115.—The bridge would be between Roscommon and Leitrim, Leitrim County Council had not considered it, as they were not sufficiently interested, 33116-7.—Inhabitants of congested districts would be benefited, they would get market for their turf, 33118.—Boyle might object to construction of bridge, 33119.

Road Needed in Ballineen.

Road needed in Ballineen district, people had to cross stream, and go by precipitous route to Drumshambo, Board gave sanction for grant if county would contribute, County Surveyor informed them that limit of expenditure under Local Government Act had been reached, so nothing was done, 33119.

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See pp. 181-6.

Agricultural Schemes in Congested Districts.

Greater part of district congested, 33123.—Valuation, £138,000; population, 69,400, or £2 a head, 33123.—Before Congested Districts Board amalgamated with Department of Agriculture they spent £11,000 a year on live stock in Connaught; now they only contributed £2,000 a year to the Department's grant, 33123-8, 33135.—Congested areas suffering through not getting bulls, 33125, 33132.—Department said they had insufficient funds to meet the deficit, 33129.—£400 allocated for Department's scheme of agriculture in Leitrim during current year, 33131-2.—Supply of live animals practically neglected for first year after transfer, 33133.—Board spent more than £11,000 a year on agricultural work of all sorts in Connaught, 33134.—Big expenditure of £14,700 for current year not made by Department in the past, 33136-8.

Scheduling the whole County of Leitrim proposed.

Only thirty-eight divisions in Leitrim scheduled out of seventy-eight although valuation was £2 per head, 33138.—People as poor and neglected in non-scheduled as in scheduled districts, 33139.—Whole county should be scheduled, 33123, 33140-1.—Several places Board had power to schedule if they chose; they should not stand on ceremony if valuation were for a general election, 33143-5.—£26,000 the valuation of rural districts in Leitrim, 33146.

Local Authority could not provide Roads and Bridges.

At last quarterly meeting witness's district had applications for work amounting to £1,000, in connection with new roads and bridges, three-fourths being from congested districts; all refused as there was no money to do it, 33146-7.—Rate fixed already high, 33148-9.—Demands of people always postponed; there was an application last year, 33150-1.—Taxation on land in district referred to was 3*s.* 10*d.* in the pound for poor rate, county cess, and annual cost of upkeep, not including sanitary rate, 33151-4.—Great portion of congested district paid railway rate, 33155.—Grant from Board promised if district found certain amount; Board should not wait for rate, 33155-6.—Serious to raise rates; they were nearly up to the limit, and the people could not at present bear any increase, 33156-8.

Land available in Carrick district for relief of Congestion.

Uneconomic holdings in other districts besides scheduled ones; 1,300 or 1,400 acres of land in Carrick district available at reasonable price for relief of congestion and for migration, 33158, 33177-8; witness a farmer, 33121, 33159.—He had 45 Irish acres in County Leitrim, 200 in Roscommon, 33160, 33166.—He grazed his own cattle, 33161.—He was a tenant farmer paying too high a rent, 33162-3.—He would part with land for the good of the country, 33164.—Roscommon farm occupied by witness's father and mother, 33165.—It was grazing, with eight or nine acres of tillage; two families of herds on it, 33167-9.—The father and mother were judicial tenants, 33170.—No objection to any part of their farm being taken

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provided they were compensated, 33171.—There were some men who would not give up their farms whatever the price paid, 33172, 33179.

Compulsory Purchase.

Compulsion would be the only thing in that case, 33173.—Those were mostly landlords, 33174-5.—700 of the 1,400 acres not occupied by owners; they let it on 11 months' system, 33177-8.

Employment of Labour.

If a man had 100 or 200 acres and laid out money on it and worked it for benefit of district someone got the benefit, 33180.—In some cases land was only suitable for grazing, 33181.—Witness employed labour all the year; a greater number of men in spring and harvest; they were men with very small holdings, some of his labourers lived on the land and were in constant employment, 33182-7.—Some farmers in Roscommon, with 2,000 acres, often employed only one or two herds, 33188-92.

Cattle-rearing.

Cattle bought in fairs at one to three years old, 33176-7.—Some fattened on land and some fattened in winter ready for the butcher, 33193-4.—Others shipped to England and Scotland, 33194.—Cattle housed in winter and finished on turnips, cake and meal, 33196-7.—Never kept by witness after three years, 33198.—Fattening paid best, 33199, 33208.—Impossible for witness to fatten all his cattle, 33201.—It entailed closer attention and more labour, 33202-3.—Labour necessary for two would feed only ten, 33204.—Paid better to get stores ready for shipping than to fatten for the butcher, as there was good market for stores and not for fat cattle, 33205-12, 33214, 33217-22.—Fattened cattle only sold in local market, 33213-6.—Cattle suffered in going over to England, fat ones suffer more than store cattle, 33223-4.—Witness had nineteen or twenty horses and 100 cattle on 200-acre holding, 33226.—Small number kept to fatten for local market, 33227.—Land kept in heart by putting cake on it, 33228-30.—Witness found it best at present not to have more tillage, as labour was scarce and dear, 33231.—Majority did not treat their land as witness did; they took in grazing and put in as many cattle of other people's as they could, 33232-3.—Nothing put into land of farm worked on 11 months' system; kept under cattle the land did not deteriorate, but might be made more productive, 33234-7.

Landlord refusing to sell rather than allow examination of his Books—Rowley Estate.

Application made to Mr. Rowley by witness, on behalf of tenants, to purchase estate; present income offered if landlords would allow a public accountant or any other independent authority to say what his net income was; result was landlord refused to sell, 33237-41, 33250, 33271-3, 33301.—He objected to tenants' representative seeing his books and knowing his business, 33242-3, 33251.—Offer made through Estates Commissioners, 33240.—Price settled by them would have been paid by tenants, 33246-9, 33302.—It was not suggested that Estates Commissioners should be the independent authority, 33244-5, 33251.—Suggestion was merely that independent expert authority appointed by tenants should find out what net income was, 33252-5.—No person named, 33256.—Any recognized chartered accountant would have satisfied them, 33257-9.—Tenants generally were all second term judicial tenants, 33260-2, 33298.—Price might be second term rents less a little more than 10 per cent., 33263-6, 33268-70.—Landlord had to pay income tax and sometimes could not get rent, 33269-70.—Expenses could be judged by the books, 33267.—Net income offered was to be the net income of the particular year in which the offer was made, 33273.—In 1905 tenants thought rent too stiff and wanted to buy; they offered 22 years' purchase; landlord wanted 24½; witness and parish priest tried to arrange for 23 years' purchase of second term rents; landlord refused, 33274-6.—Hardly any arrears, 33277-8.—A final offer of 23 years' purchase was made, to which the reply was that tenants must take net income from landlord's figures, 33279-80, 33297.—He agreed to drop half a year, 33297, 33303.—20 years' purchase offered for first term rents, 23 for second term rents, 33299-300.—No stipulation made that income must be calculated on five years basis, 33281, 33286-7.—Witness thought he would sell a declining business on present year's income rather than wait longer; that was the landlord's position, 33282-4.—Basis was so many years' purchase of second term rents, or so many of first term rents; impossible to say average of five years would mean any more or less, 33288.—Tenants would not have objected if he had made stipulation, 33289-91.—Times of settling first term rents varied, 33292.—Reasonable for tenants to insist on average of second term rents, 33293.—First offer was to give owner a certain number of years' purchase, 33294.—Second offer to give net income as found out by a chartered accountant; third offer was to purchase through Estates Commissioners, 33294.—Witness himself met owner in Courthouse and made offers, 33295-7.—Offer to sell through Estates Commissioners was refused altogether; tenants even now prepared to buy through them, 33303.—Witness thought tenants offered too much, 33304.—Property large, with hundreds of tenants and no untenanted land, 33305-8.

Cavan and Leitrim Light Railway.

Cavan and Leitrim Light Railway, 33321.—Great portion of Carrick-on-Shannon district paid 1*s.* in the £ for upkeep of railway; 2*s.* in £ paid a few years ago, 33312.—Railway improving; would never pay its way; witness a director representing County Council, 33313-4.—He represented on County Council the barony charged with taxation, 33315.—Amount of guarantee increased from 10*d.* to 1*s.*, but there had been a decrease, 33316.—Decrease fluctuated for some years, 33317.—It was in proportion to earnings of railway; some years there was a large expenditure on rolling stock, etc., for which rate paid; witness powerless as director to do anything for ratepayers as long as shareholders' representatives were in the majority; the latter had no interest in working of railway, as they always got their money from the guarantee; he did his best, 33318-9.—They had offered to give evidence before Railway Commission; time not yet fixed, 33320.—Remedy for grievance if County Council were in majority on Board of Directors, 33321.—Deficit formed mass of rate, 33322.—5 per cent. paid on capital although railway rarely even paid its own expenses, 33323.—Line could not be made to pay, but grievances could be relieved and expenses reduced if County Council had a voice on the Board of Directors, 33324-6.—Guarantee ran for ever, 33327-8.—Money could be got at 4 per cent. as on other railways instead of 5 per cent., 33328-9.—No power on part of anyone connected with railway to redeem; annuities not terminable; debenture holders would want market value, 33330-3.

County Leitrim neglected.

County of Leitrim much neglected by Congested Districts Board; mountain portion of rural district needed particular attention, 33333.—People within mile and a half of Carrick-on-Shannon had to travel nine Irish miles to get to market for want of a bridge, 33333.—Large territory of bog on other side of the river which would be available for Carrick-on-Shannon, where there was no bog, if bridge were built, 33334-6.—Leitrim had no representative; Father O'Hara represented Mayo and was very efficient, 33349-54.—He was put on Board as representative of Connaught because he had interest in work, not because he came from Mayo, 33352-3, 33355.—Representatives might be nominated by an elective body such as the County Council, 33356-7.—And selected by Government from their nominees, 33358.—Each county would have representative and they would know the county's needs better, 33358-9.—Number of congested counties not large, 33360.

Public Opinion should not affect Fixing of Rents.

Public opinion should not affect fixing of rents; they should be fixed by market value of produce in addition to cost of labour, 33336-7.—Before rent fixed by landlord and bailiff, 33339.—After that Land Act regulated it and public opinion; Commissioners did not fix fair rent in witness's opinion, 33338, 33340-1.

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County Representatives desired on Congested Districts Board.

Each congested district county should have representative on Congested Districts Board in order to get more attention, 33343-5.—There were representatives of Connaught on present Board, 33346.—They were believed at the time to be the best representatives, but were found to give more attention to other counties, such as Mayo, 33347.—Mayo got more attention than Leitrim, 33348.

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See pp. 186-8.

Rowley Estate—Purchase Negotiations with Tenant.

Witness had been agent of Rowley property for last twenty-five years, 33361.—He remembered occurrence alluded to by last witness, 33362.—Tenants had wanted to investigate books themselves, no question of accountant, 33363-5, 33382, 33406.—Witness was present during negotiations, 33366-7.—Landlord satisfied to get net income calculated on investment of purchase money, at 3¼ per cent., the terms of the Land Conference, 33369, 33402.—Rental and cash account would show receipts, disbursements, and remittances, 33370.—No difficulty in finding out net income from books, 33371.—Accurate account kept, 33372.—No objection to show books to Estates Commissioners, 33373.—It was not done because it was not called for, 33374.—Net income proposal came from Mr. Rowley, 33375.—The meeting was called in reply, 33376.—No correspondence passed as to production of books or employment of chartered accountant, 33378-9.—All done by word of mouth, 33380.—Owner made no proposition as to proviting what net income was, 33381.—If principle had been accepted figures would have been produced, 33384.—Rental and account books together would show net income, 33385-6.—Different thing to have accounts investigated by one person and by every tenant in country round; landlord would probably not object to a chartered accountant seeing his books, 33387.—Nor to an examination by the Estates Commissioners, provided he got net income, 33396.—Landlord willing to submit his books to any authorised person, but not to a person the tenants chose to appoint, 33405.—First proposal to buy probably came from tenants, 33388.—Mr. Rowley when applied to directly offered 24½ years' purchase, 33389.—Negotiations carried on largely by himself, witness met tenants with him, 33390.—Meeting in Courthouse of Drumsna called in order to discuss matter, 33391-2.—No reporter present, it was reported in country press, 33393-4.—It took place more than a year ago, 33395.—No great variation in income of a number of years on second term rents, 33397-8.—There had been no difficulty previous to question of purchase, 33399.—In fixing second term rents railway rates were deducted from landlord, pink schedule showed that, it went to reduction of net income, 33399-401.—3¼ per cent. the basis taken by Land Conference; money market had not gone up since; witness understood that all the calculations were made on 3¼ per cent basis, 33402-4.

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See pp. 188-90.

Grazing Ranches Available for Purchase by Board.

Witness represented Shanraw, Keshcarrigan; all the divisions were congested, except Keshcarrigan, few grazing or untenanted farms available for enlargement of holdings; no reason for exempting Keshcarrigan from congested districts, tenants as poor as in scheduled areas, 33408.—Parish mountain district with 700 families, 300 on holdings of £1 to £5 valuation, 200 from £5 to £10 valuation; tenants of grazing ranches signified intention of allowing those to be split up, there were 1,100 acres adtogether; a man in Gorteenkelly would give up all his 400 or 500 acres except enough for small holding for himself, small holding more profitable; there were also 300 acres in Knocknagashel which owner was prepared to sell, 33466.—It was in a congested district; two farms of 103 and 173 acres, which were in the market, not in

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congested district, and there was another, Kilmorton Farm; great disadvantage to districts if holdings mentioned could be purchased by Congested Districts Board; there were other small farms; migration would improve them.

Payment of Railway Guarantee by the People.

Railway tax of 1s. in the £ paid by people, not landlord, rents outside guaranteeing area were reduced as much as those within which showed that tenants paid guarantee, 33467-9.

Drainage Needed.

Proper system of drainage needed; hundreds of acres of cropped land rendered useless by flooding every year, remedy impossible without Government assistance, 33408, 33469.—People had presented petition to witness; rivers needed scouring and opening; Parish Committee grant was £50, if doubled improvements could be faced, 33469.

Question of Promoting Industries.

Suitable industries might be promoted; district abounded in peat, if necessary money were available it could be utilised; Slieve-an-ierin in north of parish famous for minerals, efforts to establish mining there failed for want of capital and means of transit, 33408.

Exorbitant Demands of Landlords.

Only two estates purchased since 1903 on account of extravagant demands of landlord which were extraordinary, 24½ years' purchase demanded for Peyton Estate; adjoining property, Fitzgerald Estate, bought out ten years ago at 10 years', and Lloyd Estate at 13 years' purchase; Peyton Estate bad clayey land; O'Byrne Estate offered 17 years ago at 18 years' purchase, 23½ demanded now; landlords' exorbitant demands showed that Board or Estates Commissioners must interfere to ensure tenants getting their land at a fair value; no estate in district which was not clear of arrears; tenants would grasp at any appearance of relief, threat of recovery of arrears would have serious result, abolition of State inspection would spell ruin; many boys and girls emigrated to America to assist parents, those who could not afford passages migrated to England and Scotland, 90 per cent of rents came from those sources which if cut off would reduce farmers to deepest poverty, 33408.

Lawder Estate an instance of the Injustices arising from want of Inspection.

Lawder Estate demonstrated injustices due to want of inspection; tenants had signed agreements to 24½ years' purchase when they found they had to pay a drainage tax and rent for turbary which was before free, these additions left them paying as much as before, 33408.—They were in worse circumstances in fact because the landlord gave them time if unable to pay rent, Government could not, 33408, 33462, 33465.—Annuity would go on for 68½ years, 33409.—It should be such that payment could be made both in bad and good years, 33410-2.—On this estate annuitants were trying to break agreement, 33413.—Tenants on this estate were led to believe that they would get 4*s.* in the £ reduction and some did not get 2*s.*, 33414, 33460, 33463.—At time of sale landlord was anxious to sell and used to go and see tenants and ask them to buy and brought them to his house and gave them drinks, 33421-2.—They led each other to believe they would get reduction, 33464.—Tenants had had judicial rents fixed, and under their judicial rights they had turf; by sale of estates those rights were taken away, 33427.-30.—Landlord had no bog besides what belonged to tenants before he sold, 33431-40.—When the estate was sold he reserved all the bog to himself and made tenants pay rent of £5 to £10 for it, apportioning small plots to them and reserving the rest, 33416-7, 33431-7, 33441.—Tenants had turbary right before sale, 33418-20.—Estates Commissioners allowed them to lose that right, 33441.—Sale took place eighteen months ago, 33442.—Tenants had petitioned Estates Commissioners by letter, correspondence carried on by

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Mr. Smith, M.P. for South Leitrim, 33442-5.—Estates Commissioners had promised to consider the matter, 33446.—Estates not yet vested, landlord had not received his money, 33448-99.—Inspector was going down and something might yet be done, 33450-2.—Tenants thought they were purchasing turbary, 33453-7.—Under agreements they purchased all that they paid for in judicial rent, 33458-9.—When estates were purchased care should be taken to provide reasonable amount of turbary as far as possible for each person, 33416.—Witness a farmer holding 17 acres, valuation, £9 15*s.*, 33425-6.

M'CABE, Mr JOHN.

See pp. 190-2.

Uneconomic Holdings at Gorteenmore.

Witness was a farmer at Gorteenmore, Carrigallen, farm was 32 statute acres, valuation £14 5*s.*, 33473, 33494.—He had two farms under one landlord, near each other, one 8 acres, the other 6 acres 5 roods, the two made about 20 Irish acres, 33474-5.—No house on them, 33476.—Land bad, both grass and crop, 33477.—He could live on it if there were no rent, in fair play he should have none, 33478-80.—Rent £11 15*s.* 6*d.*, 33479, 33493.—Witness was reared on farm, and had worked with his father since he was twenty, was now forty years old, parents had ten acres first, and paid £10 rent with money from America, most people got money that way, and could pay very little without it, 33481-5.—Man's sons and daughters in America sent money till they married, grand-children rarely sent, 33482-4. South portion of Leitrim should be scheduled, majority of valuations under £8, people as poor as in congested districts, 33485.

Price of Estates Offered for Sale in the District.

Mr. La Touche, landlord of estate, offered it for sale twenty years ago at twenty years' purchase, tenants thought they could get it for less, estate now offered for 4*s.* in the £ reduction on second term rents, 5*s.* on first term, Whyte Estate sold at 13 years' purchase under Ashbourne Act, Nichol Estate at 17½ years' purchase under same Act, some tenants found it difficult to pay rents, even with this reduction and a decadal reduction since, 33485.—That was 23 and 25 years' purchase, 33486.—Under Ashbourne Act landlord had to pay 4 per cent., now it was 3½ per cent, 33487-8.—It was an old rent, since reduced, 33491-2.—Tenants had not been into court at time of first offer, 33490.—Rents lower than valuation now, 33495-6.—Twenty years ago they were about even, 33499.—On one of witness's farms rent 20 years ago was £8 1*s.*, valuation £8, that rent had now gone down to £6, 33499-503.

Drainage and Lime the Most Urgent Necessities.

Drainage and lime burning would improve country more than anything, lime burning of use as an industry, 33485, 33504.—Lime was put on the land when witness was a boy, 33505.—Stopped when help got scarce and land worse, 33506.—Plenty of lime kilns then, a long way from witness's farm, 33507, 33509-10.—They had turf in those days, none now, 33508.—Tenants bought lime out of kilns, 33511.—tenant farmers kept kiln going and sold the lime, 33512-3.—Still burned in places, but tenants did not like to pay for it, sand was so wet and lime was of little use without drainage, 33514, 33528.—Draining twenty years ago and twenty-five years was better, and the crop was twice as good as at present, 33515.—Land going back, 33516.—Seasons better now, climate had changed, 33517-8, 22527.—Witness's father did drainage most part of his time, he had witness to help him, could not afford to pay a man, witness had made no drain for fifteen years, when his younger brother and himself helped their father they had a much better crop on 10 acres than nowadays, 33519-21, 33524.—Now he had to pay man in spring 5*s.* a day, 33522.—His son only 12 years old, 33523.—Long ago all tenants made and mended drains and put on lime, no drainage done now, although drainage was wanted, 33525-6.—Open drain no good, as land could

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not then be laboured, land wet now, greater part of what had been witness's best field was now rushes, 7 crops of oats taken off in succession after two crops of hay, now second crop of oats not worth cutting, 33527, 33543-4, 33549.—Same thing for six miles round, 33527.—Fifth crop of oats on the good field had been better than second, now after been broken up it was hardly worth the labour, 33545.—Not much manure put in in his father's clay, witness had to mow fourth of land for hay to give cattle to get manure for one field, 33546-7.—The seasons produced the good crops, 33548.—The land was good land, not reclaimed, good was now gone out of it, 33550.

Turbary.

No turf available for lime-burning now, it was formerly cut out of a bog on neighbouring estate and sold by tenant without landlord's knowledge, when he found out he took the people who bought it to the High Court in Dublin without their knowing, and made them pay 13*s.* or 14*s.* costs, man who sold should have been prosecuted, 33529-35.—Injunction taken restraining anyone from cutting or selling turf, 33536.—Tenants then went six miles away, where there was only fifty perches bog, 33537-8.—Abundance where they now cut in County Longford, but they had to pay for it, 33538.

Easier to make money in old days, the old people worked hard, young men of present day more industrious, 33539-42.

SMYTH, Mr. THOMAS.

See p. 192.

Land Available for Relief of Congestion.

One hundred Irish acres of land in Killahurk available for relief of congestion, 300 or 400 acres of bog land on Maguire Estate, would benefit people if worked by a body like the Board, 33552.—Also a farm of 80 acres, another in Drumsilla held by man living in County Cavan, he had two or three large farms unoccupied, 33553.

Rents in Drumbreanlis Locality Mostly Paid with Money from America.

Most of the rents in Drumbreanlis locality were paid by relations of farmers in America, one family received between 1868 and 1893 £400 from Colonies, the people concealed the fact of where the money had come from, they liked it to be thought it was the result of their own efforts, 33554-5, 33564-5, 33566-7.—Everyone knew that everybody else got money from America, 33568.—One man was evicted, but allowed to remain without title, his son of 16 or 16½ borrowed a pound from a neighbour, and went to Scotland, since then he had sent home money which made his father's circumstances more comfortable, two brothers also went, the three were still away, one in Scotland, two in London, 33555-62.—Witness's own uncle would have been evicted were it not for help from America, yet he never told witness himself, 33565.

FLYNN, Mr. THOMAS.

See pp. 192-3.

Land Purchase in Parish.

Townland of Kilgariff purchased five years ago by Board; nothing done on it yet to relieve congestion; two estates had been purchased by Land Commission under Ashbourne Act; two at present in hands of Estates Commissioners; one recently purchased by latter at price of from 8 to 20 years' purchase; nothing so far done to relieve congestion there or elsewhere; parish comprised sixteen small estates, 440 holdings; whole parish congested; three-fourths of the holdings uneconomic; industries the only means of benefiting tenants, 33572.—Witness and Father King agreed on this, 33573-4.

Means by which condition of people could be improved.

Condition of people could be improved by following means:—Purchase of holdings by Board or Estates

FLYNN, Mr. THOMAS—*continued.*

Commissioners; development of industrial resources, as coal and iron ore abounded; construction of means of transit to enable farmers to send produce to market by rail; construction of woollen factory, 33574.—Great wool-raising district, 33574, 33583.—Board gave loan for 100 spinning wheels and sent weaver who taught weaving industry; it would be a profitable business if there were any means of pressing the cloth after it was woven, 33574, 33581.—Witness alluded to congested area compared with Foxford, 33575-6.—No stuff sold because they could not press; it was not smooth enough, 33577-8.—Only one new loom, 33579.—Application had been made to Department of Agriculture and they were promised, but none given; weaver sent once, but not again, 33580.—Looms could be had on loan from Board, 33581.—Woollen mill would be great benefit, 35582.—Much water power, Shannon, Lough Allen, and the Yellow River, 33584.—District wrote to Department about the woollen mill, asking them to equip establishment; they replied it would be considered at a future date, 33585-9.—Board had not been applied to, 33590.—District in question was on east of Lough Allen, below Drumshambo, along Slieve-an-ierin mountain, 33591.

Roads.

Roads wanted; only one road till Board sent assistance; they gave £400 or £500 for one road some years ago, 33591.

Parish Committee.

Parish Committee did a great deal for very poor people; grant should be larger; 70 applicants for last £20; larger grant to be given this year for dairies; nice cottage dairies would be an encouragement, 33593-4.

Creameries v. Butter-making at home.

There was a creamery; witness thought it would not stop; some of the districts were starved, 33595-7.—Everything had to be bought; oil cake for calves, butter for house, etc., 33598.—It would pay better to get 8*d.* a pound for butter than 4½*d.* a gallon for milk, 33599.—Good food sold and inferior bought; 2½ gallons milk yielded a pound of butter; butter bought at 8*d.* or less; 4*d.* or 3½*d.* a gallon paid for milk at the creamery; good butter could be made at home with that 2½ gallons and there would be the buttermilk as well; better value than selling to creamery, 33600, 33604.—Enniskillen the butter market; price paid, 10*d.* a pound, 33601, 33609.—Seldom up to 11*d.* from creamery, 33601.—Expenses of boxes, wrappers and carriage very slight, 33605-8, 33610-11.—There was a certain loss of time in taking butter to market on Tuesday with horse and cart, but it was counted good business, 33611-4.—Witness got 57*s.* last year for butter, 33608.

NEWMAN, Rev. P.

See pp. 194-5.

Necessity for Drainage.

Witness attended as deputy of the Leitrim County Council, 33616.—His residence was in Mohill itself, 33617.—He was acquainted with the district scheduled in that parish, that was, the Breandrum electoral division, which was a poor district and particularly in want of drainage, 33618.—Witness referred to big arterial drains, 33619.—Was of opinion that tenants would be able to make their own smaller drains if the principal drains were improved, 33620.—Drainage at present was a river, which got choked up in the winter when soil was washed into it, and there would be growth of grass in spring and autumn when rains were heavy, and river would not take the water away; witness had seen hay covered up by floods, 33622.—Witness believed state of affairs was getting worse, 33623-4.—If drainage were improved and river put in a better state, say, by assistance of Congested Districts Board, it would require to be attended to periodically, but if put in proper condition a little expenditure would be enough to keep it so, 33625.—Witness's idea was that whatever authority dealt with the matter should provide system of drainage and afterward maintain it from year to year, 33626.—Tenants should be helped to keep principal rivers in proper working order, 33627.—It would not be difficult to get sufficient fall for the improved drainage; it was a question of work, 33629-30.—Witness would desire that such body as Congested Districts Board should have authority to improve drainage of that class; was aware that, as law stood, it was exceedingly difficult to get drainage promoted in the country, 33631-2.—Field drainage would not be so difficult; the individual tenants could attend to that if main drains were in proper working order, 33633.—It would be an advantage to the individual farmer if there were facilities for enabling tenants to obtain loans at reasonable interest for drainage of their farms, 33634.—District to which witness referred contained both hill and valley; part of river ran through flat country, 33635-6.—If these field drains were constructed, in district, into a proper main drain witness considered that condition of farms would be greatly improved, 33637-8.—Until such drainage were carried out it was difficult to encourage agriculture to any considerable extent, 33639.—Not very much of poor district referred to was flooded, but from time to time witness seen considerable quantities of hay and meadow flooded, 33640.—There was a fairly large population in district, the old and the very young; as they reached manhood the sons would leave, not being able to get work at home; there were no industries, 33641.—If arterial drainage were promoted, agriculture would be more profitable; to whatever purpose the land were turned it would be well to have it drained, 33642-3.—A little had been done in the district to improve the main drainage during preceding spring, 33644-5.—A main drain had been cleaned, but no new drain opened, 33646-7.—If main drain were made for benefit of tenants whose land it passed through it would be reasonable that tenants should contribute towards keeping it clear each season, but if there were very heavy expenditure it would be hard to expect them to incur it without help, 33649-50.—A week's work for each tenant would not be too heavy; much would depend on nature of work and what required to be done, 33651-2.—If it were question of each tenant giving week's work to maintain his part of drain it would be quite reasonable for Congested Disitricts Board to make that agreement before doing work, 33653.

Roads needed in Breandrum Division.

Part of Breandrum division was badly in need of roads, and tenants should be assisted to get road in that large district where there was no road at all passing through, 33654-5.—In winter, witness did not know how people got their produce in or out; the market was at Mohill, 33655-6.—Their furthest point from a road in this part would be about an English mile, 33657.—Road necessary to benefit the locality should be over two miles in length, 33658.—In winter it was impossible to bring carts to the fields, 33659.—Only one tenant possessed a horse and cart in this district, 33660.—If there were a road the holdings were so small that others might still not have the horse and cart, 33661.—Witness was not aware that district had ever applied to Congested Districts Board for assistance in this matter, 33662.—Thought they had applied to District Council to have road made, but did not recollect answer, 33663-4.—There was Cavan and Leitrim Light Railway to contend with; a gate house would be required, and objections were raised, not that road was not required, but on ground of expense, 33665-6.—Road was much needed, it being very difficult to get through in winter; the road would not be difficult to make, but was question of price, 33666.—It was required to enable people to bring produce to market, manure land, etc.; it was very difficult to bring pigs or cattle to market; witness had been told that if a man had not enough hay for his cattle he could not get it in there; cattle had to be sold before winter came, 33667.—Holdings in this particular district were fairly large, but witness did not know acreage, 33668.

SMYTH, Mr. T., M.P.

See pp. 195-203.

Scheduling of the whole of Mohill Union and of South Leitrim Proposed.

Witness was member of Mohill District Council, and represented South Leitrim in Parliament, there were 23 electoral divisions in Mohill Union, of which only ten were scheduled as congested, though, to witness's personal knowledge, there was as much poverty in the 13 non-scheduled districts, 33669.—Large holdings in the 13 non-scheduled districts had raised the general valuation per head of population, 33670.—Large number of holdings were very small indeed, in Mohill Union there were 3,205 holdings under £4 valuation, 2,519 over £4 and under £10, 883 over £10 and under £25, and only 141 over £25 valuation, 33671.—Witness had practical experience of whole of South Leitrim, and considered there was not a single part of it which should not be scheduled as congested, 33672.—The standard of congestion was fictitious, the poor law valuation of Mohill Union was £40,000, in which following towns and villages were included—Mohill, Dromod, Cloone, Carrigallen, Fenagh, there were six divisions of Carrick-on-Shannon Union in witness's Parliamentary constituency, of which only one was scheduled as congested, namely, Gortnacullen, these six divisions covered area of 26,931 statute miles, and poor law valuation was £16,493. and, dealing with this district, there were 487 holdings under £4 valuation, 650 over £4 and under £10, 308 over £10 and under £25, and 96 over £25, these divisions included towns of Carrick-on-Shannon, Drumsna, and Leitrim, 33673.—There was portion of Bawnboy Union in constituency of South Leitrim, but witness had not figures as to this district, though he knew that congestion prevailed as much as in any districts scheduled as congested, 33673-4.—Witness had good knowledge of district, as, in addition to being District Councillor for Mohill and representing division in Parliament, his business as auctioneer brought him into contact with farmers; not alone Mohill Union, but whole of South Leitrim, needed to be scheduled as congested, division comprised Mohill Union, six divisions of Carrick-on-Shannon Union, and five or six divisions of Bawnboy Union, 33675.—From existing circumstances, number of small uneconomic holdings, etc., poverty in South Leitrim was such that whole division should be scheduled, 33676.—Witness knew present definition of congestion, dealing with holdings under £7, it came to about thirty shillings per head of population, 33677-8.—Witness maintained that authority dealing with congestion should be able to deal with it wherever found, 33680-1.—Would be glad to vote in favour of giving relieving body discretion to schedule what was necessary, and that all South Leitrim should be scheduled, 33682.—Understood that general definition must apply to whole of Ireland, and that South Leitrim could not be separated, 33683.—Would rather schedule county than enlarge present area of congestion, other parts of Ireland, such as County Longford, of which witness knew a good deal, required to be scheduled, 33684.—This observation applied to special parts of County Longford, in vicinity of Killough, Ballinamuck, and Drumlish, around Durmlish holdings were particularly small and uneconomic, 33685-7.

Suggestions for Carrying Out and Maintenance of Drainage.

Different parts of South Leitrim contained large tracts of bog and marsh, and it would be good thing to drain these and plant with timber, as they were not fit for other crops, 33687.—By drainage witness meant arterial drainage, and drainage of small holdings by farmers themselves, 33688.—If arterial drainage were carried out wholly or partly at public expense great majority of holders would be satisfied to make their own claims through holding into arterial drainage, in some cases there would not be fall for the water, 33689.—If Congested Districts Board made cut or arterial drain tenants should undertake to keep it clear, and if they all did it in a body it would only amount to small portions of work, but it might not be taken up in a proper spirit, 33690.—It would be quite reasonable for Board to have power to compel

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holders benefited by drainage to do work in future, 33691.—There should be organised effort to maintain drainage and central authority to insist on its being done, speaking of parts witness knew, if farmers got these facilities they would be very glad to avail themselves of them, 33692-3.—There were places in this district suffering severely for want of arterial drainage, land was flooded and there was no fall for the water, South Leitrim was one of the wettest districts in Ireland, 33694.—Gentlemen in neighbourhood kept rain gauges, 33695.—Blue clay in many cases came below soil, 33698.—In cutting drains blue clay was not porous, it made very good permanent ditch, 33699-00. It could not well be filled with stones, being an open drain, when it got through four inches of soil, it was very good drain for carrying off water, 33701-2.—It had to be left open, 33703.—As far as field drainage was concerned, loans would be to occupiers from Board of Works, 33704.—If Congested Districts Board or similar body could be empowered to make loans on large scale for arterial drainage of a district it would be great facility, also powers directed towards allowing farmers to avail themselves of arterial drainage, and compelling them to keep it up, while draining their own holdings, should be obtained, 33705.—It would be equally good for public body to make drains or to have advance of money to Rural District Council, for example, so that drain could be made by local authority, it would be better to advance money to small holders, unless arterial drainage were carried out in many districts it would be practically useless for individual farmers to go on draining, there was no fall for the water, 33707.—If district were large it could not be dealt with by one District Council, two or three might be necessary, 33708-9.—There were portions of three rural districts in South Leitrim, Mohill, Carrick-on-Shannon, and Bawnboy, if drainage were being done between Leitrim and Longford it might be necessary to deal with two County Councils, 33709-10.—It looked as if there should be some authority over large sections of country in general control of this class of work, 33711.—Witness was aware that when people asked to have drainage promoted they were generally told to form Drainage Board, which was expensive to incorporate, 33712-3.—It might come very heavy on people in poor districts, in many cases in South Leitrim people who had bought out their holdings had to pay drainage rates, some practically gaining nothing from reduction in price of land on account of drainage charge, witness knew cases where number of farmers got reduction by buying farms, and it went practically to pay drainage rates, 33714.—They did not know that they would be liable to pay such rates, generally landlords had to pay drainage rates until estates were sold, and then they fell on individual occupiers, 33715-6.—Rate referred to was for grants made afterwards for construction of Drainage Board, 33717.—As a rule people living on properties as judicial tenants were more anxious for Drainage Boards to be got up than tenants who had purchased, as latter would have to pay drainage rates, 33718.—If this drainage were made on large scale, from natural reluctance of tenant purchasers to add to rates, it looked as if body promoting drainage should not expect whole of expenditure back again, some of it should be a grant, 33719-20.—There had been Commission lately on this subject, Mr. Wallace gave evidence as representing County Council of this locality, and all present evidence was brought before them, 33721-3.—Commission had already reported, report had been issued a week or two previously, 33724.

Want of Roads.

Want of roads in many districts was very marked; roads required to be made by Congested Districts Board or similar body, because County Councils and different Rural District Councils had no power to make these roads, which were practically one-end roads going into country, with no outlet; as member of Mohill District Council witness might say that even if District Council or County Council had power to make roads local public authorities would be reluctant to do so, as rates at present were very high; this portion of Leitrim was in guaranteeing area for Cavan and Leitrim Railway and rates for that now were shilling

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in the pound, and sometimes went up to two shillings, 33724.—They could get power from Local Government Board if applied for, but objection to increase taxation would remain, 33725.—Witness made general recommendation of roads throughout his constituency from extensive personal knowledge, 33726.—Proposed that Congested Districts Board or similar body should bear a portion of expense, and the rates a portion, 33727.—Roads should be constructed by the lending body and afterwards maintained by local body, 33728. It would be easier for local body to undertake construction of road than of drain; legal difficulties were not so great, 33729-30.—Men who were benefited by these accommodation roads would, if they were employed to do it, give large contribution in labour; there were many cases where small grants were given by Congested Districts Board to Parish Committees and a great deal of labour given, 33731.

Tree-planting on an extensive scale in Boggy and Marshy Districts Proposed.

In boggy or marshy districts it would be well to plant trees for shelter, timber purposes, and improving the land, 33732-3.—This would involve considerable outlay for drainage previous to planting, 33734. —Areas so planted would ultimately be remunerative, as concerning timber, which was getting scarce in district; also land would not be so damp, which would have beneficial effect on health of community, in which consumption was rather prevalent, 33735, 33738.—This implied extensive planting, 33739.— Turf was geting scarce in some districts, but on average there was a good deal of turbary in South Leitrim, 33736.—Planting for shelter witness advocated for general improvement of country, 33737.—As regarded timber in commercial sense, no timber was sold except for thinning out plantations, with exception of Mr. Clement's Estate; Lord Harlech's was only estate witness knew of where timber was sold for commercial purposes, and then only to small local carpenters, on small scale; the estate was in Mohill Union, near Dromod, 33740.—Planting marshy ground pre-supposed drainage, but having gone through that expense witness believed that planting, rather than grazing, would be most economical way of getting value afterwards, 33741-3.—Witness contemplated planting of land now held by tenants, both for shelter and variety, as well as doing it on large scale, 33744-5.—On almost every farm there was a little corner of practically disused land where trees for shelter could be planted, but unfortunately, tendency of some farmers was to cut down rather than to plant, so there should be encouragement by large system of planting, 33746. —If this were put in practice there ought to be public authority to protect and encourage necessary care of young plantation; unless well fenced it would disappear, 33747.—As general rule, tenants were twice as anxious to cut timber when it belonged to landlord, as they wished to have every possible advantage from land, for which they paid dearly, 33748.—When land had passed from landlord to tenants they generally regarded timber with greater care, 33749.—This could only be altered by educating public opinion; there ought to be instruction for people in remote districts as to great necessity of trees and of preserving them when planted, 33750-1.—As in case of drainage, this would be largely successful or not according to the machinery by which carried out, 33752.—Some body like Congested Districts Board should have power to plant on large scale, making grants for it and taking profits, if any; afterwards they could appoint trustees for proper maintenance, 33753.—Trees so planted would belong to the Board, 33754.—Small farms of occupiers in Leitrim would not permit of their giving up land for planting, but witness was referring to boggy and marshy districts, 33755.— These were in many instances attached to a farm; witness could not say if owners would be willing to have them withdrawn from grazing for number of years, 33756-7.—It would cost about £50 per acre to plant, in witness's opinion, including drainage, for the Irish acre, 33758-9.—There would be fencing-in to be considered in this estimate, general improvements and maintenance for some time, and paying of man in charge, 33760.—Witness would be delighted if it could be done for £10 per acre, with surface drainage only, 33761.

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Enlargement of Holdings—Purchase by Congested Districts Board or any other Authority of Large Farms coming into the market.

In some cases, where farms were sold, witness would advocate their purchase by Congested Districts Board or some other body to enlarge small holdings, 33762-3.—Witness was not contemplating anything like compulsory purchase of non-residential land; knew from experience that good farms might come into the market, whose purchase, in order to enlarge uneconomic holdings round, would improve position of small farmers in question, 33764.—This was to certain extent done now by Congested Districts Board, but people of Leitrim had no experience if its being done, 33765.—Suggestion was that when estates like Jones' large Estate, sold some 4 or 5 years ago, came into the market they should be split up into farms and these farms bought by some Board, who would send down surveyor to portion them out to the uneconomic holdings and thus enlarge them, this being on the assumption that they could agree with vendor as to price, 33764, 33767-8.—Witness thought that Congested Districts Board or other authority should secure property, if possible, either by private sale or public auction, 33769.

Question of giving Congested Districts Board the right of Pre-emption.

In case where Congested Districts Board bought property and apportioned it as best they could, being still forced to leave some uneconomic holdings undealt with, if one of new tenants wished to sell, question of pre-emption by Board might come in, but witness did not approve of principle of pre-emption; if landlord wished to buy holding from a tenant Land Commission would often determine value; witness had known cases where right of pre-emption was exercised and where tenants would have got more in open market, 33770-1.—This might open way to holdings becoming small again, but Congested Districts Board might have power over tenants, because if tenant wished to sell farm in ordinary course of events, incoming tenant would be bound to Board in the same way as the selling tenant was for the 68½ years, 33772-3.—Witness would not give Congested Districts Board right of pre-emption absolutely, unless there was some power to fix price, 33774.—It would not be unreasonable to provide that man who got considerable tract of grass land under market price to enlarge holding (there not being enough land to enlarge all uneconomic holdings on the estate), should not be free to sell holding to his neighbour, but should be bound to surrender it to Congested Districts Board at a price in reference to which there should be right of appeal to higher tribunal, 33776.—Right of pre-emption would be retained with object of preventing this land passing away from possibility of serving for relief of congestion in neighbourhood, 33777.—It followed that Court of Appeal would, in fact, have compulsory power on tenant to sell at price fixed in the event of a sale, 33778.—Appeal in case of variance with regard to price would be to authority who would have right to compel tenant to accepted price fixed by itself, 33779.—This was what was done in case of landlord exercising right of pre-emption, 33780—There was compulsion already as far as judicial tenants were concerned, 33781.

Opinion in favour of fixing Occupation Interest at time when Land was bought from Congested Districts Board.

Witness would approve of occupation interest being fixed at time of sale in every case of purchase from Congested Districts Board, so that man would know exactly what he was going to get before he sold interest; it would clear matters, 33782-4.—That was position in original 1881 Act which had been abandoned, 33785.

Compulsory Powers.

In some cases in South Leitrim there were large grass farms which landlords occupied themselves and let for grazing, witness thought they would be willing to part with land if sufficient price were paid, 33786. —Grass lands in such circumstances ought to be bought by public body for relieving congestion by enlargement of small holdings, 33787. If such lands could not be obtained for enlargement of holdings by voluntary arrangement, witness thought public would require exercise

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of compulsion, 33788.—He was speaking of farms attached to demesnes, held outside demesnes on which owner put cattle, or on which eleven months' system prevailed, 33789-90.—Witness was not aware of large farms of grazing lands held by tenants in his constituency, nor of tenants having grazing land valued at over £100, 33791-2.—Knew districts in Roscommon and elsewhere where there were these farms, 33793.—Would apply compulsion to non-residential tenants, as well as to landlord, in same circumstances and for same purposes, 33794.—If tenant were resident and lived by his holding witness would leave him all land attached to holding, no matter how large, not taking portion for relief of congestion, even with adequate compensation, except it were extremely large holding, 33795-6.—If man's usual means of living were trenched upon there should be compensation, same principle should be applied all round, 33797-8.—In case of a man having one holding and buying another to amalgamate with it, which he worked as one farm, but which were separate holdings in poor-rate books, witness thought if he held on different rentals and paid on different poor rate receipts the second farm should not be regarded as residential holding, but farmer should be liable to give it up in return for compensation to enlarge uneconomic holdings, 33799-801.—The two might be one farm to the man himself, but some men if they had twenty farms would regard them as one holding, 33802.—Circumstance of two farms being entered as two separate holdings in rate-books, in case supposed, was not uncommon, man not exceeding twenty acres had often three or four rate receipts, pointing to fact that at one time all these were separate holdings, 33811-3.—Under Griffiths' valuation every holding became stereotyped as to its value for taxation, 33814.—These holdings were fixed in the fifties for taxation purposes, and that was reason why they were now rated separately, even where they had been amalgamated, although it saved labour and expense to have them all in one, 33815.—In case of farmer's son who bought adjoining holding as outlet, the two being worked together, witness repeated that he would leave residential holding untouched, but an adjoining farm could not be regarded as residential holding, 33803.—A shopkeeper who bought small farm in neighbourhood as result of industry might be allowed to keep it though business compelled him to live in town, provided tract of land was not large, 33804.—Compulsion might be limited in acquiring non-residential lands by the extent of them, perhaps limit might be 100 acres, 33805-6.—Witness would not touch farm under 100 acres except it went to public auction, where Congested Districts Board might compete and give fair value for it, 33807-9.—If anyone bid higher than Board he should have land, witness did not consider Board or anyone else should buy land above value, 33810.—At present no hard and fast line could be laid down as to compulsory acquisition of land, legislation would be required, 33818-33820.—Whatever Board was going to carry out this scheme should be allowed discretion, 33819.—Phrase "hard and fast line" was used as applying to general circumstances of each case, where there were uneconomic holdings, not as to particular area, 33821-2.

Instruction in Use of Artificial Manures Desirable.

With regard to artificial manures it was desirable that farmers should be instructed in their use, many people in backward districts did not even know of existence of such a thing, 33822-3.—Very little was done at present in way of applying artificial manure, some farmers did a little, 33824.—Instructors went round different districts from Department of Agriculture and Technical Instruction, but witness thought those districts were not numerous enough, 33825.—Lectures in some cases were well attended, but were not always held in most suitable districts, there were very few holdings with sufficient manure for working, 33826.—Sometimes beneficial results had been experienced from lectures, want of education caused some people to think old-fashioned methods good enough, 33827.

Resident Instructor of more Use than Itinerant Instructor.

Witness had contemplated advantage of having instructors resident in district as compared with itinerant instructors, and thought more benefit would

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accrue from former, 33828-9.—One practical instructor was needed for different parts of Mohill Union, showing people practical work, 33830.—It would mean enormous staff of instructors, but different districts could be taken on, say one poor law union for two years, until people were sufficiently educated, it was no good coming to district, and then going away and not returning for twelve months, instructor should give lectures constantly for certain period, and when practical results were derived go elsewhere, 33831.—There were in Leitrim the Mohill and Manorhamilton Unions, with portions of Kinlough, Carrick-on-Shannon, and Bawnboy, 33832.—Witness thought tillage was in normal state in Leitrim without much increase or decrease, 33833.—On the whole witness thought system of agriculture was improving, and some men had adopted more modern methods with good results, 33834.

Theoretical Instruction of Little Use Without Practice.—Model Farm Might be Sold When it had Served its Purpose.

Theoretical instruction was little good without practice, witness would like instructor to have farm of average size in central part, and carry out system of tillage or manuring for people's practical instruction, choosing different districts, cast-iron system was not desirable, 33839-41.—A practical man with small farm free to ask people in neighbourhood to observe on his farm how different classes of land were worked and different classes of animals kept, according to suitability might be good system, but could not be permanent unless man could get farm elsewhere, 33842.—If place were well managed as a farm it could be sold when it had served purpose and brought each locality up to fair standing, 33843-4.—There might be failure of crops, but man who gave instruction could not control weather or such causes of failure, 33845-6.

Application of Lime.

As to application of lime, kilns which had been common throughout Leitrim, were disappearing, witness did not approve of application of lime to land without sufficient manure as well; South Leitrim soil was, besides, not suited to use of lime, 33835.—Farmers had not been able to buy enough manure to use with lime, and now approved more of artificial manures, use of which was being substituted for that of lime, 33836-8.

Spraying.

As to spraying, people were not sufficiently enlightened about it, though it had done a great deal of good in that part of the country, it could be done very well by spraying machine, but in many districts people used besoms or brushes of heather for want of machines, which was far less efficacious, they also thought one spraying was sufficient, it was better than nothing, but not enough to protect crop, it should be done in all cases twice, and witness had seen crops sprayed three times repay owner a hundred-fold, 33848.—Even in very wet climate, such as Leitrim, man could always find days fine enough to do spraying, four or five hours would be sufficient, 33849.—One great disadvantage was want of spraying machines, farmers came into towns to hire them, and there often were not enough to go round, three or four farmers ought to join together to get machine, 33850.

Cottage Industries needed.

With regard to cottage industries there were none in South Leitrim, and their promotion would give employment to young men and women who were now forced to go to England or Scotland to earn living, 33851.—Basket-making from osiers could be taught, with weaving, knitting, etc., 33852.—Witness was quite aware that an industry not self-supporting could not be kept up permanently, but would like to see some started, believing there were some which could be hopefully started, 33852-5.—The osier industry and weaving by hand-looms could be tried, 33856.

Lace-Making.

There had been lace industry class, being in charge of the nuns, but it had to be closed, as it got no assistance from Department of Agriculture, 33857.—It

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was not in a scheduled area, 33859.—The nuns who had learned art of lace-making were quite competent to give instruction, 33860.—Numbers of girls were anxious to go on, but they were crippled for want of funds, 33861.

Basket-Making.

There was land in this district very suitable for growing osiers, 33863.—There were numbers of small farmers who grew osiers for their own purposes and made their own baskets, 33863.—Those made in district now were not class of basket which could be put in market, when peeled the osiers would make ordinary shop baskets, 33864.—Witness believed there would be demand for baskets if well made, so that industry would be substantial one, 33865, 33868.—There was ample land suitable for growing osiers, which, as witness was aware, were one of most profitable crops possible, given demand for them, 33866-7.—Osiers could be grown plentifully on marshy land, 33870.—Witness was not aware that boxes had almost entirely taken place of hampers in many places in England and Ireland, hampers were as much in demand as ever, 33876.—There were no osier beds in the district, witness saw baskets and hampers used as much as ever, 33877-8.—Witness did not know of any successful basket industry in the county, had suggested basket-making from statistics in connection with trade, which he read from time to time, 33879-0.—Did not think project had ever been brought definitely before any public body, 33871.—Suggested it as an improvement, if not a very important one, which could be introduced into that part of South Leitrim, 33872.—Thought these industries could be made to compete in prospects of remuneration, etc., with attractions of United States, at present cottage industries would be great help and would be means of training people for larger industries, 33873.—Lack of employment and unremunerative wages were chief causes of emigration, 33874.—Methods under discussion to raise rate of remuneration and increase extent of employment would be likely to have material effect upon amount of emigration, 33876.

Improvement in Breed of Horses, Cattle, and Poultry and Instruction in Marketing Dairy Produce Suggested.

Breeds of horses, cattle, and poultry should be improved and people instructed how to market eggs, butter, etc., while instruction should also be given in dairying and kindred employments, 33880.—It had been done of late years in Ireland, but witness would like to see more done, 33881.—Witness had seen benefit from instruction in isolated cases, but it had not yet been done in full detail, he would say benefit was commensurate with expenditure, 33883-4.

Parish Committees, additional supervision suggested—Criticism of constitution of Committees.

Witness wished to touch upon matter of Parish Committees and thought more supervision should be exercised over them by Congested Districts Board; he himself lived in congested electoral division, for which he was District Councillor, and was not notified of single meeting of Parish Committee; there were elections from year to year and witness knew for a fact that grants had been denied to people who would have derived more benefit from them than the people who actually received them; these people who were refused would corroborate statement, 33883, 33885, 33890.—Witness considered he should be *ex-officio* member of the Committee as representative of congested district electoral division, 33884.—Shopkeepers were excluded from Committee, but that was not reason, as witness was not shopkeeper, nor any of his family; it was a matter of local spite, 33885-6, 33900.—Witness had not called attention of Congested Districts Board to it till lately, when writing to them for some facts he got list of composition of Parish Committees, etc., 33887.—Case had not yet been sifted by Congested Districts Board, 33889.—Parish Committee was established about three years ago; at first establishment witness was just co-opted member of Rural District Council, but in 1905 was elected for this particular district, 33891-2.—Was not summoned to any proceedings of Committee when it was started in 1904, but in 1905 got communication once or twice and went to one meeting, which had begun before he arrived, and had received no communication since; notice to attend had been received on two occasions, 33893-6.—No notices had been received since September of previous year; witness could not know when meetings were to be held, 33897-8.—Other members were being summoned, 33899.—Witness had not at an early stage brought this under Board's notice, as he hoped right would prevail in the end; coming over from London in March last had called at Board's office in Dublin and got rules of Parish Committees to look into matter, 33901.—Good work had been done by Parish Committees, and money had been well spent in Roscommon, Leitrim, and other places that witness knew; buildings had been improved and so on, 33902.

Migration.

As to question of migration, witness knew and regretted reluctance on part of Irish people to leave holdings; some evicted tenants would not consent to take any farm but that from which they were evicted; some people were glad to migrate, but greater proportion were opposed to it, 33903.—Sentiment had something to do with this; many people, however, never had it proposed to them, 33904.—Witness did not think migration as means of relieving congestion would be hindered by fear on people's part that they would not be well treated by small holders in counties to which they were migrated; Irish people were very hospitable to each other, 33905-8.

Distribution of Land—Claims of Migrants *v.* Sons of Tenants.

When Congested Districts Board purchased big estate the first claim on that farm or ranch would be that of uneconomic holders in district, 33909.—In considering second claim, whether rest of land should be appropriated by Board to migrants from other districts, or to farmers' sons of the county, witness thought local needs of every district should be best suited by following lines recommended to that district; in some localities young men might not apply, 33910-12.—In case of competition for balance of land by these two classes of people, sons of tenants should get it, as otherwise they would emigrate to America, 33913.—Relief of congestion was more urgent claim than that of sons of tenants; if possible, both should be combined; it was hard to know which should have first claim, 33914-6.—It would seem that body dealing with congestion should not be tied down in certain circumstances to giving holdings to sons of tenants, but should have free hand, 33917.—It was hypothetical case and required more evidence to be given; the circumstances did not prevail in witness's district to any great extent, 33918-9.—Some tenants in that district would be willing to migrate to distance if they got larger holdings, but many would not, 33920.—Case of evicted tenants already mentioned applied to others who would not go to other holdings unless their position were to be greatly improved; this was due to want of education, in witness's opinion, 33921-2.—Witness's view was that authority appointed to relieve congestion must give opportunities for people to escape from misery of district, as far as possible, but if people refused to avail themselves of opportunities public responsibility would then end, 33923-4.

Class of Land.

A great deal of the land was very shallow and quite unfit for grazing and meadowing; would produce no crops at all, except for great care bestowed on it by farmers, 33695.—Depth of soil varied from 4 and 5 inches to 9 and 10 inches, and sometimes was less than 4 or 5; cause attributed was that people had had no manure and therefore used to burn land to have ashes for manure, which reduced land to great extent, 33696.—Cultivation by tenant on land referred to was for grass growing, 33697.

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See pp. 203-7.

Mohill Union should be Scheduled.

Witness resided at Clanmorris, Dromod, and was appointed there as representing the Mohill Rural

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District Council, 33925-6.—Was Chairman of Board of Guardians and of a Parish Committee, member of County Committee and of local Drainage Boards, and Chairman of an Agricultural Bank, considered that Mohill Union should be scheduled as congested district, on ground that it was just as poverty-stricken as area so scheduled, 33927-8.—Parish Committee, of which witness was Chairman, had only one division, Cashel, the smallest in union, adjoining electoral divisons were as congested, in Rooskey, every occupier of land was the owner of it, 33928.—These occupiers had all purchased, and it would be a great boon to them if district were scheduled, that they might get benefits of grant, in Cashel, there would soon be no persons to apply for the grants to Parish Committee, because they would all be supplied, 33929-30.—Position would soon be arrived at that Cashel had done its work as far as Parish Committee could do it, 33931.

Raising Valuation of those eligible for Grants from £7 to £10.

The same principles ought then to be applied to Rooskey, in Cashel also it would be advisable to raise valuation of those available for grants from £7 to £10, as man with latter valuation was often in as much need of grant as former, 33932.

Question of Raising Valuation of Those Eligible for Grants from £7 to £10.

Committee did not help anybody over £7 valuation, but were most anxious to enlarge that limit to £10, even without increasing their funds, 33968-9.—This would decrease amount which could be given in each case, unless grants were increased, which would be desirable, 33970-1.—If Congested Districts Board refused to increase grant for this purpose witness would still be in favour of extending area from £7 to £10, because latter man often needed help equally, some times more than smaller man, 33972.

Discretionary Power for Parish Committee.

Witness thought Parish Committee should have some discretion to deal with men who were unable to take advantage of its help at present by not being able to supply two-thirds of estimate in order to get one-third from Congested Districts Board, 33932.—In case of widow with children who might be unable to do anything for homestead, for example, there should be dispensing powers, 33933-4.—There must be standard but there should be some exceptions, 33935.—Power to make these exceptions might be left entirely to Parish Committee, or to some independent body such as Congested Districts Board, or representation of, and in consultation with Parish Committee, 33936.—Witness would like to see almost whole parish under operations of the Committee, 33937.—The Parish Committee in this district was doing well, witness considered system an excellent one, 33938-9.—They had not yet passed from improvement of homesteads to improvement of farms, drainage had been done in improvement of homestead in some cases, 33940.—Parish Committee could not be improved upon, as machinery through which to give grants and prizes for drainage of poor holdings, 33941.—It took in best men in the parish for the work, and had advantage that local men of public spirit and knowledge had opportunities of suggesting what should be done, 33942-4.—System resulted in getting great deal of work done in proportion to grant, more so than in other systems in vogue at present, 33945.

Sanitary Work of Parish Committee and Public Health Officers.

Grants were not given for improvement of dwellings, in cases where manure heaps were allowed to remain close up to houses, such cases had been found when Parish Committee first started, 33946-7.—It was true that duty of sanitary officers was to see these manure heaps removed, and that Parish Committee was doing what sanitary officers had failed to do, though paid for doing it out of the rates, 33948.—Sanitary officers did not do much in this respect unless their attention was directed to special cases as when there was epidemic, witness did not think work of

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Parish Committee had made them more active, they did not as a rule do very much, 33949-52.—They brought prosecutions, when ordered by the Board, but prosecutions generally failed, this had happened at Mohill on last occasion, 33953-4.—It was fault of bench of magistrates, rather than of sanitary officers, 33955-6.—The best system was to make certain improvements which people wished for contingent upon these sanitary works being previously carried out, 33957.—No grants were made for the sanitary arrangements, Committee simply refused to proceed until they were done, 33958-9.

Drainage Improvements carried out by Parish Committee.

Drainage, improvements to dwellings and out-offices were also carried out through Parish Committee, 33960.—The main drains passing through witness's electoral division, which was smallest division in Mohill Union, were the ones attended to; Committee could not go outside these, 33961.—The drains took away water which before remained stagnant in the fields, 33962-3.—It was really part of arterial drainage, 33964.—It would be excellent way of spending money to deal with drainage in larger way, but arterial drainage was an expensive thing, 33965.—Net amount of grants made to 31st March, 1905, was £25 8*s.* 4*d.*; witness thought three times that amount of work was done, 33966.

Local Drainage Boards and Drainage Charges.

Witness was member of local Drainage Board; there were two Boards in South Leitrim, the Rinn and Blackriver, and the Eslin, 33973.

Recommendations of Arterial Drainage Commission.

Witness had given evidence a year previously before Arterial Drainage Commission in Dublin, who had recommended that there should be Board of Conservators to take charge of main basin of river and of outlet, this Board to be composed of persons elected by owners and by members of County Council; that drainage rate should be collected by County Council and struck as separate rate; and that for smaller drains there should be Drainage Boards electeds by owners; that for main basin of rivers, or larger part of it, there should be grant from Government Department and that drainage of small tributaries should be paid for by rate struck on lands to be benefited, 33973-4.—From witness's experience of Drainage Boards he concurred generally in this report, 33975.—Existing Drainage Board was statutory body, appointed under Act of Parliament and meeting at stated intervals, 33976, 33985.—Its duties were to maintain all the rivers in state of repair to carry away water in connection with works done forty years ago, 33977.

Expenditure by Board of Works upon Rinn and Blackriver.

About twenty years ago Board failed to keep works in proper state of maintenance and Board of Works in accordance with their powers in such case expended £2.700 upon Rinn and Blackriver; at this time Earl of Granard's Estate was selling in County Leitrim and Longford, and year following all small owners who purchased their lands were taxed to repay this money to Board of Works, with 5 per cent. added, this repayment taking twelve years, and leaving drainage charges very unpopular in locality, 33977, 33999.—Wtiness did not know reason of additional 5 per cent., 33978.—Property was transferred from landlord to tenants, before which transfer landlord had been under certain obligations, 33979-80.—It would not be business of Land Commission to arrange, in settling property, terms on which landlord was to redeem his obligation, as the work involving these charges took place just about time of transfer; the landlord did pay up to a certain date, but tenants did not understand matter, at first looking on work as a boon, 33981-3.—It had not been considered whether Treasury might be applied to to remit this expenditure; they had found Board of Works very difficult to deal with, 34001-2.—Board of Works were acting under Act of Parliament; they were now repaid, 34003-4.—Parish Committee had been prevented from making other improvements by this burden, but now rate was being struck for maintenance, 34005.—When work was

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undertaken in 1841, it had involved large capital outlay, 34006.—That sum was borrowed from Board of Works, but had long ago been paid off, 34007-8.—Accumulated work of maintenance, having been in arrear, had to be met, and money raised in some way, 34009.—Expenditure was incurred, not as part of original cost of work, but as rendered necessary by neglect of maintenance, 34010.—Witness's point was that memory of what had had to be paid in connection with Drainage Acts acted as deterrent to ratepayers from agreeing to rate which might be levied for various improvements; in expenditure of this £2,700 witness believed that Board of Works squandered money and that £1,000, properly spent by Drainage Board, would have produced more useful work, 34012.

Local Drainage Board and Drainage Charges.

Since then, Drainage Board had levied rates themselves, about £600 for last few years, on the Rinn and Blackriver; on that river and on Eslin, rate of £200 was levied within last few months to do some work, 33983.—Work was still going on on the Eslin, but was completed on the Blackriver, though badly done, being insufficient and not having had enough money expended on it; for the main river there were Government grants, 33984, 33986.—It was not attended to every year, 33987.—On upper portion of drainage district it was proposed to drain about 2,000 acres, but on lower portion, which emptied itself into Shannon, outfall was bad; the more drainage was done on upper portion, the more harm was done to lower portion; water flowed up more quickly than it could get away, and flooded up to Johnson's Bridge, where witness lived, and spread out on to the lands, 33988.—Drainage rate now struck was only for maintenance, 33989, 34013.—The £200 mentioned in this connection was only debt remaining, 34011.—If maintenance were stopped now, the drainage would get into disrepair, bringing about loss of previous expenditure, 34014-5.—Drainage Board, of which witness was member, was called into existence under Act of 1842, work having been done originally by Board of Works, and duty of Board was to maintain those works in proper condition, and for that purpose to tax lands to be improved, 33990.—Works done by Board of Works had not been properly maintained, and it then became necessary to do something, so that Drainage Board was called in; it was not question of capital expenditure but of maintenance, 33991-2.—Drainage Board would not have authority to make fresh drains, or to enlarge drain to smallest degree; there were portions of country much in need of it, that were not on drainage map, but Board had no power to expend a penny on these, 33993.—Board's powers were not constructive, but maintenance powers, 33994.—There was great difficulty in creation of Drainage Board, which was done by large landowners forty years ago, and could hardly be done now, it was so troublesome and expensive, 33995.—It was very difficult to constitute Drainage Boards now, 33996.—Witness approved of recommendation contained in report referred to that large waterways should be cleared by grants from Government, 33997.—Also that small drainage, immediately benefiting occupiers, should be done with some liability to occupiers to pay for such drainage, 33998.—Commission referred to had not recommended that all existing Drainage Boards should be merged in County Council; 34016.—County Council would practically be responsible for collection of drainage rate, as already stated, 34017.

Lace Class.—Failure for lack of Monetary Encouragement.—Teacher not recognised because she had no Certificate.

As to lace class, it had ceased to work because Department had declined to recognise teacher as qualified, and girls whom she taught did not therefore get capitation grant; work turned out realised high price, 34018.—In order to be recognised as qualified the teacher would have to pass examination and get certificate, 34019-20.—The teacher, a Sister of Mercy, had not passed Department's examination, nor got certificate, 34021-2.—She was an excellent worker, 34023.—At first Department was more lenient on this point, afterwards becoming more exacting as to certificates, 34024.—The school collapsed simply because teacher was not recognised as qualified by Department.

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34025.—It was great loss to district; from twenty to thirty girls were attending and making money out of it, 34026.—Capitation grants to workers were usually endowments to those in charge of school, 34027.—The teacher was competent, and committee in charge did not appoint another teacher, 34028.—Department had never given grant, nor contributed to teacher's salary, 34029-30.—The school was started without any grant or assistance from Department, 34031.—There was then application to pay ordinary capitation grant that was paid to every school, that each girl attending would get so much a week; this was not paid by Department, 34032-3.—School was started through beneficent action of nuns, it was successful, but when capitation grant was applied for it was refused on ground that there was no recognised teacher, 34034.—School collapsed from want of monetary encouragement; it had been started in hope of receiving this, 34035-7.—They were selling lace and receiving fair price for it, 34038.—The lace-making lasted one and a half years; they received no assistance; only money was that realised by sale of lace, 34040-1.—Position was that amount realised for lace went to workers, and the nuns, and other demands upon them, were unable to continue teacher's services without some recognition from public body, 34042

Reclamation of Bog proposed for Enlargement of Holdings in Rooskey.

With regard to Rooskey electoral division, which witness represented, every man in it owned his land; there were 1,100 acres of bog in hands of landlord, the Earl of Granard; witness considered that if Congested Districts Board would purchase this bog at small outlay and drain it it would be most valuable addition to small holdings in neighbourhood, because, to his own knowledge, such bogs, when drained, produced fine crops of potatoes and oats, and even meadow, 34042.—Each small holder should have small portion for turbary, but when there were large tracts the rest should be vested in trustees, 34043.—There was plenty of turf in neighbourhood, 34044.—It was the surplus which witness recommended for reclamation; it would be too long to wait for cutaway sole, 34045.—There were in Rooskey twenty-three holdings under £4; these were all bought, 34046.—People bought holdings of that size because they occupied them and had no more, 34047.—They purchased under the Ashbourne Act, 34048.—All had turbary, 34049.—Purchase suggested by witness, for benefit of small holders, was with object of reclamation, 34050.—There was nothing but heather on it; these bogs were capable of producing better crops than some mountain land, 34051-2.—The bogs were very deep and the gravel a long way down; it was flat, but could be drained, 34053-5.—Witness thought draining bogs less expensive than draining up-land; it was less laborious to open drains, and as the purchase price would not be large it would not be very expensive proceeding, 34056.—It was not of much service to Earl of Granard; he shot over it, 34057.

Distribution of Land.—Claims of incoming Congests *v.* those of Sons of Tenants.

With evidence of Mr. Smyth, M.P., as to grass lands witness did not altogether concur; with regard to large tract of land purchased in Roscommon for purposes of migration witness did not think that sons of Roscommon farmers should get all that, as was disposition, but that there should be some migration from Donegal, Leitrim, or other congested districts, 34058.—Seriously congested districts, wherever they might be, had first claim on Congested Districts Board, 34059.—Witness gave preference to poverty-stricken districts in neighbourhood of Roscommon, but to exclude everybody but Roscommon people would not be fair, 34060-1.—As between sons of tenants and congests in district, congests had distinctly right to preference; holding might be given to son of tenant as reward if he helped strenously in work of bringing in migrants and getting country settled, 34062-3.—A great many sons of tenants might take active part in carrying out this work, but witness would not give farms to several sons of one farmer, 34064-6.—It would be fair to say that until all heads of families living upon uneconomic holdings and willing to migrate had their claims satisfied, claims of sons of tenants should not be considered, 34067.—Man living with his family on uneconomic holding had

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more claim than young son of tenant, but if son did not get something he would emigrate, 34068.—The father would not migrate, but this did not mean generally that he would go on living in great poverty and distress, necessitating application of occasional special State funds; it might apply to extreme West; things were not in such bad condition, generally, 34070.—Witness was inclined to say that these people should be helped before sons of tenants, 34071.—In case of son who prevailed on parents to make way smooth for incoming congests if land were available, after providing for migrants, he should be considered very favourably, 34072-3.

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See pp. 207-15.

Payments of Rents.

Rents were better paid in Leitrim than in any part of Ireland before sale of Crofton Estate in 1898, on which were 600 tenants round Mohill; out of 2,000 tenants paying £17,000 a year, witness had received practically full year's rent each year for last ten years, 34076-8.

Valuation.

Average of these tenants was £8 10*s.*, though small they were relatively more value than larger farms, as they fetched larger sums where put up for sale, in twenty-five recent cases average of tenants' interest was 23 and 28½ years' purchase, 34078.—On one estate largest rent was £13 14*s.*, highest rent of all was £49, but no other as high as £20, 34079.

Tenant-Right.

Value of a holding could not be measured by tenant-right, but value as security for advance could be measured, 34080, 34085.—Often the smaller the holding the higher the tenant-right, as so many were looking for homes, in Leitrim £10 or £5 farm would fetch more than in other districts, 34082-4.—Security of State was not based on agricultural value, but on ability of population to pay annuity, 34086.—Vacant farms in landlord's possession would sell for as good price as any other, 34087-8.—Tenant-right if sold for more than true value, 34089.—In Donegal farms had been known to fetch 128 and 200 years' purchase, which was absurd, and could not represent true value of holding, only competition in district, 34091-2.—Greater portion of rent did not come from America, as rent was only small proportion of outgoings, 34095.

State Security.

State must base security not upon intrinsic value of land, but upon capability of country for paying annuities, 34096.—Witness thought people in small holdings could generally pay annuities upon them, 34097.—He wished to combat idea that because holdings were small they were therefore uneconomic, and no security to the State, 34099.—There were at present no cases where annuity would not come out of land, 34100.—On Crofton Estate sold in 1898 annuities were very well paid, no application had been made for portion of guarantee fund under previous Act, 34101, 34138.—If holdings would not earn annuity tenant-right might not remain as high in district, or it might make no appreciable difference, 34102.—There was no greater risk of failure to pay annuity on small farm in Leitrim than on big farm in Kildare, 34103.—Average holding in Leitrim was capable of paying rent, 34105.—In witness's experience tenants were honest and paid rents, 34106.—He had no apprehensions with regard to future annuities, 34108.—Large demand for small holdings had enhanced price, 34109.—There was no proof that they would therefore support a family, but it would show security for advance, 34110.—23 to 28 years' purchase were not extravagant prices, 34111.—Competition for small plots was so great that State would not incur any risk, 34116.

Enlargement of Uneconomic Holdings.

Very small holdings should be enlarged before purchase if possible, 34119-20.—If 200-acre farm were

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divided into twenty ten-acre farms and put up for sale competitors would be much more numerous than if only divided into two farms of 100 acres each, and would fetch proportionately higher price, 34121-2.

Crofton Estate.

Crofton Estate had been sold under Act of 1896 on first-term rents, with 4*s.* 9*d.* or 4*s.* 10*d.* reduction on 18½ years' purchase, 34123.—More than £5,000 a year had been sold, and everyone had got turbary, 34126-7.—Which was in most cases included in the rents, 34128-9.—If bog contained too small a supply another bog further off was put into agreement, 34131.—Right of cutting turf was to last as long as bog lasted, 34132.—Land Commission had supervision of transaction, 34134.—Reason why some tenants paid turbary and others did not was that some rents had been fixed in Court, others not, 34135.—Those who had not been into Court had free turbary, 34136.—Small farms afforded good security for reasonable advances made by Land Commission, 34138.—Only town of Mohill and town parks round it had been retained, rest of Crofton estate had been sold, 34140.—Terms of sale had been good, but not better than would be and ought to be got now, 34143.—Interest was at 4 per cent., 34144.—Now it was 3¼ per cent., 34145.—First term tenants would not buy at 23½ years' purchase, they were ready to sell at six shillings and four shillings reduction; six shillings reduction was only 21¼ years' purchase, 34148.—Those who were buying now were paying practicaly the same as Crofton tenants, as different number of years' purchase made up for larger reduction, 34150.—Under Ashbourne Act 21½ years' would equal 17 years' under Act of 1903, 34151.

Untenanted Land in Leitrim.

Creation of peasant proprietory had resulted in making people improve their holdings, in Leitrim there were no grass lands, Mr. Ginnell's Parliamentary Return was misleading, as lands mentioned therein were either bogs, mountain, or water, 34152.—There was no tenanted land on eleven months' system, 34155-6.—Tenants would not leave homes to migrate to untenanted land in other counties, 34156.—Commission had found that people who could migrate themselves were anxious to migrate, 34158.—In whole of district from which witness was collecting £17,000 rent there was no grass farm, 34162.—The grass in Leitrim was to be found in mixed farms, of which there were many, in farms of all sizes the proportion under grass would be as five to two, 36164.—On Clements, Crofton, and Whyte estates no rent had been received for grass farms, although there was grass on all, 34165.—Unless demesnes like Lough Rinn were taken in there was no land suitable for migration in Leitrim, 34166.—There was one farm of 200 acres with a good deal of grass, 34167-8.—At Dromard there was one grass farm which had now been sold to several people, not tenants, but people who had come in and bought it, but it had never been let on eleven months' system, 34169-73.

Mohill Holdings.

In electoral division of Mohill there were 262 holdings, 84 did not exceed £4 valuation, 83 were between that and £10, only one was over £100, nothing over £200, which showed that large grazing farm did not exist, 34175.—Eleven months' grazing did not come on rate-books at all, 34178.—Value of turbary close to each farm in district was very great help to tenants in district, difficulty was to prevent subdivision of farms, 34179.—In migration supply of turf would be essential, 34181.—As well as good water supply, 34182.—There were coal mines in locality, but people never used coal, 34183-5.—Landowners would be willing to sell untenanted land, not demesnes and home farms, at fair prices without compulsion, 34186.

Industries.

Establishment of industries was required to relieve land, Rev. Mr. Digges had promoted creameries, agricultural banks, and bee-keeping, which had been successful, bacon-curing and textile industry would be serviceable, Arigna Mining Company employed over 100 men a day, 34186.—Purchase of estates had

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been followed by undue cutting of timber, that ought to be regulated, 34186-7.—Bee-keeping had been successful, and could be made more so near bogs, as heather honey fetched best prices, 34188, 34189.—Arigna Mining Company had satisfactory business, 34190.—Coal went as far as Longford, Cavan, and Carrick-on-Shannon, 34191.—Railway to mine would probably increase business, as coal had to be carted three miles, 34193-4, 34202.—Quality of coal was good anthracite, and area large, it was used on the light railway, 34195-201.—More coal could be disposed of if price could be lowered to meet competition with Welsh coal, 34203.

Question of Zones.

Abolition of zones under Act of 1903, even in congested districts, would be fatal to working of Act, landowners would be unwilling to sell if they were uncertain of price, 34204-5, 34215.—Though estates were passing direct from landlord to tenant which needed great improvement, and that was a bad thing if they were rundale farms, 34206-9.—In Crofton Estate there had been inspection, but it had no effect, as every farm passed, 34210.—Perpetuation of rundale could not be a good thing, 34211-2.—Estate even slightly in rundale might need to be improved, 34213.—Zones from landlord's point of view accelerated sales, gave greater certainty, &c., but from tenant's point of view inspection and consequent improvement was better, 34216.—Witness did not know of any case under his management where it would be any harm to sell the estate direct, as he had no very poor estates to deal with, 34218-9.—In his experience Act was working well, and if zones were taken out of it it would check working enormously, 34221.—Act could be amended to deal with particular estates, but if zones generally were abolished landlords would refuse to sell, as they would not know what they were going to get until after re-valuation, 34223.—Party interested in advancing money would know nature of security, as same authority which fixed rent would value farm, as Land Commission and Estates Commissioners were nearly the same, 34224.—It was the element of uncertainty which would hinder sales, 34226-7.—Signing of agreement was basis of landlord's willingness to sell and tenants to buy, and from that time until sale was completed landlord received only interest on purchase money, 34228-30.—If estate was encumbered landlord had to meet charges, and if after inspection Land Commission did not approve, arrears would have accumulated, as interest was less than former rent, if Commissioners did not accept estate landlord had either to sell at low price or to resume possession with arrears, thus accentuating difficulties between landlord and tenant, 34231-2.—Estate Commissioners were an interested party in fixing price, as they had to secure State first of all, 34234-6.—Land Commission represented Treasury, and were pecuniarily interested as trustees, 34237-8.—Land Commission never raised price of farm, but said that either vendor was asking too much, or that it was all right, 34240-1.—Uneconomic holdings should not be stereotyped, but it was possible to maintain zones, and yet get over difficulty of stereotyping poverty, 34242-3.—Abolition of zones would probably stop purchase, 34244.—Under existing law landlords could not re-arrange holdings or change rundale without consent of tenants, 34245-9.—But with consent of tenants it could and had been done, 34250.—It was unfair that one of parties to bargain should fix price, though Commissioners were not buying for themselves, but for State, if there were substantial loss owing to non-payment of annuities they would be blamed, 34255.—Commissioners were appointed not to make good bargain, but to discharge a public duty efficiently, 34257.—There was danger of County Councils intervening to stop land purchase if there were default, as default would fall on ratepayers of county, 34258.—That would be as serious as abolition of zones, 34260.—Zones applied only to tenanted land, 34261.—They did not apply to Congested Districts Board purchasers, as improvements on congested estates were desirable, 34262.—Board was an improving authority, 34265.—And had not had any difficulty in dealing with owners, though zones did not apply in their case, 34267.

Mortgaged Estates.

Witness thought it unreasonable that mortgaged estates should be sold cheaper than unencumbered

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ones, as mortgages were often paid off, and tenants were financially gainers by sale, 34267.—Even though they had exchanged indulgent landlord who did not press for rent for strict State, which demanded punctual payment, 34270-1.—Even if tenant's livelihood were precarious he was gainer, as he got whole place for nothing, 34272.—Generations of same family had lived on farms in the past, and probably would in the future, 34273-4.—Tenants on well-managed properties where there was great strictness were better off than tenants whose landlords allowed them to get into arrears, 34276.—Tenants really lost nothing by being under strict enforcement of payment by State, 34278.—There was no machinery under Act of 1903 for relaxation of obligation in case of unforeseen misfortunes, such as famine or fishery failure, but State would have to meet such a state of affairs, 34280-83.—Purchase system was unfortunate in view of unpreventable contingencies, but it had become necessary, 34284.

Flotation of Money.

Difficulty about flotation of money, which meant charging the counties, was one of the gravest conditions which had to be faced, as it was likely to block sales, Land Stock did not stand at its proper price in relation to Consols, it ought to be 93 instead of 85, as it was, reasons given by stockbrokers seemed inadequate, as both were secured by Government, if Irish Land Stock stood at 93 it would ease whole financial difficulty which arose from loss on flotation of stock, Treasury should remedy defect, 34286.—Mr. Mullins, stockbroker to the Bank of England, said reason for difficulty was that Consols were more quickly realisable than Guaranteed Land Stock, Consols had a special market, many banks were forced to hold their reserves in Consols, and that led to demand, financial arrangements of Act had been taken on basis of stock being taken as worth 95, 34287-8.—Land Stock could be registered both in Bank of England and Bank of Ireland as Consols could, if Chancellor of Exchequer were to buy millions of Irish Land Stock yearly as he bought millions of Consols it would help to put price up, 34289.—In Consols there were £700,000,000, in Irish Land Stock only 15,000,000 so far, 34290.—Chancellor could buy up to 95 without loss, 34291.—Witness was afraid that people in England would think that low price of stock was due to default of payment, which it was not, 34292.—Fear was not that call on guarantee would affect stock, but that purchase would be checked, 34293-4.—As what tenants would gain on one hand they would lose on another, 34295.—People might also have idea that Irish tenants were paying too much for land, 34296.

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See pp. 215-8.

Drainage.

In Aughanas Electoral Division much damage was done by floods from tributaries of Black or Cloone River; drainage needed much attention; about seventy-five parties were aggrieved; to take one example, tenant had meadow and pasture land adjoining one stream, but floods drove in sand and gravel, which injured hay, and some five or six beasts died, and rest of stock had to be sold; losses were sometimes £20 a year; his valuation was slightly over £20 a year, 34297.—Application had been made to Congested Districts Board for help to carry out drainage and they had agreed to pay half, tenants agreeing to do other half; one landlord, Mr. John Madden, of Hilton Park, Clones, refused consent as he was negotiating sale of estate, so Board refused assistance until all legal obligations were satisfied, 34298-9.—Board required consent of landlords to guard against damage resulting from drainage, though tenants had undertaken to incur legal risks on part of Mr. Madden; this delay was causing great suffering, 34300.—Powers were needed to deal with drainage questions, 34301.—People in district had agreed to carry out drainage of river as it passed by their own lands by deepening river and widening banks, 34303-6.—People could manage it themselves assisted by Congested Districts Board, 34307.—Engineers were not required, 34308.—One big piece of blasting was

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required, but allowance had been made for that, 34311.—Board had no particular obstruction in mind, it was their custom to ask for guarantee, 34312-3. —Local Committee would remain as Standing Committee to look after maintenance from time to time; it would be to interest of people to do it themselves, 34315-9.—There would be no legal powers to compel stupid tenant to do his share, 34320.—But they might be coerced to do their duty, 34322.—Proposed arrangements would have been satisfactory, 34323.—Drainage Board into whose district extra flow was to come were not party to arrangement, 34324.—They had not objected, 34325-7.—Whole thing fell through from want of consent of one landlord, 34328.

Roads.

Roads were badly wanted to enable people to bring produce to market; most of the people lived off main roads, and lanes or passes to their holdings were in very bad condition, 34329.—Congested Districts Board ought to be more liberal to encourage people to improve their lanes;- one-sixth of cost was very small grant and not sufficient encouragement, 34330-3.—Larger grants would mean more useful work, 34334. --People did not contribute money, but labour, 34335-6.—These were not county roads, District Council had no control over them and could give no assistance, 34337-43, 34347-8.—Small roads running from one main road to another were in charge of District Council, 34344.—People could not pay higher rates, they had to give labour, 34349.—Example of bad road was that from Cloone to Carrigallen; it was a mile long and over 100 families lived along it; they had great difficulty in getting to main road, 34352.—It was nominally duty of District Council to maintain road, but they could not attend to all roads without putting rates up, so it was only done very occasionally, perhaps once in five years, 34354-7.—If Board gave grant for such road it would be better to give it to county body, 34358-9.—To prevent division of responsibility, 34360.—Roads ought not to be repaired unless county maintained them, 34361.—Another blind road had along sides about thirty families, it had never been made by county, 34363-6.—Parish Committee was adapted to deal with such improvements, 34370.—Cost would be from one to two shillings per yard, 34371.—If half were given by Board Parish Committee would see work carried out, 34372. —Farmers accommodated would have to keep it in repair, 34373.—Grants to Parish Committees were insufficient, in many districts one-third or one-half would be required, as there was great difficulty in getting materials, 34374.

House Improvement.

Proportion of one-sixth allowed by Board was not sufficient to encourage people to improve premises, 34375-6.—Valuation of those helped should be increased from £7 to £10, 34377.

Technical Education.

Domestic Economy should be taught in homes of people practically, not by lectures, 34378-80.—Staff would have to be increased; public lectures were good in theory, but people did not benefit by them in their homes; instructors should go to certain houses and get as many people as possible to benefit by lessons there, 34381-5.

Emigration.

There was great deal of emigration from Leitrim of the young and strong, consequence was that labour was scarce and tillage was going down, 34386-8.—School attendance was affected, as children were taken to the fields to do the work of older boys and girls who had emigrated, 34389-90.

Congested Area.

Extension advocated, 34390.—Whole of Leitrim should be scheduled, 34392, 34397.—Lord Lieutenant had created one scheduled district in neighbourhood formerly, but witness did not know who had power now, 34394.—Lord Lieutenant should have power to deal with any place recommended, 34396.—If district

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were scheduled Board's idea was to have Parish Committee in every parish, 34399-400.—Some parts of Leitrim were fairly prosperous, but all districts were poor enough to be scheduled, 34402-5.—Congested Districts Board should have absolute discretion as to where Parish Committee should be established, 34406-8.

Farmers' Houses need Improvements.

Means of improvement should be forthcoming; labourers were getting fine houses, but farmers had no opportunity to improve, 34409.—Difficulty of getting loan from Board of Works was very great; loan was limited to three times valuation, 34410-1.—Congested Districts Board did not lend money and never made grants above £5, 34412.

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See pp. 218-9.

Description of Witness's Farm.

Witness was farmer with farm of twenty-eight statute acres, valuation £12, two to two and a half acres of which were worked with heavy loy, hand labour, rest was grass, and hay and milking cows were kept, 34414-9.—It was Sir Morgan Crofton's Estate, purchased in 1901 at 18 years' purchase by clear tenants and 19 by those in arrears, forty-nine uneconomic holdings were on property of from four to eight Irish acres of poor, wet, undrained land, drainage of Eslin River was badly needed, road was needed through Aughaumcarne bog, 34419.

Turbary.

Turbary had been fixed at 10*s.* per annum for seventy-one years, but when they were going to break cutaway additional 10*s.* had to be paid, 34419.—This was witness's own experience, as he was tenant purchaser and had been to court, turbary had always been separate from rent, 34420-9.—At time of sale £9 10*s.* purchase added to annuity or 19 years' purchase had to be paid for right of turbary, if broken 10*s.* a year had to be paid for cutaway, 34430-9.—Land Commissioners were forcing tenant proprietors to pay more than had been agreed upon if they wanted cutaway to till, 34440-2.—Fresh agreement had to be signed if bog was tilled, 34447.—Explanation was that only right of cutting turf was given, not turf bank itself, which relapsed to landlord, if turf were exhausted tenant had to be provided for elsewhere and fresh agreement had to be made for cultivation of exhausted bog, 344525.—Witness had understood that tenant purchasers bought turf banks, 34457.

Drainage.

Drainage was much needed on part of property, as Eslin River was only partly drained, some people were paying 18*s.* a year towards drainage, when principal river was not drained, only branch, 34457. —Drained portion really benefited another property though Sir Morgan Crofton's tenants had to pay, estates which were affected by bad drainage of Eslin River were Lord Massey's negotiations for sale of which were completed, though money was not advanced, and on which there were thirty-five uneconomic holdings, Peyton's property, not yet purchased, and in which were eight uneconomic holdings, Mr. Ruthven's property, not purchased, and containing forty-three uneconomic holdings, King's property, not purchased, three uneconomic holdings, Colonel Clement's property, not purchased, and with seven uneconomic holdings, Dr. Crofton's property, not purchased, and with three uneconomic holdings, low lands of all three were flooded by River Eslin, roads through bogs were also needed, 34459.

Compulsory Purchase.

Compulsory purchase must be adopted in Connaught before problem of congestion was solved, compulsion on landlord only, 34459-60.—If Estates Commissioners bought compulsorily Commission should be

TRAVERS, Mr. JAMES—*continued.*

appointed to fix rent, 34461.—If Commission fixed too high rent emigration would be better, 34462.—If Estates Commissioners took compulsorily they would probably fix fair rent if they examined for themselves, 34463-6.—Witness had not been asked whether he considered his rent fair, but he had to abide by it, 34470.

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See pp. 219-21.

Bunnybeg and Drumdoo were electoral divisions represented by witness, 34471.

Holdings in these Electoral Divisions.

Area of Bunnybeg was 3,235 acres, valuation £1,460, there were 58 holdings not exceeding £4, 61 between £4 and £8, 12 between £8 and £12, and 30 over £12, Drumdoo contained 3,841 acres, valuation £1,869, with 60 of the first, 79 of the second, 55 of the third, and 33 of the fourth class of holdings, there were no grazing ranches that could be sub-divided in district, so only relief would be to schedule district and grant relief-in-aid for improvements, 34471.

Drainage.

Drainage operations were greatly needed as tributaries of Shannon flooded large tracts, weir walls of Shannon at Rooskey, &c., should be lowered a foot, which would drain thousands of acres, Eslin River caused great floods, Leitrim was intersected with rivers and drainage was very bad, if rivers were cleaned people would maintain drains through their farms, 34472.

Roads.

By-roads and passes could not be repaired as no funds were available, if district were scheduled and Congested Districts Board gave some relief people would be encouraged to do more for themselves, as they were prepared to assist, 34472.

Sale of Estates.

Portion of Simpson Estate was sold before Act of 1903 at 15 years' purchase, and some at 17, but portion sold under Act was at 23 years' purchase, 34472.—Sales under Ashbourne Act, such as Lord Granard's and Crofton Eestates had been at 16 to 18 years' purchase far better land than was selling under Act of 1903 at 24½ to 27 years' purchase, tenants in arrears were willing to accept any reduction to evade eviction and pressing for payment; on Major Lawder's Estate sale had been direct but purchasers had petitioned Estates Commissioners to exonerate them from liability as they said they were induced to sign agreements they did not understand after indulging too freely in whiskey supplied by landlord's herd, 34475.—Another inducement was patch of bog which tenants were afraid might go to more distant tenants, 34479.—Tenants had not heard terms until they got to landlord's house,, 34484.—Sale had been taken out of agent, Captain Darley's hands and given to a man named French, 34485.—Mr. Lawder still held seventy acres of best land, if that could be acquired and distributed it would settle grievances, on Madden, Brady, and Moore Estates, direct purchasers complained of terms 24½ years' purchase, American remittance arrived, 50 per cent. of farmers were said to send children to America so that they might send them help and shopkeepers gave credit till remittance arrived 50 per cent. of farmers were said to depend on children in America, 34475.—Ninety per cent. of rents came from America, 34486.—Twenty or thirty years ago rents were higher and less money came from America, but prices of farm produce had fallen since then, 34487-91.—Returned emigrants sent up price of land, all land purchased in Leitrim was either by American or shopkeepers' money, none with capital realised off farm, 34492-4.—American emigrants got home-sick, wish to have some place where they returned and so purchased farms. 34495-7.

REYNOLDS, Mr. FARRELL—*continued.*

Rates.

Rates were 6s. in the pound, poor rate was lower than formerly, but district rates were higher, 34473-5.

Industries.

Iron mine, said to be rich, lay in parish of Annaduff, if opened it would give employment to many hundreds of persons, 34475.—If bacon-curing could be started in disused goal in Carrick-on-Shannon it would be great benefit to district as good pigs were raised, 34497.—People of neighbourhood did not put money into it as they were not enterprising enough, 34500.—Returned American emigrants never had energy or enterprise, they seemed to have exhausted their energies in America, 34502.—County Council was very lethargic, 34503.—Whole district of Mohill should be scheduled, 34504.

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See pp. 221.

Sale of Estates.

Witness had nothing to add to other witnesses' evidence about Ruthven Estate, 34507.

Drainage.

Mr. King's property required drainage, 34508.—Also portion of Colonel Clement's 34509.—Also portion of Dr. Crofton's. 34511.

Compulsory Purchase.

Compulsory purchase was needed to solve problem of congestion in Connaught, 34512.

Industries.

Woollen factory, lace-making or manual instruction might benefit people living on small farms, 34512.—Congested Districts Board should send down expert to see what could be done, 34513.

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See pp. 221-4.

Department of Agriculture.

Congested districts had suffered through transfer of agricultural functions from Congested Districts Board to Department of Agriculture, as there was much begun by Board which Department could not carry on; Department's policy was controlled by Council of 104 members, 68 of whom were appointed by Estates Commissioners and they were dominated by shopkeepers, chiefly publicans, whose interests were antagonistic to those of agricultural population; County Councils were notoriously influenced by political and class prejudices, while Board were free from such bias, were in touch with the people, and dealt with their needs promptly and practically, 34514.

Bee-Keeping.

Bee-keeping was most profitable of minor industries, it demanded small capital and no land, and paid 100 to 150 per cent. under careful management; some men in Ireland made £100 per annum by bee-keeping; witness knew one labourer, John Doyle, who had bought two large farms with profits made off bee-keeping, 34514.—Congested Districts Board had gone in thoroughly for bee-keeping, which had flourished with them, founding associations, advancing loans, etc., and opening depot in Dublin for sale of honey and wax, employing qualified experts, members of Irish Bee-keeping Association, to instruct people; Department's attempt to deal with industry had been little short of disastrous, they had sent out incapable "instructors," refused to recognize existing associations; lately Department had made rule that instructor in horticulture should be instructor in bee-keeping, with result that it was being quite neglected; Department should make County Councils have instructor appointed in each county; he should be qualified by The Examining Board of Irish Bee-keeping Association; associations should be formed; loans at 3 per cent. repayable in three years should be made

DIGGES, Rev. J. G.—*continued.*

for purchase of bees and hives, etc., and Department should get into touch with Bee-keepers' Association, 34515.

Agricultural Banks.

Agricultural Banks were registered under Friendly Societies Act, 1896; objects were to assist with capital, educate in true uses of credit and foster mutual co-operation; members elected committee, who granted or refused loans which were made on reproductive objects only; mutual liability was principle, each member being liable for debts of society, this produced caution in management; Department advanced £50 or £100 at 3 per cent., deposits received locally at 4 per cent; joint stock banks advance balance required at 4 per cent.; members were charged 5 per cent. and paid interest when repaying loans at rate of 1*d.* in the pound per month; profits went to reserve fund; Department provided gratis, books, stationery and services of accountant; four banks had been established in district, Farnaught, Mohill, Annaghmore, Johnston's Bridge; Farnaught was established in 1902; had never made bad debt; had membership of 188 in 1906; granted 131 loans, total £834; average loan, £6 7*s.* 2*d.*, overdue loans, nil; £90 worth Ulster seed-potatoes had been distributed among members, repayment to be made within a year; Department had advanced £85 at 3 per cent. and sent inspector to examine seed; these banks had been of great service and had largely assisted to overcome evils of "gombeen" system; Congested Districts Board should establish such banks in every parish in Connaught and their functions should be extended, 34515.

Co-operative Dairies.

Co-operative dairies were registered under Friendly Societies Act, 1896, and governed by committees elected by members, who held one or more £1 shares; maximum dividend at 5 per cent. may be paid; first was started at Mohill in 1886; weakness was absence of winter dairying, which kept staff idle for six months each year and sent customers elsewhere; societies should be appointed in each county to promote winter dairying, with instructor to visit districts, 34515.—Farmers would have to be assisted with capital, 34516.—Amount would depend on how many cattle farm would carry, 34417.—In congested districts want of capital was chief difficulty; money should be advanced at 3 per cent. for erection of separating stations, to be repayable out of profits; in 1905, society had been started at Bornacoola, Johnston's Bridge as separating station; in 1905 they did well; in 1906 they made net profit of £300; after one and a half years' work all expenses had been paid and there was balance to credit, 34518.—Fourpence per gallon for milk in Leitrim was good payment, 34521.—That would work out at 10*d.* or 11*d.* per pound for butter, 34522.—Congested Districts Board might advance money, but Department would not start such work as it might be considered Government trading, 34523.

Pig-Raising.

Pig-raising was important industry in county, but profits went to middleman and retailer, not to farmer; system of bacon-curing co-operative factories was required, which would undertake marketing and would return profits to farmers, less expenses and a maximum dividend upon capital of 5 per cent.; these factories should be provided for by loans by Congested Districts Board, 34523.

Arigna Mining Company.

In Arigna district there was practically inexhaustible supply of bituminous coal, rich iron ore, fire-clay and flags; coal was used on Cavan and Leitrim Railway and if there were facilities it could compete with Scotch and Welsh coal; iron ore was excellent quality; when Cavan and Leitrim Railway was projected in 1883 intention was to extend to mines, but through unfortunate mistake that was not done, as result coal had to be carted, adding 2*s.* 6*d.* per ton to price, 34523.—Arigna Mining Company gave employment to 150 men and boys and paid £5,000 per annum in wages; it was very important that mining industry should be developed; in 1905 Mr. Walter Long, then Chief Secretary, had visited district and Government made free grant of £24,000

DIGGES, Rev. J. G.—*continued.*

for extension of railway to mines and from Dromod to Shannon at Rooskey, yet when proposal came before Leitrim County Council for approval they threw it out; cost of bringing railway within touch of mines would be only £12,000; Congested Districts Board and Department had not helped to remove difficulties in any way; Board should investigate, take over £24,000, construct extensions and guarantee ratepayers against loss on working, this would develop an industry, retard emigration, provide profitable employment, and reduce liabilities of ratepayers, 34524A.—Railway Company was not private company and had on its Board representatives of shareholders and representatives of County Council, so they could not make extension themselves, 34526.—Large population in congested districts would be benefited, so Congested Districts Board should do it, 34528.—Difficulty of company making extension itself was small capital, £5,000, which was exhausted, 34529.—If Government thought it worth while to give £24,000 free grant they must have thought Treasury would gain, 34530.—£12,000 of that was absolutely for extension of Arigna Valley Railway, 34532.—It had nothing to do with Newry extension, 34533.—There had been proposal to carry line from Arigna to Collooney, but that would cost £150,000, 34535.—The £24,000 was given for two extensions, each to have £12,000, 34539.—Other bit was from Dromod to the Shannon to get into touch with Roscommon cattle fairs, 34541.—And to give outlet down the Shannon, as boats could take coal everywhere,, 34542.—The £24,000 had appeared in the estimates, 34543.—Time had elapsed, but it could probably still be had if Government were satisfied that extension would be made; Board should take responsibility, 34545.—Line as now worked was making profit of £30 per mile in spite of some losses, and if entirely mineral portion were added, which always carried full load, there would be little chance of loss, 34547.—If it were sound policy for Government to find £24,000 it should also be good policy to secure ratepayers in regard to working expenses, 34548.—Railway rate was 1*s.* in the pound; shareholders got 5 per cent. guaranteed dividend, 34549.—The Treasury were responsible for 2 per cent. and rates for 3 per cent., 34550.—Profits of railway had averaged £1,400 for last five years, and this per cent. on £200,000 (cost of railway) would amount to £10,000, 34551.—So only one-eighth of dividend was earned, 34552.—Tax had come down from 2*s.* 6*d.* to 1*s.*, last year it was 11*d.*, but arrangements for sinking fund had increased it to 1*s.* this year, 34553.—All wear and tear had been deducted from £1,400 profit, 34554.—Shareholders were chiefly religious communities in county, but shares were on Stock Exchange, 34556.—Shares were ordinary £100 Stock, 34557.—They stood at £6 10*s.* on £5 or £130, 34558.—Treasury would gain in reduction of liability for 2 per cent. if £12,000 were spent on railway, as there would be increase of traffic, 34561.—Treasury had not given grant when line was made £200,000 capital had been raised and it was guaranteed by Treasury and ratepayers; ratepayers coming first and Treasury next, 34562-6.

M'ENROY, Mr. BRYAN.

See pp. 225-6.

Character of the People.

Witness was well acquainted with rural district, and knew people to be honest and industrious, 34568.

Compulsory Purchase Advocated.—Exorbitant Prices asked for Land.

Compulsory purchase scheme advocated, 34569.—Act of 1903 after three years fruitless bargaining had failed to settle land question in Ballinamore, 34569-70.—Practically no sales had taken place, 34572.—Exorbitant price had been given in one case, owing to ten or twelve years' arrears, 34571.—Prior to Act of 1903 non-congested Godley estate sold at 16 years' purchase with reductions, in many cases reduced to 13 years on inspection, 34572-3.—Murrough O'Brien estate was sold at 18 years' purchase and congested portion for 15 years' purchase, bonus to be used to bridge differences between landlord and tenant, 34573.—In addition to bonus landlord now wanted two or three years' purchase more, 34573.—Harlech

M'ENROY, Mr. BRYAN—*continued.*

Estate congested, offered for sale about twelve years ago at 20 years' purchase, 34572.—Exorbitant price, compared with Godley Estate, 34572.—After Act of 1903 landlord proposed to sell at reduction of 4*s.* 6*d.* in the £, 34573.

Reduction of Rents.—Fixing of Judicial Rents.

Rack-rents in the 'sixties, rent raised on Harlech Estate three times within ten years, typical condition of all estates in district, 34573-5.—Reduction of rent after Land Act of 1881, landlord made a valuation, and in some cases reduced rent 50 per cent, 34576.—Judicial agreements out of court signed by majority of tenants, 34577.—Large amount of arrears had accrued, 34578.—Terms of valuation sent by Lord Harlech accepted by people, and as arrears disappeared they went into court, 34578.—Many people afraid of going into court, 34580.—This year people got 20 per cent reduction, 4*s.* 7*d.* in the pound, and on some estates 9*s.* in the pound, 34578.—Great improvements had been made on Harlech and other estates, 34578.—Complaints that tenants did not get adequate reduction for improvements, 34578.

Drainage.

Necessity for large drainage scheme, field drainage with closed drains and lime, 34579.—Witness thought it was not advisable for tenants to undertake large scheme until dual ownership was done away with, 34579.—Rents would be raised when holdings were drained and improved, 34580.—People were anxious to buy out at a fair price too poor to give exorbitant prices demanded, 34579.

Poverty of People, Medical Relief Tickets, &c.

Medical relief tickets had to be supplied, as people were unable to pay the doctor, it took all their money to pay rent, 34580.—Ballinamore school was in a bad condition, its mud wall supported by props, 34580-1.

Parish Committee.

Parish Committee scheme had worked well in Ballinamore, 34581.—Very poor people were not benefited, as they could not contribute the necessary proportion in order to take advantage of grants, 34582-4.—Work alluded to was for repairs of houses, etc., 34585.

Roads.

District was badly off for roads, but limit with regard to new roads had been reached, 34585.—Standard rate was 25 per cent. beyond the rate for the three years prior to passing of Local Government Act, 34585.—Standard rate in Ballinamore was very low because of excessive railway rate which had to be paid at the same time, and was not taken into consideration in calculating standard rate, 34585.—Resolution had been put before Local Government Board, showing how people were handicapped by this practice, 34585.—And prevented from spending money on local improvements, 34585.

M'CARTAN, Mr. JAMES.

See p. 226.

Cause of Congestion.

Cause of congestion in Ballinamore was exorbitant rents upon the land, 34591.—Tenants forced to go on bogs and mountains, ill-drained and ill-reclaimed, every patch of good land was in the hands of grazier or landlord, 34591.

Compulsory Purchase.

Remedy was compulsory purchase on terms that would give tenants a chance to live upon the land, 34591, 34593.—Witness advocated compulsory purchase because sale of Godley property after Lord Ashbourne's Act became law had been such a success, 34591.—Average price was fourteen to sixteen years' purchase, 34591.

M'CARTAN, Mr. JAMES—*continued.*

Improvements.—Effect of Ownership.

Improvements made by farmers when they became owners of their holdings, shelter belts planted, land drained and reclaimed, houses built and improved, etc., 34591.—Tenants under landlord rule sometimes had improvements which they themselves had made claimed by landlord, 34591-2.—Ballinamore situated in Bawnboy Union, 34593.

Treasury Grant.

Treasury gave grant of £250 to non-congested portion for relief of distress, 34593-4.—Rural district of Ballinamore was equally badly off, but got no help from Treasury, as it was scheduled as congested, 34593-4.

Railway Guarantee.

Complaint of railway guarantee of 1*s.* in the £ on narrow gauge railway, 34595, 34601.—Promoters of line gave verbal undertaking to farmers that tax would not exceed 3*d.* in the £, it had been as high as 2*s.* 6*d.*, for the last fifteen years highest rate had been 1*s.* in the £, 34595-7.—Witness paid 4*s.* 3*d.*, 34599.—His valuation was only £4 5*s.*, 34598.—Railway was some benefit to country, 34600.—Convenient for passengers, but train fare was very high, 35602.—Railway was badly designed, and did not connect with coal mines, coal had to be transhipped at Dromod and Belturbet, 34600.

Purchase of Non-Residential Holdings for Sub-Division Amongst Tenants Suggested.

Purchase of non-residential holdings by Board and sub-division among tenants suggested by witness as an advantage to congested districts, 34604.—Scheduling electoral divisions in rural district of Ballinamore suggested, 34604.

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See pp. 226-32.

Fenagh, a typical parish in Leitrim congested districts, land bad, rent high, people deeply in debt to shopkeepers, 34605.—After two judicial fixtures rent still higher than fifty, or even thirty, years ago; on one holding, occupied by three men, rent thirty-five years ago was £5; they improved it by their own exertions, and rent was raised to £40, it was now reduced to £30, after two reductions; four people lived on it now, and had, on an average, twelve acres; one tenant had the whole, originally, it was subdivided privately, and, sub-division was afterwards recognised, 34606-11.—Parish of Fenagh comprised portions of divisions of Rowan, Castlefore, and Fenagh; Rowan and Castlefore scheduled, Fenagh not, it should be scheduled as well as all Leitrim; average valuations of county lowest in Ireland, poverty admitted, needed great care from Board to prevent it becoming a wilderness, was losing its best population by emigration at rate of 1,000 a year; families reared for America, earnings of sons and daughters there were the only means of paying rent, shopkeeper, etc.; no fisheries or industries except poor form of agriculture, no institutions except workhouses; overtaxed ratepayers had to pay nearly 2*s.* in the £ railway guarantee for Cavan and Leitrim Light Railway; coal no cheaper as promised, outsiders paid 11*s.* a ton, guarantors 15*s.* 6*d.*, ratepayers in minority on directorate, 34616.—£77,000 paid by guarantors in last eighteen years to make up deficit and pay 5 per cent. dividends, 34616, 34728.—Poverty operated against Primary education, 9,000 children on rolls, average attendance 59·6, not because they did not value it as many walked miles regularly to night schools; infants attended regularly except in cold weather, when they had no warm clothes, older children had to stay and help get in crops or they would starve in winter, 34616, 34726, 34729.—Compulsion should not be tried, it would take labour from the fields, as there were only the very old and the very young left, 34727, 34729-30.—Carpentry class attended regularly by youths after day's work, 34616.

GRAY, Rev. DENIS—*continued.*

Second Term Rents not on Equitable basis of Purchase owing to Rack Rents.

Few sales under Land Act of 1903, terms prohibitive, 24½ years' purchase or 4*s.* in the £; better land sold under Ashbourne Act at 13 years' with decadal reductions; second term rents not equitable basis of purchase price in parish on account of tenants' improvements and former rack rents, 34616.—O'Beirne Estate at Castlefore offered for 24½ years' purchase, was formerly owned by Mr. Walsh, who did not have low rents; incredible rise in rents after estate came into Mr. O'Beirne's hands, thirty-seven or thirty-eight years ago; rent of Mrs. Gilhooly's holding under Mr. Walsh, £3 2*s.* 6*d.*, under Mr. O'Beirne, £7 15*s.* 3½*d.*, after two judicial reductions, £3 16*s.*; rent of Rodger Leddy's holding, under Mr Walsh, £4 14*s.*, under Mr. O'Beirne, £10 15*s.* 8½*d.*, now £5 17*s.* 6*d.*; rent of Jas. M'Manus holding, under Mr. Walsh, £14 5*s.*, under Mr. O'Beirne, £32 7*s.* 9*d.*, now £15 13*s.*; no turbary attached to holdings on estate, large portion of land reclaimed by tenants from bog, 34616-7.—Operations of Land Commission had nothing to do with increases of rent from time to time of raising by Mr. O'Beirne till 1881, 34694-5.—Purchase made in Encumbered Estates Court, 34619.

Migration.

Migration the most difficult of Board's duties, necessary for relief of congestion, parish priests should be consulted, 34619.

Compulsory Purchase.

Compulsion the only means of making tenants owners of soil on fair terms; pending compulsion the zones should be abolished and County Councils have power of veto on sales, 34619.—Board should have legal power to buy land required for relief of congestion; there should be a tribunal to value lands and do justice to landlords and tenants and fix fair price, 34620-2, 34720-3.—Landlord would not necessarily get his net income if land were wanted for public good, fair for him to part with it at a loss in that case, 34623-7, 34707-9.—The State had power to take a man's possessions, there were precedents in history, 34628-35, 34639, 34709-10.—Landlord should get fair price, 34640.—Of which tribunal would judge, 34641. Landlord owed restitution to tenants in some cases after exorbitant rents of the past, 34641-2, 34655.—If not he should get fair price and not be a loser through compulsion, 34643-4, 34715.—If a commodity were wanted for public need State had right to acquire it no matter what position owner were left in, 34645-6.—Fuel needed as well as land, 34647-8.—If turf were exhausted State would have right to acquire coal mines for people, fair value should be put on them by tribunal, which was what property represented to owners; State should pay them a price that would return what they derived before, 34649-54.—Owners of land should not be penalised because rents used to be high now they were reduced; one landlord in Fenagh made his tenants future tenants and refused to fix rents, he put on exorbitant rents thirty-five years ago when he purchased property, 34656-7.—Future tenant could not go into court, and could therefore be fleeced by landlord, 34660.—Land Act did not apply to future tenant, no provision for fixing fair rents on them, 34661-3.—One man failed to pay rent, was evicted and re-instated as future tenant, paying three times value of land; witness had spoken to agent about it, he promised to look into matter but did nothing, 34664.—Man had no time to go into court before eviction, 34665.—He was in arrears when Act was passed, and no one in arrears could go into court then, 34666-70.—He had no security of tenure as future tenant, 34672.—Compulsion not to be applied if unnecessary, amicable compromise should be tried first if a man offered to sell at 24½ years' purchase, and tenants did not agree to price, 34674-6.—Compulsion should be applied if necessary for 100 acres of grass land required for relief on congestion, 34677-8.—Tenant farmer would be excluded if residential, 34679-80, 34682.—If a shopkeeper had acquired 100 acres for grazing and did not live on land, compulsion might be applied, 34681, 34714.—If a farmer had a second holding adjoining residential one that should not be taken, injurious to bring everything to dead level, necessary to have someone to employ labourers who lived in the cottages that had been built for them, rent of cottages would otherwise fall on rates, 34683, 34733-6.—Act of 1881 had no retrospective effect, 34691-2.—Witness's views coloured by that consideration, 34693.—All the tenants could not go into court immediately after Act was passed, 34697. Arrears kept them out, 34698.—They could be proceeded against for arrears at any time even after lodging application for fair rent, 34699-700.—Process of eviction could only be carried against them after two years, they could be sued in ordinary court of law for balance, 34701.—Evicted tenants on being restored were future tenants as a rule, could be made judicial tenants by mutual agreement with landlord, 34702-4.—Compensation for disturbance a poor provision for a man's future, his only chance was being fixed to his holding, 34705-6.—Question only arose after 1881, 34725.—Compulsion should apply to tenants with large amount of land as well as to landlords, full compensation not necessary, 34711-3.—Might be taken as a general principle that those from whom land was taken should not be in a worse position than they were before, 34715.—No need for compulsion if land could be obtained at fair price, it was simply a case of reasonable price, 34717-8.—Matter not so formidable as it appeared, 34724.—Compulsion should be applied to landlord, tenant, farmer, and shopkeeper, 34731.—there was a difference between man who worked his own grass and one who let it on eleven months' system, latter should have compulsion applied in any cases, 34732.—Would also apply it to shopkeeper using grazing as accommodation land for townspeople, needs of town not so great as of migrants, 34737-8.—If State carried out a policy involving loss to individuals State should bear loss, 34739.

Amalgamation of Congested Districts Board and Estates Commissioners.

Amalgamation of Board and Estates Commissioners opposed by witness, both not wanted in Connaught, Commissioners should work in other provinces and Board in Connaught, 34619.—Leitrim, formerly neglected, should have representative on Board, 34619.

Beneficial Work of Parish Committees.

Parish Committees doing splendid work, sphere of duties and grants should be increased; scheme the best Board had undertaken, work obtained best value, just what congested areas required. material and mental condition of people improved by it, stimulated self-reliance, strengthened economic and social character of people, no other way in which money could be so productively applied, stimulated poor people to make most out of land; had a civilising and educational effect, once people began to improve houses and holdings they would go on; with increased grants under this scheme land in Leitrim could be made to yield double, 34619, 34688.—Absence of labour one cause of land going back, 34684-7.—If farmer were given enough money to enable him to put labour into land and instruction as to use of manures, drainage, stock, etc., land would yield double, 34619, 34689, 34740.—Action of Parish Committee would keep more labour in country, 34690.—If well presided over and efficiently staffed Committees would turn every farm into a garden, 34619.

Rents should be Fixed on Possibilities of Land as Worked by an Ordinary Tenant without Help of Parish Committee.

Rent should not be fixed on the utmost a holding could yield but on its capabilities with an ordinary man, leaving a margin, 34741-7.—Though holding could yield double with extraneous aid of Parish Committee rent should not be fixed higher on account of that, 34748-53.—Extraneous aid was not expected when rents were fixed, 34753-4.—Many could not work land to utmost capability, very unjust for landlord to get benefit of help given by Parish Committee to tenants, 34755-60.—Reduction of rent not contemplated, 34761.—It was too high, and it would be unjust to keep it so on account of help given by Parish Committees, 34762-5.—Man would be able to pay with their help but not without it, 34766.

GRAY, Rev. DENIS—*continued.*

Mineral Resources of Locality.

Mineral resources of locality should be worked, extensive coal fields in Arigna and Slieveanierin, by that means Leitrim could be raised to wealth, high standard of wealth never achieved by agriculture alone; mineral resources should be discovered by putting down bore holes as had been done in India with great success, best coal seams in Arigna reported to have never been reached, bore hole 500 feet deep would probably be beginning of huge development of mining industry in Arigna Valley, and Slieveanierin mountain, 34619.

Compressed Peat Industry.

Compressed peat would be a useful industry, some such industry should be started, want of peat fuel in many parts, price of coal at Arigna prohibitive, compressed peat easily carried long distances, 34619.

Necessity for Drainage and Roads.

Field and arterial drainage and road accommodation urgently needed in Leitrim, twenty lakes in Fenagh parish, with swamps in vicinity; draining two or three feet of water off lakes would make many acres reclaimable, it could be easily done, 34619.

RODDY, Mr. M.

See pp. 232-5.

Description of Witness's Farm.

Witness's farm comprised 18 statute acres, valuation £9 or £10, it was bog land worked as mixed farm, 1½ or 2 Irish acres tilled, the rest meadow and grazing, cows kept and grazed in winter for hay, crops fed pigs and supplied house, 34768-71.—Milch cows kept, milk sold at creamery for 3*d.* to 4*d.* a gallon, usually 3·14*d.* to 3·70*d.* a gallon, price never the same two months running, 34772-5.—Cows fed on grass in summer, hay in winter, 34776, 34829-30, 34833.

Calf-Rearing.

Calves given natural milk till eight weeks old, then maize and separated milk when they began to get on, 34776-7.—Not much grown for winter feeding, a few mangolds, cows got some half-threshed straw as well as hay, 34831, 34836.—Calves also fed on hay as well as Indian meal, &c., 34834.—No reason why calves should not be good if fed in that way, in spite of creameries, 34778.—No butter in winter, as cows were dry, 34835.

Home-Made Butter v. Creamery Butter.

Selling milk to creameries made about the same profit as home-made butter, saved labour, if there were good butter-makers at home they would beat creameries, ordinary country butter not up to standard, bad butter makers made more by selling milk to creamery, good deal of bad butter in market, 34779-82.

Usefulness of Instruction given in District up to the Present—Parish Committees the only Valuable Institution.

Department of Agriculture useless up to the present and almost everything else, except Parish Committees, 34810.—Lecturer sent by County Committee no practical use, he came so seldom, 34811.—More useful if Parish Committee administered County Committee's funds, 34812.—Good men on County Committee, 34813-4.—Uselessness of present methods has been pointed out, nothing done to improve them, 34815-7.—Lecturer told them a number of things, such as importance of making manure in winter for cropping in summer, and of having crops of mangolds and turnips to feed cattle in winter, and that ravages of the fly kept back growth of turnips, lecture not practical on the whole, 34837-42.—One experimental plot in district for first time this year, on medium land, such as people had, owner of farm gave labour which he applied according to directions of Committee's expert, there had not been much time to look at it yet, 34818-20.—Not cropped last year, the only experimental plot was half an acre of potatoes, lea field could be cropped, and potatoes planted where oats could not be sown, 34843-4.—Witness had never heard of plots off which crops of turnips, mangolds, etc., were taken, 34845.—Potato plot the first and only one in witness's district, 34844, 34846.

RODDY, Mr. M.—*continued.*

Veterinary Assistance Needed for Cattle.

Veterinary assistance needed for cattle, none in locality, except quack doctor, nearest veterinary surgeon in Boyle or Longford, they seldom came, and charged highly for distance, 34846-8.

Suggestions for Relief of Congestion.

Relief of congestion recommended by Aughnasheelan Branch of League by means of land purchase through Congested Districts Board, migration, reclamation of cutaway bogs to enlarge holdings and assistance to holders to improve productive powers, 34783, 34797.—Parish Committee best agency, limits of their operations should be extended from £7 to £10 valuation, 34784, 34808-9.

Migration.

Some holders in district would migrate a reasonable distance, 10 or even 20 miles, perhaps further, 34785-88.—Difficult to get heads of families to go out of Leitrim, young men might go to any part of Ireland, 34789-90.—No hard and fast line, men with families would not like to go far away from their friends at first, 34791-3.—If several families went together they would go 30 or 40 miles irrespective of county, 34794-5.—Migration would relieve congestion, 34795, 34801.

Enlargement of Holdings by Drainage and Reclamation.

Reclamation of cutaway bogs by some agency like Parish Committee would add to holdings, considerable amount available, 34795-6, 34798-800.—Parish Committee could do a great deal in the way of drainage and reclamation, 34802-3.—Mountainous tracts in Greshlaun, 34804.

Congested Area in Ballinamore.

Whole parish of Ballinamore congested, holdings fairly large in one electoral division, outside that they were mostly under living standard, 34805.—Poor men outside scheduled area as much in need of assistance from Parish Committee as those within, 34806-7.

Objection to Direct Sale Under Act of 1903.

Sales between landlords and tenants should be stopped, under pressure of arrears tenants agreed to a price up to 21½ and 24½ years' purchase in order to get relief from arrears, from the fear of eviction, no security for 24½ years' purchase, 34822, 34825.—Not much buying in this district under last Act, some under previous Acts, 34823.—Annuities could never be got from tenants who had not paid rent for 14 years, estates sold under Act of 1903 at 24½ years', and under previous Acts for 16 or 14 years' purchase, 34824.—Old Acts not objected to, 34826.—Under direct sale under Act of 1903, landlord had upper hand, county would have to pay for poor tenant, 34827.—That had not occurred yet, tenants had agreed to price on some estates because they were in landlord's hands, while on neighbouring estates they would not take either 24½ or 21½ years' purchase, 34828.

KANE, Rev. MATTHEW.

See pp. 235-7.

Inadequacy of Grants to Parish Committees.

Ballinamore district congested; people very poor; equally so in non-scheduled districts as in scheduled; district mountainous; crops dependent on weather; potatoes failed last year; Board did nothing except give usual dole to Parish Committees, which were not adequate to needs, 34849-51.—Committees did best they could on their poor means, 34860.—Leitrim got less assistance from Board than any other county, 34868.—Grants to Committees should be increased, and they should be consulted about local schemes, 34869, 34893.

KANE, Rev. MATTHEW—*continued.*

Untenanted Land.

360 acres of untenanted land available for relief of congestion in district, 34851.

Evictions.

Evictions carried out in 1892 with characteristic cruelty by landlord; witness thought all landlords cruel; had never heard of good one; agitation in Stroke in 1892 to get rents reduced after bad year; people unable to pay were evicted; agent was lenient, so special agent was appointed, who burnt people's houses; slated houses built for emergency men put in on 11 months' system, they never paid rent, 34854.

Compulsory Purchase.—Grants to be made from Excess Taxation.

Compulsory purchase remedy for congestion; should be at moderate price; Congested Districts Board should get further grants to be paid out of Treasury; Ireland overtaxed by four millions a year; this sum should be allotted to congested districts; witness thought figure really higher, 34854-9.

Instances of injustice of Landlords.

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ROYAL COMMISSION ON CONGESTION IN IRELAND.

MINUTES OF EVIDENCE.

SIXTY-SECOND PUBLIC SITTING.

WEDNESDAY, APRIL 17TH, 1907,

AT 11.0 O'CLOCK, A.M.,

At the Temperance Hall, Grange, County Sligo.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (Chairman); The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; Most Rev. Dr. O'DONNELL; CONOR O'KELLY, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.; ANGUS SUTHERLAND, Esq.;

and WALTER CALLAN, Esq., Secretary.

Mr. HENRY BRENNAN examined.

27370. Sir FRANCIS MOWATT.—What institution or association are you representing here this morning?—I am representing the County Council of Sligo. I am Vice-Chairman.

27371. You have not sent in any memorandum or sketch of the evidence you desire to give?—No; I made a sketch of my own; only merely a sketch note.

27372. Do you propose to give evidence merely on the local requirements of Sligo, or generally on the steps which the Commission may be advised to take?—My evidence would be on the local needs of the county, and particularly the local needs of my own electoral divisions of the county.

27373. Which are those?—Cliffoney North, Cliffoney South, Ross Inver East and Ross Inver West. Of course Cliffoney North and Cliffoney South are congested, but Ross Inver East and Ross Inver West are not congested—a point which I shall make farther on.

27374. When you say not congested, you mean not scheduled as congested?—Not scheduled.

27375. But perhaps it would be the most convenient way of taking your evidence that you should make your statement, and we will ask you questions on any opinions or facts that you adduce to us?—Very well.

27376. Mr. O'KELLY.—Are you here in the dual capacity of representing your own immediate electoral divisions and also representing the County Council?—Yes. I may say we held a meeting in reference to the needs of the local people.

27377. Sir FRANCIS MOWATT.—Then make any statement you desire and we will ask you any questions that occur to us upon it?—Well, the first general statement I would like to make is this. I would like to see congestion scheduled all over Connaught, and, furthermore, my two electoral county divisions which run along the mountain flat, or rather the mountain side, notwithstanding that the rule of the Congested Districts Board does not admit of scheduling them in consequence of the acreage valuation—it is a fundamental rule of the Congested Districts Board that when the valuation exceeds 30*s.* per head the district will not be scheduled as congested—but notwithstanding that the population is less than would entitle them to be scheduled as congested, they are as poor or poorer than those two divisions that are congested.

27378. And what are the exceptional circumstances that raise the valuation over 30*s.*?—They hold more mountain land, and the land, I must say, is of a very inferior quality.

27379. Mr. O'KELLY.—What you mean to convey is that when the Poor Law valuation is above 30*s.* per head the district is not scheduled. It is not on the valuation of the acreage of course?—Yes. The wording I presume on that point is this, that if the population and valuation are taken in round numbers and if the valuation exceeds in round numbers 30*s.* on the population, then, of course, it is not congested. Am I right there?

27380. Sir FRANCIS MOWATT.—Yes.

27381. Mr. O'KELLY.—You are quite right. I only wanted to make it clear.

27382. Sir JOHN COLOMB.—The scheduling is not by the Congested Districts Board but by the Act of Parliament?—Oh, yes, I believe that to be true, but I presume we are here with the object of repealing the Act of Parliament by our evidence or by the report and findings of the Commission. That is one point I would like to bring under your consideration. There are other points with regard to local works in the congested districts, and amongst those local works one of the greatest and most urgent needs in my own district is the draining of the flooded area in Cliffoney North, in the townland of Bunduff, for which I have got a memorial—I think this appeal has been made before to the Congested Districts Board from the people that are the sufferers. It is on the property of the Rt. Hon. Evelyn Ashley.

27383. Sir FRANCIS MOWATT.—What is the name of the property?—Well, they call it the Ashley Estate, and Bunduff is the townland.

27384. Sir JOHN COLOMB.—What electoral division is it in?—The Cliffoney North electoral division. There are seventeen tenants adjoining this, and their lands are flooded, I may say, the whole year round, so much so that the road which leads into their houses is flooded, and they have to go up through the fields even in time of death or sickness, for doctor or priest, and to trespass on other people, and if there is a burial or death in the townland they have to carry the corpse that way, for though there is a road, the road is flooded. And there is a means that could be adopted of relieving this flooding by running a drain through the landlord's property, for which no compensation could be claimed, because it is his own flooding, and it could be run into the Atlantic at Mullaghmore, and the cost would not be very much. I think the Congested Districts Board have been memorialised on this point already, but they have done nothing. They have done nothing for these poor people. I have advised them again and again to apply to their landlord, and they have done so, and their landlord has done nothing. He said he would remedy it, but he has done nothing except to take their rent, and he is very agreeable in doing that.

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27385. Mr. KAVANAGH.—Are the people you are talking of in a congested area?—Yes, and I can give you their names and the valuation, and the memorial. They have made a very strong appeal to me, of course, as a Poor Law Guardian and as a County Councillor, and on all the public boards of the county. I may say I am a member of all the public boards in the County Sligo, and they have made a very strong appeal to me and also to their priest here and the doctor.

27386. Sir FRANCIS MOWATT.—Did I understand you to say that the landlord expressed his willingness and intention to make a drain?—He expressed his willingness to make a drain but he only botched the thing. The tide sometimes comes in but does not affect the flooding. It is merely from the mountain and bog and streams; but the tide has this effect, of stopping the outlet and it comes sometimes and opens a channel and at what we call low tide, but it is merely nominal. It is no labour whatever, and no relief to the bulk of the water. I am a resident there for thirty-one years and take a very deep interest in the matter, and the only relief that could be got would be to run a good open drain, piped and closed after a little time, and take away the flood, and then when this would be accomplished it would not only benefit the tenants but benefit the land for a great distance around.

27387. Mr. SUTHERLAND.—Would the tide come back on the pipes?—No, because you would bring it to a lower point where the tide comes. I think I explained that the tide does not do the flooding, but you take it out at a level below the flooding.

27388. Would not the thing be to make a lock and keep the tide and let it run out at low water?—I am not an engineer, but from conversations I have had about the matter they tell me this could be done, and others tell me other means. Of course I agree about the lock.

27389. Mr. O'KELLY.—With whom had you the conversations?—With these people.

27390. With the County Surveyor?—No; not with the County Surveyor. You see they have asked me to bring it up as a county business. Our county says that the landlord is responsible for these damages and why not sue him, and the answer is that they have no means to sue him, and they are afraid, because they have four or five years' arrears of rent.

27391. And as you could not get the landlord to do it you appealed to the Congested Districts Board?—Yes.

27392. What area, approximately, is under water?—Well, I suppose there are 140 acres more than half covered with water, and there are seventy-one acres that suffer by this.

27393. How many people are affected?—Eighteen.

27394. How many people occupy holdings?—Eighteen people occupy holdings.

27395. It is a scheduled area?—A scheduled area.

27396. What is the answer of the Congested Districts Board to your appeal?—I could not tell you.

27397. You got no answer?—They got an answer, but I have not it.

27398. When did you apply to them?—Two or three years ago.

27399. Surely they must have sent a reply?—I did not personally apply to them. I applied on behalf of the tenants.

27400. You do not know what the nature of the answer was from the Congested Districts Board?—I could not tell you. I think the nature of the answer, if I remember, was that the landlord made some objection.

27401. That the landlord made an objection?—Yes.

27402. What objection did he make?—Perhaps he wants it for his birds or something of that sort.

27402A. What?—The swamp.

27403. Sir JOHN COLOMB.—When you say "they" applied whom do you mean?—I mean the tenants, the sufferers.

27404. Who was the chief tenant. Generally there is one leading man in the case of numerous tenants. Is he coming before us on this matter, as he could give us direct information as to the nature of the communications with the landlord?—I asked him to come, and a tenant adjoining, and I am not sure whether they will come or not, and unfortunately they put more on my shoulders than I am able to carry sometimes.

Sir JOHN COLOMB.—It is generally the case of an active man.

27406. Sir FRANCIS MOWATT.—What you know is that they applied to the landlord first, and that the landlord while recognising that something ought to be done has not done sufficient to get the water off at all events?—No. So I say.

27407. Thereupon they applied to the Congested Districts Board?—To me to bring it before them.

27408. And you, on their behalf, applied to the Congested Districts Board?—I advised them to do so.

27409. You did not apply?—I did not apply personally.

27410. When they asked you you recommended them to apply?—Yes.

27411. And they applied?—They applied.

27412. And you do not know what answer they got?—Except from verbal recollection that they have told me the answer was that they sent down a man and that the landlord made some objection, and I do not know what the objection was.

27413. And that was two years ago?—About two years ago.

27414. And nothing more has been done?—Nothing more has been done.

27415. Sir JOHN COLOMB.—Do I understand that you applied on behalf of the tenants?—I drafted a memorial for them in their name, and they signed their names to it of course.

27416. Most Rev. Dr. O'DONNELL.—Do you think that it is likely that in the course of the day when volunteers are coming forward to give evidence, some men will come from that property to state the tenor of the reply from the Board?—Well, my lord, I cannot answer that, because I really did not urge them to come.

27417. Sir JOHN COLOMB.—Are there any of the men here at all?—I think not.

27418. Is it far from this?—Four miles from this, within a quarter of a mile from Mullaghmore.

27418A. Sir FRANCIS MOWATT.—At present you leave us without any definite information to carry it any further, but perhaps that matter can stand over?—They may come forward Mr. Chairman, in a very short time. Another very important point that I wish to bring before you is with regard to the sea-weed and the making of kelp in this locality. But I beg your pardon, I may just first go into the subject of Mullaghmore Harbour, which is also in the congested district.

27419. Sir JOHN COLOMB.—What electoral division is it in?—It is in Cliffoney North, Mullaghmore Harbour. I have been requested to mention it by all the people who fish there. I think we have about thirty boats, and they asked me to request that something should be done to the harbour. It is a very pretty harbour, and I believe, the property of the landlord as far as I am able to understand; and the length of it is about 120 or 140.

27420. Yards?—Yes. About 700 wide, and it is a very nice harbour, but they inform me that they cannot get any vessels into it of any dimensions.

27421. Sir FRANCIS MOWATT.—Do you think it is a nice harbour though you could not get any vessels into it?—Of course it has been a long time neglected. Of course we do get vessels into it, but we could get larger vessels. We get vessels into it of 100 tons and of 120, with coal and for kelp.

27422. Most Rev. Dr. O'DONNELL.—Is it silted up?—Yes, it is silted up.

27423. Sir JOHN COLOMB.—How deep is it at neap tide?—At neap tide it goes entirely dry, and you could walk through it.

27424. And at full tide?—At full tide it would be about twelve feet.

27425. Most Rev. Dr. O'DONNELL.—Has the Board done anything there?—They have, they say, in 1903. That is another point that I go into further on. In 1903 they say in their schedule that they spent £348. Of course I do not know that they did. I have not seen any work going on or seen any person employed there and I live within a mile of it, and it is opposite my door and I could see anyone working on it.

27426. Sir FRANCIS MOWATT.—What year is that?—1903, for Mullaghmore Harbour jetty. But I fail to see the improvement and I fail to see who did the work on the jetty, whether it was done by the Board or by whom. I asked the question and could get no one to tell me who they were that did the work.

27427. Sir JOHN COLOMB.—Whom did you ask?—I asked the inhabitants of the locality, and there is one thing I find fault with the Congested District

Board for, and I do believe I have grounds for it, that whatever public works are done in the locality the representative of the locality is never consulted with and never knows a word about it.

27428. Sir FRANCIS MOWATT.—You go as far as to suggest that there was a mistake, and that no improvements or repairs were made in 1903?—No; I have not seen any, nor do I know of any construction about the harbour.

27429. Sir JOHN COLOMB.—Do you dispute that the money was actually spent?—I do.

27430. Do you dispute that improvements and repairs to the value of £348 were executed at all?—Yes.

27431. Most Rev. Dr. O'DONNELL.—Would there be any mistake about the date; would the improvements have taken place earlier than the date assigned to them?—There was an improvement, my lord, done to the pier or breakwater running out, and that improvement was merely some cement.

27432. Sir FRANCIS MOWATT.—In what year was that?—It must have been previous to that year, 1903.

27433. Most Rev. Dr. O'DONNELL.—The date assigned to the expenditure may not have been quite the same as the date at which the work was carried out. About consulting the local representatives, might there have been a difficulty in this case owing to the fact that the works at Mullaghmore are private property?—Well, I do not know, my lord, but I speak from my experience of fifteen or sixteen years and knowledge, as a local man, of the work of the Congested Districts Board since its inception. It is becoming now a second Commission of Estates, but in the earlier days I took a deeper interest in it.

27434. Sir FRANCIS MOWATT.—Let us clear this up. You have, for many years now, taken an interest in this harbour and its surroundings?—Quite so.

27435. And you live on the spot or in the immediate neighbourhood?—I live within two miles of it. I may say I take a walk there nearly every day when it is fine.

27436. So that one would say that at all events if a sum of £348 had been spent during that period at any one time on the improvements in the harbour you must have noticed it?—I must have noticed it.

27437. And you never did notice it?—I never did notice it.

27438. But you did notice an improvement to the breakwater?—Yes, I did.

27439. And you do not recollect what year that was in?—About three years back.

27440. That would carry us to 1903, would not it?

27441. Sir JOHN COLOMB.—You gave us the date 1903. How did you arrive at that, because here it does not appear that it was in 1903. Was it from the report?—Yes.

27442. Of the Congested Districts Board for 1903?—Yes.

27443. Sir FRANCIS MOWATT.—I think we have found the explanation of this matter. You stated that that £348 was spent in 1903, but it appears that the expenditure began previous to 1898, and that after 1898, in 1899, it had reached £348, and there has been no construction or work on that since. Therefore, the expenditure of £348 was concluded in 1899. Do you recollect that expenditure?—I recollect no expenditure in fact since the Congested Districts Board was established except this one expenditure that I refer to, of cementing and concreting the sea wall.

27444. Mr. SUTHERLAND.—Was that expensive?—No; the length of that would be 40 or 50 yards.

27445. Was it at the other end?—Yes.

27446. Where the tide covers it?—Where the tide washes over it.

27447. Are you aware that work of that kind is exceedingly expensive?—Oh, yes; I do not question that.

27448. Well, might not the sum of £348 be spent on that?—Oh, yes; but not to my mind.

27449. Sir FRANCIS MOWATT.—But at all events what you say now is that whatever the work on the harbour may have been, it has now silted up, and do I understand that you have any boats belonging to the harbour which cannot get in or out?—Well, larger boats would get in. Of course, in neap tide boats cannot get in at all. For argument's sake, the fishermen have to wait for the tide.

27450. Mr. SUTHERLAND.—Is that because of the filling up?—Yes.

27451. And when it was first made it was deep enough for them, was it?—Oh, quite deep enough.

27452. In Ireland is it the habit or custom that harbours are kept clean at the public expense?—I have not heard that.

27453. Has it ever occurred to you that that is a work that ought to be done locally?—Yes, but we have not got a local hold of it.

27454. You have not a local authority of any kind?—It belongs to the landlord.

27455. Does he levy the dues?—No.

27456. Mr. O'KELLY.—Does the County Council of Sligo contribute anything towards the maintenance of piers and harbours?—Yes but we have not this.

27457. Since the Act of 1898 you have not contributed anything?—Not to this one.

27458. But to any?—Oh, yes, I think so.

27459. Most Rev. Dr. O'DONNELL.—Did the owner at any time endeavour to dredge the harbour?—Not the present owner, but years ago it was kept in order by the late Lord Palmerston and Lord Mount-Temple, but Mr. Evelyn Ashley has done nothing.

27460. Sir JOHN COLOMB.—Is that only since 1881?—He has been in possession only a few years.

27461. That is not my point, but that the previous person did work which the present owner does not do?—Yes.

27462. Was the cessation of expenditure after the Act of 1881?—There could not be a cessation, because he did not do it before or after.

27463. I thought you said before that it had been kept clean years ago?—It was kept clean by the uncle of Mr. Ashley, Lord Mount-Temple. It was kept clean by Lord Palmerston in his day, as far as my recollection goes or as far as I am informed; but Mr. Ashley got possession of this property, I think, as well as I can recollect, in about 1877, and nothing has been done by him since. And, therefore, I shall be safe in saying, I do not know if you have any motive for putting such a question, but I daresay the passing of the Act of 1881 might have prevented him if he had an inclination, but he had not one either before or after.

27464. That is all we want to ask about that harbour. You put that in on your way to some other point you wanted to mention?—Now, I wish to bring under your notice the kelp industry. That is an industry that has been a very successful one and very profitable and very remunerative to the people here. There were hundreds of families that used to gather this weed from the sea and burn kelp, but it has been so monopolised by one buyer that they have dwindled down almost to let it die out.

27465. It has been so monopolised by one buyer?—Yes. On the ground that they cannot get a market for it. They have no encouragement, and they cannot get a market for it. We formerly got as much as £5 or £6 a ton for it, and it is now down to £3, or at the very highest £3 5*s.*; and at the end of the season to 50*s.* and 30*s.* and 35*s.*; and the poor people do not think it is worth while looking after. And it is a very fine thing, and there is plenty on the shore there if buyers would give the reasonable prices of the time when they gave £5 or £6 a ton for it. From information that I have received from others in Glasgow and elsewhere they get iodine and what is extracted from it in a superior condition now.

27466. Sir FRANCIS MOWATT.—Cheaper? But I am afraid they have other means of getting it than from kelp, and what has happened is that the buyers have fallen off, because they do not find it to pay them at that price?—Yes.

27467. Can you suggest any remedy for that?—I would suggest that the Congested Districts Board would either give a grant or seek to establish a market somewhere else, or turn kelp-making into a factory themselves.

27468. Most Rev. Dr. O'DONNELL.—Do you see, Mr. Brennan, that there might be some danger in making that experiment? Is it not the fact that those who control the iodine trade might close up the kelp industry on the Irish coast if opposition was threatened? Might they not refuse to take Irish kelp at all?—Oh, these buyers?

27469. Yes?—Well, my lord, I have not heard that, but I have heard that Spain or Cuba, or some of those places would send in a substitute to England if they refused to buy; but that would be running it on a sentiment.

27470. Sir Francis suggested to you that some explanation might be found in the larger output in other countries. That has undoubtedly occurred in South

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America. It is said, rightly or wrongly, that the production is so abundant that they could dispense altogether with the iodine which is got from Irish kelp. However, I take it that one of your suggestions was that a factory might be tried for the production of iodine and by-products derived from kelp?—Yes.

27471. That is one suggestion. But let me put this view. Has it been complained by buyers that the article is not as good as generally it used to be?—Yes, that has been a complaint by purchasers.

27472. I put it because I am aware on the Donegal coast that there are many complaints of that kind?—Yes, that complaint is made of some that is shipped from Mullaghmore.

27473. They say that on the Donegal coast; there they complain that the article is not as good as expected?—Yes.

27474. In view of that, what do you think of some authority like the Congested Districts Board appointing an inspector here and there as a guarantee to buyers that the article was made up to a proper standard?—I daresay that would be a guarantee to buyers, but you know that the buyers send down a man with instructions to see and test how many ounces or pounds, say, of the extract of iodine he is able to take from a ton of kelp, and, of course, it may be right for the Congested Districts Board to do as your lordship mentions, but the buyer still would buy it merely on the advice of his own man, his own inspector.

27475. Sir FRANCIS MOWATT.—But the difficulty which occurred to me is that in either case he will not buy it except in the expectation that he will make a profit on it?—Just so.

27476. But, unfortunately, if other nations or other people can produce kelp at the highest at £3 a ton there is very little opportunity of our selling our kelp here at more than £3 a ton, and that is the real difficulty. And now you suggest that the Congested Districts Board should make a species of experiment and see whether they could not get more than £3 a ton?—Quite so. I suggest that they should take up the manufacture of iodine themselves.

27477. Mr. SUTHERLAND.—And bear the loss?—You could speculate either loss or gain in it. It is a two-sided question. They should bear the gain as well as the loss.

27478. I suppose you are aware that the whole market for the British manufacture of kelp is about 7,000 tons, and that there is no probability or possibility in the face of Chilian produce to increase it?—I am not aware of the figures.

27479. So that it has not a very hopeful outlook?—I fear it has not.

27480. Most Rev. Dr. O'DONNELL.—You would not be surprised to hear that, as a matter of fact, the Congested Districts Board contemplated such a factory as you have now suggested?—I did not think I was such a prophet.

27481. But you will not be surprised, also, to hear that when they found that those who control the iodine trade might refuse in case such an opposition were sprung to buy Irish kelp, the Board, in the interests of Irish kelp-making, hesitated and did not push the experiment?—Yes.

27482. Mr. KAVANAGH.—Is it only in this locality that the price of kelp has fallen so much?—Oh, no; I daresay it is general.

27483. Have you any idea of what they get down the coast of Donegal, for instance?—A good deal of Donegal kelp comes up to Mullaghmore Harbour.

27484. Would you think that your kelp made here was as good in quality as Donegal kelp?—Oh, yes; they get more for it.

27485. They get a higher price for it than they do in Donegal?—Yes, what is gathered here along the sea coast. There is no better or more productive seaweed got than what is obtained here.

27486. Sir FRANCIS MOWATT.—At its very low price could you say what you could make here?—In the end of the season it comes down. They start at £3 or £3 5*s*., and a company who have been buying many years gave them that. We had very good buying at one time, and it went to nearly £8 or £9. Now it is £3, and at the end of the season it would drop down to 30*s*. or 20*s*., and that disheartens a man, with two or three or four boys, to go out into the sea and gather it, and the industry is dwindling away.

27487. Mr. KAVANAGH.—At what price would it pay them?—Well, they tell me £5 or £5 10*s*.

27488. I mean the producer, not the buyer?—That is what I say.

27489. Nothing less than £5 would pay him?—Nothing less; but you see the way it is in the winter time with the poor people. They have nothing else to do. The people will go out when there is what we call the throw of the wrack in, and they gather it, and put it up, and, of course, it affords employment to two or three boys in the house. It would not be a lot at all, because there is a great deal of trouble with it.

27490. Mr. SUTHERLAND.—Is it a Glasgow firm that buys?—I think it is.

27491. Most Rev. Dr. O'DONNELL.—Do the makers here run it into the solid or sell it in dry ashes?—They run it into the solid.

27492. Sir JOHN COLOMB.—But your kelp fetches a higher price, and therefore they are not so hard hit here as in Donegal?—I suppose our seaweed is a great deal richer in quality.

27493. Most Rev. Dr. O'DONNELL.—There is a great deal of variety in it. The Mayo weed is very good, is it not?—Yes.

27494. Sir FRANCIS MOWATT.—Now we have dealt with that?—I have also been requested, before I leave Mullaghmore, to make an appeal to your Board for a curing-house for fish. The fishermen tell me that they lose almost half their earnings by having to sell at an early hour of the day to what they call local buyers or "cadgers," which is the term they are known by in our phraseology, that is men who come with carts from Bundoran, and shippers, and take them away to the railway. They put out to sea at five o'clock in the morning and set their lines or nets, and they cannot stop out fishing longer than two o'clock in the day. And they state to me, and I believe it is a very sound reason, that if they could stop out till four or five o'clock in the evening and bring in their fish and sell them or get them cured and send them on to market they would make more money, and that from two to five is the time the take is on. That is another point they asked me to bring before you.

27495. When you say a curing-house do you merely mean a cold house in which the fish could lie till morning, or that they should be opened and salted?—A house where they could be opened and salted, such as they have at Dunmore and other places.

27496. Sir JOHN COLOMB.—What fish are you speaking of when you speak of a take in the afternoon?—I am talking of mackerel and haddock and whiting, and the general fish taken in the day.

27497. The taking of mackerel, that is night fishing, is not it?—Yes. They go out at five o'clock in the morning, but they fish all day for it.

27498. But you do not take mackerel in the afternoon?—Well, they led me to believe that they do. I am not a fisherman. I know I was down last summer at Dunmore, and I saw curing houses there.

27499. Has the locality, or this section of the locality, brought this matter before the Congested Districts Board or before the Fishery Branch of the Agriculture Department?—I think not.

27500. Most Rev. Dr. O'DONNELL.—How long have they felt the want of it, has it been for a long time?—Oh, I daresay it has.

27501. Mr. SUTHERLAND.—Do the fishermen there fish for anything except the local needs?—They fish for all.

27502. They sell all the fish in the neighbourhood itself, fresh?—Oh, yes; there are buyers coming from Bundoran and from Sligo.

27503. And do they send the fish away?—Yes.

27504. Where to?—To different places, some of them put into barrels.

27505. Then you want the Congested Districts Board to do something further?—Yes. They send them fresh. Now, there are one or two local buyers, and they come and want the catch. They come from Bundoran and Sligo, and they have to bundle up the fish and put them into barrels and send them.

27506. They do something to them before they put them into the barrel?—I do not think they do.

27507. Do they not gut them out, split them, and put them into light salt?—No, I do not think they do. No, I know they do not.

27508. They send them away fresh?—Yes.

27509. Sir JOHN COLOMB.—You are speaking of Mullaghmore Harbour?—Yes.

27510. You live close to there?—I do not live in the village, but I live in the next village, and I am thoroughly conversant with the mode in which they work.

27511. Mr. SUTHERLAND.—Are you conversant with their idea of how the Congested Districts Board could

go about a curing house?—Their idea is first to establish a curing house, and then to send a man to educate them how to salt and cure the fish.

27512. To teach them the way to do it?—Yes.

27513. And do you think they are not sufficiently aware of these operations themselves?—I do not think they are capable of curing, and if they were capable of curing, they have nowhere to store.

27514. And would they not have to dispose of them after that. Supposing you partially cured the fish, how would you get them away? What is the nearest railway station?—Bundoran.

27515. How many miles?—Seven.

27516. Do coasting ships call there at all?—Well, we have no ships calling there in the shape of coasters except a kelp vessel of about 120 tons, or a coal vessel from Bundoran, about 120 tons, a small steamer. There is no direct trade. They did trade with Belfast, but they gave it up. They failed.

27517. You would use it on any day when there would be a big catch of fish?—Oh, yes.

27518. What is the prevalent fish that is caught—is it cod?—Codfish, a great quantity of it.

27519. During what month is that in?—January and February.

27520. Most Rev. Dr. O'Donnell.—Had the Board a curing station at any point along this coast at any time?—No, not to my knowledge.

27521. Mr. O'Kelly.—Have you any idea of whether they have one on the coast of the County Mayo at any place?—I could not answer.

27522. Most Rev. Dr. O'Donnell.—I suppose the fish carted is herring or mackerel, or cod or ling?—Yes.

27523. Then for any quantity that was in excess of what could be sold fresh there would be need of a curing station?—Yes; and they state to me that they would get more for it. Their grievance to me is this, and I believe it. They say, "If we stop on after two o'clock the buyers go; and we must be in with what we have, when we have only three dozen or five dozen or one dozen, because we would get no one to take them; they would be away. But if we stopped out till five o'clock we would come in with ten dozen, and we could rely on selling some fresh and some cured."

27524. But will there be any of the fishermen here to-day to put before the Commission their practical experience as to what they lose by not having a curing station?—I expect so.

27525. Mr. Sutherland.—Of course, mackerel and herring are night fishing?—Yes, I believe herring, and some mackerel.

27526. Sir John Colomb.—Is not all the mackerel fishing night fishing?—I am not quite sure.

27527. Sir Francis Mowatt.—As regards these two fish, I do not gather that you think there would be any use in their staying out during the afternoon?—I daresay not. Of course, the fishermen will answer that question much better than I. I think I have already dealt with the recommendation about non-congested and congested areas.

27528. Sir John Colomb.—You recommended that the operations of the Board should be extended to the whole of Connaught?—And I said also that I would appeal to the Board strongly as to these two electoral divisions.

27529. Sir Francis Mowatt.—Which are those?—Ross Inver East and Ross Inver West.

27530. Most Rev. Dr. O'Donnell.—The way in which you put the case of these two divisions to the Commission was, I think, that they were as poor as any within the scheduled area? Is that your point?—Yes, that is my point; and poorer.

27531. Mr. O'Kelly.—And you would appeal equally strongly for other districts of the County Sligo similarly circumstanced?—Similarly circumstanced.

27532. Similarly circumstanced to those to which you specially refer?—Yes. I would go into it more fully but that I know you are going to Dromore West, which is also in the County Sligo, and know that you will have evidence there better than mine, I hope.

27533. Sir Francis Mowatt.—What is the smallest division that you consider could be properly scheduled as congested—a townland?—A townland would be too small. I would say at least five or six townlands. For instance, the townland in which I live has only sixteen inhabitants, and the whole amount of acreage is only seventy acres. Of course, that is congested.

27534. What is the smallest unit that you think could properly be scheduled as congested?—Oh, I would say an electoral division.

27535. Mr. Sutherland.—I think you said a province?—Oh, yes, going in for the general congestion of the province of Connaught.

27536. Mr. O'Kelly.—Why do you say an electoral division. I put it to you in this way—which do you think would be preferable to give a discretion to the Chief Secretary or Congested Districts Board wherever the conditions of congestion are themselves apparent to the Board to deal with the congestion, or to bind the Board down by any arbitrary or rigid definition?—Well, the answer to the question, of course, depends on the condition and extent of the holding. The condition of the people and the extent of the holdings are what I think the Congested Districts Board ought to take into consideration.

27537. Which would be preferable, to say to the Congested Districts Board, "Wherever you find congestion deal with it," or, "We bind you by a certain rule to a certain limit of distance beyond which you cannot go." Which is preferable in your view?—Well, I think, for numbers, the electoral division, because you must have some demarcation.

27538. Is it possible to make a line of demarcation satisfactorily by a definition?—I daresay it might.

27539. Do you think it is possible?—I daresay it would be possible. There is nothing impossible in this world if a man puts his brains to it.

27540. Sir Francis Mowatt.—I am glad to see you so hopeful?—Well, I am hopeful, but I am hoping a long time.

27541. Mr. O'Kelly.—I was asking Mr. Brennan whether he would give discretion to the Congested Districts Board to deal with congestion wherever they found it irrespective of any arbitrary line?—My second answer to that, Mr. O'Kelly, is simply this, that they have been given a discretionary power.

27542. What discretionary power have they?—Well, first I presume, they prescribed the scheduled divisions.

Mr. O'Kelly.—It was an Act of Parliament did that. They were prescribed before the Board met for the first time.

Most Rev. Dr. O'Donnell.—The Act of Parliament laid down the definition; but for one year the Board had a right to submit additional divisions for the sanction of the Lord Lieutenant.

Mr. O'Kelly.—That was confined to one year.

27546. Mr. Sutherland.—Mr. O'Kelly's point is what you have in Scotland, where I come from. The Congested Districts Board there works very much on the same lines as yours, but it is left there to the Commissioners themselves to determine, and I daresay it is not such a strange idea; and Mr. O'Kelly thought that possibly it might be better for you in Ireland to have the same discretion.

27547. Mr. O'Kelly.—This is a most important point, and I will put it to you again. Do you not think it would be better to leave it to the Congested Districts Board to say what the congested area was?—Well, I have not entirely my heart and soul in the faith of the Congested Districts Board.

27548. I will dismiss the Congested Districts Board from consideration; but any authority dealing with the question?—If that authority is what I call a representative authority.

27549. Well, is Sligo County Council feasible?—Well, I daresay Sligo County Council would have a good look in.

27550. Would you agree that Sligo County Council should have discretion?—I think a representative ought to be on the Congested Districts Board from every County Council in Ireland.

27551. Mr. Kavanagh.—In Ireland?—Oh, yes; every congested county in Ireland ought to have a county representative on the Congested Districts Board.

27552. You said every County Council in Ireland?—Oh, yes, a Connaught man has leave to talk twice.

27553. Sir Francis Mowatt.—Would you go to the next point?—Referring to that question of extension of congestion, and coming to the representatives on the Board, I think I might refer to another question I see here with regard to the outlay for years in my four electoral divisions, and the County of Sligo at large. From the report of the Congested Districts Board up-to-date, I find that in the County Mayo there has been very close, in round numbers, on

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£10,000 expended, and in the County Donegal there has been very close on £11,000.

27554. Mr. O'KELLY.—Under what head?—Under the head of Piers, Roads, and Bridges.

27555. Sir JOHN COLOMB.—Nothing else?—Piers, Roads, Harbours, and Bridges—nothing else. Well, in the County Sligo there is a small amount for those years, I think 1901 to 1903, the small amount of £640, or thereabouts.

27556. Mr. O'KELLY.—That is for one year, is not it?—That is for three years.

27557. Sir FRANCIS MOWATT.—And you have given the figures for the other two counties for the same three years?—Very close on £10,000 for Mayo and very close on £11,000 for Donegal.

27558. But for the same three years?—For the same three years.

27559. Sir JOHN COLOMB.—£600 for Sligo?—£640 odd.

27560. Mr. O'KELLY.—Was this money expended through the agency of Parish Committees?—No. I am not referring to Parish Committees, but roads and bridges, through the Board itself.

27561. Most Rev. Dr. O'DONNELL.—There would be a comparatively small number of electoral divisions scheduled in Sligo, I suppose?—There are twenty-two in the county.

27562. Mr. O'KELLY.—You know that would be accounted for by the fact that this County of Sligo may not be so backward and may be more progressive, and you have size and other things that contribute to, say, Donegal or Mayo being more backward than Sligo, and they have not done things that Sligo has been able to do?—Well, the way I account for it is that we have been entirely neglected on the Board, and that we have no representative.

27563. It is not so much the question of necessity as the question of requirements that I am putting to you. And might it not be the fact that this County of Sligo, with a more progressive and more intelligent and less backward population, has in the past done on roads and bridges and other things what Mayo and other more backward counties have not done?—Of course, I am not contradicting you. I say it may or it may not, but I know myself, and I have been at a public board and I have passed resolutions and brought them forward and sent them on to the Congested Districts Board again and again for something to be done. Now, for argument's sake, take what I am asking to be done now, the draining and making of roads and other improvements, and drainage and doing something to Raughly Pier, which is out here, but what I find in the figures of the Congested Districts Board is simply as I said. And I know from my own knowledge we have in all seasons asked for some relief. Why in my two electoral divisions of Cliffoney North and Cliffoney South, that are congested, and, I think, as poor as poor can be, our valuation is very low. In Cliffoney North in a contested election that I had at one time, before the Act of 1898, I do not think that out of a population of 400 families, 400 households, there were more than 40 or 50 of £4 valuation; and if congestion is to be relieved and if our scheduled districts are to get their proportion, we must, to my mind, have representatives on the Board, and usually at the sittings of the Board, where this money is all allocated for different works or other necessities, before we get our just claim.

27564. Most Rev. Dr. O'DONNELL.—Have you a Parish Committee?—Yes, we have. I am not referring to our Parish Committees. Our Parish Committees have also their grievance.

27565. About the applications that you made to the Board, can you supply the Commission with a list of the applications and the replies to them?—Perhaps later on another witness will, because I am not on the Parish Committee. I have the misfortune to be a shopkeeper, and shopkeepers are supposed to be ruled out and not allowed to be on those things.

27566. There are other applications to which you refer. Can we have a list of the applications which the Board did not acknowledge?—Of course, there are applications from year to year, and we get resolutions to have this thing done and that thing done, and it would be very difficult to get a list of them.

27567. You were told in the case of the drainage the reason why the Board could not intervene?—The general answer to our applications, my lord, is this:—"No money for any such purpose." That is the general reply.

27568. Sir JOHN COLOMB.—From the Congested Districts Board?—From the Congested Districts Board.

27569. Could you show us any document?—I could have, if I had gathered them up in my desk, plenty of them.

27570. Most Rev. Dr. O'DONNELL.—In considering a reply of that kind we should like to see the application and understand the nature of the work?—The argument that I put forward is on the figures here. We have twenty-two electoral divisions scheduled in the County Sligo, and we have four electoral divisions scheduled in this particular locality, and the argument that I put forward is a proposal that money should be expended in these. Now, may I say another thing, and perhaps if I am going wrong you will call me to order, but perhaps I may say that this money of the Congested Districts Board, which was established fifteen or sixteen years ago—I think this is the fifteenth report—is the Church surplus, the interest of which is about £45,000; and why should not we as a scheduled electoral division get our share? That is the grievance that I wish to have exposed and to have explained; and I think it is a great grievance that calls for some explanation.

27571. Would you be able to make an argument to show that the scheduled divisions as a whole are not given their fair proportion?—Well, if I could go into the figures I would.

27572. To do that you should review the situation all round; you should take all the works into account, and the little industries and the purchase of land?—Is there any purchase of land in this neighbourhood?

27573. Well, there are—not on our property?—The tenants have purchased from Sir Jocelyn Gore-Booth.

27574. You alluded to Raughly. Is there work going on at Raughly?—Yes.

27575. And is there anything being done on Inishmurray? Is there any work done there?—Yes, there has been a school-house built by the Congested Districts Board in Inishmurray.

27576. Sir JOHN COLOMB.—What electoral division?—Cliffoney South. It is an island. And that is another remark I wished to make, for there were, I think, thirteen families on the island, and the present attendance at that school is about eight or ten children, and the cost of that school, notwithstanding that it was built on the very rock and the site quarried out of rock was £618. That has been expended out of the Congested Districts Board's money. There has also been a landing place or pier built there. I do not think that it is a new pier. I think there has been expended £138 on that, if I remember right. Of course, I could give you the figures now with regard to the valuation of the counties which I referred to, Donegal, Sligo, and Mayo, and here are the figures. There has been £141 laid out at Ballyconnell—Ballyconnell Pier, I think.

27577. Most Rev. Dr. O'DONNELL.—I think you will find that it is merely stones that were removed?—Clearing away stones. To that we gave a subsidy by the County Council.

27578. Sir JOHN COLOMB.—Is that at Inishmurray—you are talking of the landing place?—Yes.

27579. That is £146?—Yes.

27580. Most Rev. Dr. O'DONNELL.—Do you think that was not a good expenditure upon the school?—I won't say that it was not a good expenditure. I do say that the children should have had a school there, but I say that the expenditure was entirely over and above the requirements. A school could have been built in Inishmurray for one-third of the cost, £200 or £220.

27581. Mr. SUTHERLAND.—Would it be as good as the present one?—Quite sufficient for the requirements.

27582. Your complaint is that the school is too good for the island?—Too good for the island.

27583. Most Rev. Dr. O'DONNELL.—Would not someone representing the manager, if there is any existing manager, give us some definite information on that subject?—From the priest, Father Kenny.

27584. Mr. O'KELLY.—How many pupils attend it?

Rev. Fr. Kenny.—There are twelve only. The people are clearing out from the island. There were thirty-five some years ago.

Most Rev. Dr. O'DONNELL.—I think we shall have it from some representative of the manager that that grant was the only means of securing any school on the island.

27585. Mr. KAVANAGH.—Would you be in favour of migration for relief of congestion in your district?—Certainly.

27586. Do you think the people in your district would be willing enough to migrate?—I think they would.

27587. Do you think that for certain—have you ever asked them?—I have.

27588. How far would they migrate, would it only be migration to a short distance, or to any suitable land that would be provided for them?—If it could be shown to them that they got twenty acres of good land at a reasonable rent with a capital at a reasonable interest to work it, you would get, I would venture to say, in this parish, 40 or 50 people to migrate to Meath or some of those places. But before coming to that migration question why not, to my mind, buy up the land that is in the immediate neighbourhood?—Oh, certainly.

Sir FRANCIS MOWATT.—That is migration.

27589. Mr. KAVANAGH.—I was only asking as to the principle of migration, whether they would move far or only to a short distance?—If, say, I or someone on behalf of some authoritative man can show that they get a 20-acre holding or even a 10-acre holding of good land you can get people to migrate to it—if you could give them the land and stock it and build a house suitable. But what I unfortunately find in these things is that official expenses, maps, drawing, surveying, and all that kind of thing, is put down against the poor unfortunate tenant, who has to pay the piper, the future payer of these expenses. It is for you to tell a man that if he will go to the plains of Boyle he will get good land there, and you must tell him what he will get it at, and that you will give him so much to buy stock or build a cottage, and you must sum up that you will give it at a nominal rent or nominal annuity.

27590. Sir JOHN COLOMB.—What it is worth?—What it is really worth.

27591. Mr. KAVANAGH.—Then about the other question of what amount ought to go to equip the 20-acre farm?—Of course, we could go into that question easily enough. A man with twenty acres of land ought to get a horse and cart for £30 or £35. And then four cows—you could get that for £60. And I suppose you will give him half a score of sheep, and he will get that for about £20. Then to build a house. I daresay you could build a nice house on it for £200.

27592. Mr. O'KELLY.—For how much?—For £200.

27593. Mr. KAVANAGH.—And farming implements?—We are not going in, of course, for giving the uttermost figure, but farming implements I believe he could get for £10.

27594. Sir JOHN COLOMB.—In the £200 for a house do you include a cow-shed or pigsty and necessary out-offices?—I would let those things come on gradually. I would not frighten the man out of his wits. I would let him build these himself, and do something for himself.

27595. Mr. KAVANAGH.—Do you think the people in your locality are good farmers enough to go to the plains of Boyle and till the land there?—Yes.

27596. Properly?—Yes.

27597. Do they use the spade at all?—Yes, they can all use the spade.

27598. And do you think they are good enough farmers to get on if they are farming that properly?—I think so.

27599. Sir JOHN COLOMB.—You are not a farmer yourself?—No. I have farms, but they are small ones. I am a business man, and get my living by grocery and everything.

27600. Mr. KAVANAGH.—I have totted your figures up to £325, and you think the man should get that, and that nothing less would equip a 20-acre farm?—Yes.

27601. And you have allowed nothing for fences?—I have not allowed for fences. I would let these things be done by himself.

27602. Sir JOHN COLOMB.—Is the interest on that to be charged to the annuity that the man has to pay?—Certainly. I would say that he should get this on the same terms as you buy out the landlord, 3¼ per cent.

27603. Mr. KAVANAGH.—As a loan?—As a loan and annuity.

27604. And the interest of that added to the purchase money?—Supposing the interest was £10 the instalment would be a little more.

27605. Sir JOHN COLOMB.—He would have to discharge to the State the obligation of paying more than the actual loan?—Yes. I would rather see the State become generous, but I think there is very little good in saying that the State should come and equip a farm for every man in Ireland.

27606. What is in your mind as to what is to become of the holding that the man leaves, with regard to its occupation?—I do not refer to his leaving this, but supposing he had three sons I would make a provision for his second son with this.

27607. When I use the word "migration" I am meaning the movement to better conditions of a man and his family and household and everything, from bad conditions?—Quite so.

27608. That is migration as we understand it. But that is not in your mind. You are talking of settlement of the sons of tenants?—Yes, settlement of the sons of tenants.

27609. After removing the tenant?—After removing the tenant out of his stead.

27610. Mr. KAVANAGH.—What I asked you was, would the people be willing in your locality to migrate and when I said migrate I meant the whole family?—I did not use it in that sense.

27611. Mr. SUTHERLAND.—Do you lessen the congestion?—You can lessen it by migrating the head of a family, but I was only referring to the others.

27612. Most Rev. Dr. O'DONNELL.—I think you said you would not have to go so far away to find land for a family?—Yes I did say that.

27612a. But in the case of such a migrant, have you thought what should be done with the old holding?—I would amalgamate it with the next. There is a five-acre holding, and I remove the holder of five acres to a holding of twenty acres.

27613. Would you expect him to give up his tenancy in those five acres in order to get the better holding?—Yes.

27614. You do not think that the migrant moved from the five acres to a better holding ought to have any claim for his tenant-right?—Oh, certainly, I do think so.

27615. Then your view is that you are getting that tenant to move from the five-acre holding on being compensated for giving up his five acres?—Quite so.

27616. Mr. O'KELLY.—That is what he suggested when he referred to a settlement, I think?—That is the very thing that he ought to do, the cost being equally known.

27617. Sir FRANCIS MOWATT.—Whatever the amount of the compensation is he would carry it with him into the new holding?—Yes.

27618. Yes, and to that extent it would not be necessary to give him money?—To deduct that from the money he requires. Of course, if he has money enough he would be very glad not to ask you for money at all.

27619. No, I do not think that?—I do think it, because there are lots of people presently who have made money in America and elsewhere, and if they could get the land, and it comes to the same thing, they would do it.

27619a. Sir JOHN COLOMB.—Do you think there are many people who could afford to buy?—I am not sure there are cases of the class we are referring to where people could buy land of their own, but people who have earned money not by paying rent but in America and elsewhere.

27620. Sir FRANCIS MOWATT.—To make plain that question which was asked you just now, you think that, roughly speaking, a man moved on to another and better holding should, one way or another, be advanced £300?—Yes.

27621. And that would be less any compensation he received for his rights in his old holding?—Quite so. And also in his old holding he would probably have some of the stock. He might have a cow or two cows, or even a good horse.

27622-3. And there again you would not supply him with them over again?—Yes.

27624. And they also come off the £300 you estimate?—Yes.

27625. Most Rev. Dr. O'DONNELL.—In pursuance of the questions that have been put to you by the Chairman with reference to the application of the £300, that would be advanced money, and he should in some way repay that?—Yes.

27626. So that it is not a grant that you ask for, but a loan?—I have been so long asking for grants that I think there is no use in asking for them.

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Sir FRANCIS MOWATT.—So that you now come down to a loan.

27627. Most Rev. Dr. O'DONNELL.—But distinctly, I think, you said the loan was to be one repayable, principal and interest, at 3¼ per cent.?—Quite so, my lord.

27628. So that although you ask for the money to enable the migrant to begin, that money would not be altogether lost to the State?—Certainly not.

27629. It would be repaid to the State?—Repaid to the State.

27630. Had you any definite project before you of enlarging holdings within your sphere of immediate interest here?—Not on the property of the Right Hon. Evelyn Ashley, because he has no land. There are a lot of untenanted lands, but it is not land, it is sand and bog and marsh, and thing of that sort that no person would live on. But in the adjoining parish of Lissadell, on the property of Sir Jocelyn Gore-Booth, which is only six or eight miles from Mr. Ashley's property, there are from three to four thousand acres.

27631. Sir FRANCIS MOWATT.—Of untenanted land?—Untenanted land, and Sir Jocelyn has sold to the Landed Estates Commission and got a high price, 24 and 26 years' purchase.

27632. Most Rev. Dr. O'DONNELL.—That is tenanted land. You were talking of untenanted land?—It is of untenantel land I am talking, but I am stating that the land sold to the Estates Commission is at a rate that under their charges would give 26 or 27 years' purchase.

27633. The tenanted land has been sold?—The tenanted land has been sold, and what I would ask this Commission here to suggest would be, in my view, that the Estates Commissioners do not confirm the sale till at least 2,000 or 3,000 acres of the untenanted land on the Lissadell property be purchased by the Congested District Board for migration purposes.

27634. Mr. O'KELLY.—Who carried the sale through?—The Estates Commissioners.

27635. Were the tenants consulted as to the price?—Oh, yes.

27636. And they agreed to give these terms?—They agreed to give these terms. Yes. I presume so. I would also go further in my recommendation, that legislation should be immediately pushed forward that no landlord should hold more than 600 acres adjacent to or in his demesne, and that out of that land he should at least cultivate a twelfth.

27637. Sir FRANCIS MOWATT.—That is in addition to the demesne?—No, a twelfth of the demesne, a twelfth at least out of 640 acres and should crop that. I say that on the grounds of some experience of my own in knowing how a settlement occurred in the very far back years of the sixties in Australia. I have been conversant with the Land Acts of Duffy, and Hale, and Grant, and they first began with squatters who had settled down there. They then began with 640 acres and then with half that amount—320—and they came down then to 100 acres and to 50 acres and so on. The Government of the country in those days when I was there fenced them and gave them a hut, what they called a shingle hut, a home as it were, and they gave 8 years for paying it, at half a crown an acre, and the land was theirs for ever. Now, I do not see how we can ever hope—and I trust in God we will—to stop emigration if something is not done in like manner or something to that effect, in settling the people at home. And I find in a question of Mr. M'Veagh in the House of Commons about the state of the country that the population is dwindling away. It has gone down from 8½ millions to 4¼ millions or a little over, and if it continues to go down at the same proportion for 70 years we will then have 12 people, not as many as would constitute a Royal Commission in Ireland, in 70 years.

27638. Most Rev. Dr. O'DONNELL.—And no witnesses?—No witnesses.

27639. Sir FRANCIS MOWATT.—And no congestion?—Oh, no, for congestion would be removed right off.

27640 Mr. O'KELLY.—You are aware that legislation has been recently passed in some Australian states with the object of compulsorily resuming possession of the great grass area formerly given to settlers in that country, for the purpose of closer settlement?—I am aware of that. It is 35 years since I was there.

27641. Are you aware that the programme of one great political organization in this country is borrowed, I might say, from Australian legislation?—Well, they are not applying it then. I am afraid they are taking a very bad lesson of it.

27642. I mean to say the programme of the United Irish League, that is the agricultural programme is borrowed from or founded upon legislation in Australia?—I quite agree with you. It is the legislation I was referring to. If you wish I can give you the statistics. There is another point, and it is the last and as I know there are a number of other witnesses. But I see in last night's paper where those who have purchased in the County of Kildare and in the County of Longford, where the County Councils of these counties and not of those counties alone, but of every county in Ireland will have to make good the amount of annuities or instalments that these people fail to pay. Now, in the County Kildare they are asked, or rather they are threatened by a notice from the Local Government Board with a stoppage of £8,000 out of the grant given for the relief of poor rate.

27643. Do you suggest that this is a case of defaulting annuitants?—It states here very clearly that there are two causes. One is the case of non-payment of instalments and the other case is a more grievous case. It is from the downfall of Land Stocks. They say that Land Stocks have fallen down to 85, and that means 15 per cent. They took Land Stock at 100 and put these Land Stocks on the market now and they are £15 per £100 less and they want the principal tenants to pay it notwithstanding this magnanimous Bill that we got from Mr. Wyndham in 1903, when they thought we would never see a poor day again. I wish they kept their Bill and that there was a good honest agitation. If that is the sort of the Bill the sooner that Bill is amended the better.

27644. But the loss from the annuitants is almost inappreciable?—I have heard from a gentleman behind me that there are 20 processes, and if these men get nothing on them, they will come back to the Council who will have to strike a rate.

27645. And that is your point, that it is a great hardship that the tenants should be compelled to make up the loss on the flotation of stock at its present price?—Yes.

27646. And it was not the fault of the people who purchased under the 1903 Act?—The great mistake that the Bill made is that the poor tenant has to pay for it.

27647. And do you not think, then, under these circumstances, that those who are charged with the responsibility of advising the people ought to take care in the future that improvident bargains such as that to which you referred, on Sir Jocelyn Gore-Booth's Estate, should not be made?—No; the suggestion I made is that before a bargain on an estate is made by the Estates Commissioners or the Congested Districts Board, the County Councils, who are the representatives of the people, should meet and at least understand the price and have a word before the bargain is concluded.

27648. As they are the ultimate security?—Because they are the ultimate security. I do not think that it would be one whit less valuable to you, Mr. Chairman and gentleman.

27649. Have many sales taken place in the County Sligo under the Act of 1903?—Not very many.

27650. Have many sales taken place under the Congested Districts Board?—That is a question I could not answer. The only sales that have taken place of any importance here are Lissadell—that is one under the Land Act and according to my knowledge—and, I think, Hazlewood.

27651. You spoke about there being 3,000 acres of grass land on some property?—Yes.

27652. Suppose that the needs of the local congests were relieved, would you have any objection to migrate people from a distance into the surplus that would remain, or would you say that the sons of tenants of the district should have the first claim?—Certainly.

27653. And would you allow the congests at a distance to remain in their congestion?—Oh, where the lands are immediately near them give it to them by all means. Where there is a sufficient quantity of land after you have supplied the needs of the congestion adjacent to this place and that there is land remaining, take them from the congested districts and give it to them. That is my view.

27654. Would you urge that the sons of tenants in the district adjoining these grass lands ought to have a claim prior to and over that of congests from a

distance?—I do, because their fathers and grandfathers were all evicted from them. I know 200 families evicted from the Cartrons.

27655. What do you call it?—The Cartrons. That is Lissadell, the 3,000 acres—more as a matter of fact—that I refer to.

27656. Sir JOHN COLOMB.—What year?—I suppose in 1846.

27657. Most Rev. Dr. O'DONNELL.—I suppose your replies in answer to Mr. O'Kelly were coloured a little by that. He asked you would you put the claim of the sons of tenants from near that place before the claims of congests from a distance, and you said yes?—Yes.

27658. Then Mr. O'Kelly further asked you why, and you said that that was largely a tract of evicted country and that their ancestors lived there, or their forefathers?—Quite so.

27659. Suppose it were different. Suppose that it had not been an evicted country and that there was a question of redistributing it, would you first of all enlarge the holdings of congests in the neighbourhood?—Yes.

27660. That is to say, you would first of all attend to the wants of heads of families in the neighbourhood?—Quite so.

27661. Now, after you had commenced to enlarge the uneconomical holdings along the margin of that tract of grass lands, two classes of people come in competition for help from you. There are congests—heads of families that are congested at a distance, or say, in the neighbouring County of Leitrim, and there are sons of holders whose holdings you have already enlarged. Which of these classes should come first?—I would take the former.

27662. That is the heads of families at a distance?—Yes.

27663. You seemed to put forward the other class first, owing to the fact that the lands had been evicted?—Yes.

27664. And if it were not for that alone would you put the distant people before the sons of tenants?—Yes.

27665. Mr. O'KELLY.—That answer is most satisfactory, Mr. Brennan?—I am very much obliged to you.

Mr. BERNARD HARTE examined.

27666. Sir FRANCIS MOWATT.—What is your address?—Grange.

27667. You appear, as I understand, on behalf of Sligo Rural District Council?—Quite so, and I am going to give evidence upon three electoral divisions which I represent.

27668. Locally?—Yes, Lissadell North, Lissadell West, and Lissadell East. The two former, the North and West, are congested and scheduled.

27669. And the other not?—And the other is not.

27670. Sir JOHN COLOMB.—The other is Lissadell East?—Yes, that is not scheduled.

27671. What Union is that in?—Sligo, all Sligo. Here is a statement which I wish to make.

27672. Sir FRANCIS MOWATT.—Please read it and we will ask you questions as you go along?—The two former divisions, that is Lissadell North and West, are scheduled congested, and I have to complain of the treatment of the Congested Districts Board towards these divisions, as it has never expended any money on improvements in the building of piers, repairing of roads, or assisting them with boats or nets. Fishing is one of the principal industries along the whole seaboard, but through want of proper accomodation—such as landing-slips and proper fishing appliances—it cannot be developed successfully. I would suggest that a landing-slip be erected at Milk Harbour and one at Streeda. Regarding the roads in Lissadell North Division, several of them require repairs, and engineers from the Congested Districts Board visited them and reported as to their bad condition and unfitness, but never did anything afterwards. The tenants in this division all occupy small holdings, and existed formerly to a great extent on the manufacture of kelp, for which nowadays the price realised is not able to pay the expenses connected with its manufacture, having to cart it to Mullaghmore—a distance of 14 miles. There are no bogs in these divisions either, and the tenants have to go from 10 to 12 miles for turf. There is one small patch of bog on Captain Jones's estate, but he will not allow any tenant to cut turf there who served him with a second judicial notice to have a fair rent fixed, notwithstanding the fact that the tenants had the usual existing right of cutting turf for years. The Parish Committees are doing a deal of good with the small grant of £150 yearly placed at their disposal by enabling the poor to make their houses habitable, and I would direct special attention to the necessity of having the grant increased. A small committee started a bank some two years ago with the object of enabling deserving persons to purchase cattle, as a good many were not in a position to purchase any. The bank is financed by £100 from the Congested Districts Board and money borrowed from the Sligo banks on the security of the committee. Advances are made at a similar rate of interest plus clerical expenses.

27673. Is the bank still in existence?—It is.

27674. Mr. SUTHERLAND.—Do I gather that the local bank is used as security to the bank in Sligo?—Yes. The committee that work the local bank here are security to the banks in Sligo for any money we require for lending.

27675. They take you in preference to the actual borrower?—They take us as a body, the committee of the local bank here.

27676. To what extent is your security assigned to them?—It is £1,000 at present.

27677. On the security of your property?—Yes.

27678. And they would not do it to the individual?—Certainly not.

27679. I do not know whether we are going to refer to the condition of the bank; but I should like to ask you how many shareholders have you in the bank?—I suppose about 300.

27680. And you say the Sligo Bank would accept the security up to about £1,000?—It will. It has done it. I may mention to you, sir, there is a Committee appointed from the number of shareholders there as a Working Committee, to work it. They pledge their security to the banks in Sligo, the Working Committee's security, but it is worked by the shareholders. That is how it is.

27681. Have you ever advanced a sum equal to the full amount of your credit—£1,000?—It is fully advanced.

27682. I do not know whether you would like to answer this question. Have you ever desired to increase that credit, and the banks said that that was the farthest limit they would go to?—No; we have never desired to increase it. We think that is quite enough for the Working Committee. If we could get money at a cheaper rate of interest from the Congested Districts Board we could lend it cheaper. They only give us £100, and they charge us 3 per cent., or 3¼ I think, for it. We pay 6 per cent. to the banks in Sligo; but if we could get a larger sum of money from the Congested Districts Board at a smaller rate of interest we would be able to advance it at a cheaper rate.

27683. Is that 6 per cent. a standing arrangement?—Well, it varies with the bank interest.

27684. Mr. O'KELLY.—Does it vary with the character of the security?—No; with the rise and fall of the market.

27685. Mr. KAVANAGH.—How much do you charge?—Well, about 6 or 6½. We do not charge any profit, except what goes to meet the clerical expenses.

27686. Sir FRANCIS MOWATT.—And is the Committee appointed by the shareholders?—The Committee are appointed by the shareholders.

27687. Most Rev. Dr. O'DONNELL.—Have you made any bad debts?—Not up to the present.

27688. Mr KAVANAGH.—And how long have you been in operation?—About two years. The Sligo banks charge from 7 to 8 per cent. on small sums of £5 and £10, such as people in the country are in the habit of borrowing. I suppose they would charge you less on a bigger amount; but on small sums, such as £5 or £10, I suppose 7 or 8 per cent.

27689. Most Rev. Dr. O'DONNELL.—That is at present?—At present.

27690. It was not always so high?—Oh, no.

27691. Mr. O'KELLY.—But have you never less than

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this?—Never. Now I come to the other congested district, that is Lissadell West, which is even more congested, and the tenants principal means of sustenance is by fishing.

27692. I did not think that you were passing away from the banks?—Yes.

27693. Kindly explain to us what you advance the money for?—For the purchase of cattle for poor tenants about the place in order that they may have cattle on their grass, or for pigs.

27694. Were you short of stock before you commenced your operations?—Yes; that is the reason we started the bank, in order to enable them to keep their lands stocked.

27695. But do you anticipate a time when your proceedings in that particular line will be finished?—I hope so.

27696. And then will you turn your attention some other way?—Well, I cannot exactly say that. We will have to wait till events shape themselves.

27697. And are you filling up the stock necessary now?—Yes. The Committee, to a great extent, maintain a supervision over the loans given out. As far as it is in their power to see that the people who borrow will use the money for the purpose that it is borrowed for.

27698. Yes, you can see the cattle there that they bought?—Yes.

27699. And I suppose that the increase of nature by-and-by will fill up the gap as required?—It is to be hoped so.

27700. Do they buy bulls?—No, nothing but cattle or pigs.

27701. Most Rev. Dr. O'Donnell.—Your limit is really an industrial one?—That is right, my lord.

27702. Mr. Sutherland.—And if you thought it necessary you would assist a man to buy a horse as well?—Yes; but they go in for horned cattle.

27703. Is there a want of horses in this neighbourhood now, do you think?—Well, I would not say that there is. I would say that there is a want of horned cattle more.

27704. And is there much tilling amongst the small farmers?—A fair share.

27705. And the greater part of it is spade work?—Well, the majority of it is spade work.

27706. Would not there be far less of manual labour, spade labour, if ploughs were introduced?—Yes; but the holdings and fields are so very small that they cannot generally plough in those small farms.

27707. Is that the principal reason, or is it because the keep of a horse is too great?—Well, it is the principal reason.

27708. That the fields are small?—Yes.

27709. Most Rev. Dr. O'Donnell.—Up towards the mountains?—Yes, up towards the mountains and along the sea-shore.

27710. Mr. Sutherland.—Is there any reclaiming of land going on now?—Well, the people in the winter time do a fair share of draining and sub-soiling according as the fields require it. They are very industrious that way.

27711. But, then, would you turn your attention to financing people for horses and housing cattle?—Well, that would be quite possible. If we saw a deserving case of a man requiring a horse, and having a place to house it, we could advance him the price of a horse.

27712. Are you limited in any way as to the purchase of stock by your regulations?—We are. We would generally give nothing more than £10.

27713. A limit of your own?—Not ours. It is our legal rules.

27714. But there is nothing to prevent you going into a wider field of operations outside?—No; if we could afford to pledge our credit.

27715. Or to go into fruit-growing or anything of that kind?—Yes. Nothing only the certainty, I think, that fruit-growing would be a failure to a great extent among us.

27716. I am not talking so much of commercial fruit-growing as for their own purposes?—Well, there are a good many small farmers about the place that have an apple tree or two in their gardens, but not generally speaking.

27717. Sir Francis Mowatt.—But they are not very common?—There is one in Lisdun and another in Lissadell direction. As I was saying, Lissadell West is even more congested still, and the tenants' principal means of sustenance is by fishing. They suffer very much from want of harbour accommodation. I may state that the Congested Districts Board is building a landing slip off Knocklane, which is situated in this division, and they are assisted by a grant from the Sligo County Council. I visited the place a short time ago, accompanied by Mr. M'Hugh, M.P. We met all the fishermen there, and they were all unanimous that the slip would be perfectly useless to them owing to the place the engineers selected for its erection. In fact they put it in the wrong place.

27718. The engineer was the engineer of the Congested Districts Board?—Quite so. The site would not be selected where the tenants wanted it. There is a similar pier at Raughly.

27719. Mr. O'Kelly.—Did the County Council contribute money to the erection of this pier?—Yes, £100.

27720. Were you present when the site was selected?—No. I was not made aware of it, nor was any local man.

27721. Was the county surveyor of this part of the county consulted by the engineer of the Congested Districts Board?—I would not say he was. No, he was not.

27722. Were you made aware that the engineer would attend to select the site?—No.

27723. You were altogether adrift?—Yes, in regard to it.

27724. When the site was selected was your County Council apprised of the fact?—No.

27725. Do I understand you to say that you walked over there before you got any notification whatever?—Yes, and there was a good deal of it done.

27726. Did you make any remonstrance?—No.

27727. Did the County Council object?—Well, it was idle to object then. It was half built.

27728. Sir John Colomb.—When did you first hear of the work being put in hand?—Well, it would be about two months ago—between two and three months ago.

27729. In the current year?—Yes, this year.

27730. Mr. O'Kelly.—What did the whole thing cost?—About £500.

27731. And the County Council contributed how much?—£100.

27732. Sir John Colomb.—But it had been arranged through the County Council and the Congested Districts Board?—Yes.

27733. Do you recollect what passed between these two bodies; were the details settled as to what the nature of the work was to be and where it was to be?—It was. There went a resolution which I proposed from the Sligo County Council, because the fishermen there were badly off and in want of a pier, and it was going on for some time, and then the Congested Districts Board wrote to say that if the County Council subsidised or gave £100 towards the erection of the pier they would spend £300 or £400, certainly about £400, and that is all we heard about it. An engineer came down from the Congested Districts Board and visited the place, and marked out the site and went on with the work, and that is the only intimation we got of it till the work was going on a good while, and one day I happened to hear a complaint that the people were badly off there and that we could give them employment at the building of this pier, and I met Mr. M'Hugh in Sligo a few days afterwards and I stated to him that the people were badly treated there by the engineer of the Congested Districts Board in not giving them any employment, and that it would be well that we visited the place, and we did, and we met all the fishermen there, and they all said that the pier was perfectly useless to them as a landing-place in stormy weather.

27734. Mr. O'Kelly.—Who maintains the pier?—It is not quite finished yet.

27735. Who will maintain it—the County Council?—I expect it will be the county.

27736. Sir John Colomb.—This was an arrangement between the two bodies. The County Council was to give a grant of a certain amount and the Congested Districts Board was to give two or three times that amount?—Quite so.

27737. And then it becomes an engineering and practical question. And you have got a county surveyor?—Yes. We had one then.

27738. Surely you have got a salaried official expert as the engineer or county surveyor of the County Council?—Yes.

27739. Do I understand you to imply that the County Council came to terms without instructing their engineer to consult and see the engineer of the other contracting party, the Congested Districts Board?—

I do not think the engineer of the Congested Districts Board ever consulted or notified to the county surveyor or the County Council that he was going down there to see it.

27740. But my point is that the County Council, before entering into business terms to contribute towards the making of this work, and therefore to undertake to maintain it for all time, ought to have instructed their official engineer expert to look into the details of this matter and to arrange what the nature of the work was to be. Did they do that?—No; I do not think they did.

27741. Mr. SUTHERLAND.—Did they submit plans to you?—No, they did not.

27742. Sir JOHN COLOMB.—Then they bought a pig in a poke?—It is just the same.

27743. Mr. O'KELLY.—When you speak of this as involving your county surveyor in responsibility for having proposed the pier, the moment you consented to give a contribution for the erection of this pier for which the Congested Districts Board were giving one sum and you giving another it followed that the plans of the proposed pier should be sent to the County Council, and the County Council would then submit them to their expert adviser, the county surveyor?—As far as I know I do not think any plans of the sort ever came to the county surveyor or the County Council.

27744. The Secretary of the County Council?—They never come to my office.

27745. Mr. SUTHERLAND.—Are you the Secretary of the County Council?—Yes.

27746. Mr. O'KELLY.—Well, the County Council did not regard it as necessary to give any specific instructions to their surveyor stating that the Congested Districts Board would send down their plans to your Secretary, who would thereupon submit them to your county surveyor, and they did not do so?—Quite so.

27747. Most Rev. Dr. O'DONNELL.—When the Congested Districts Board provided a subsidy of three or four hundred pounds, did it name where the marine work was to be constructed?—No, my lord, but we named the spot for them at a place called Knocklane, but the particular spot this landing-place was built in we were never apprised of. They sent their engineers, they selected the site, and if they had gone fifty or sixty yards further, to a well-sheltered place, the pier would be more useful to the fishermen. So the fishermen tell me.

27748. There had been no opposition to the construction of a pier at Raughly?—No. There is a pier at Raughly which I will deal with later on.

27749. But about Knocklane, when the Board proposed to expend this money, did the County Council take any action to ascertain the exact site of the proposed marine work?—Well, they did not. No; the only course the County Council took when they got the offer of the Congested Districts Board was to leave the whole thing in the hands of the Congested Districts Board themselves, But of course I need not tell you, my lord, that if I or any other representative of the local body were made aware of the fact that the Congested Districts Board were sending down a man there they would be very glad to go and accompany him and to see that the pier would be put in the place where the fishermen needed it.

27750. Would you say, generally, that any body like the Congested Districts Board, in selecting a site for a marine work along the coast should ascertain the views of the local bodies?—I would, my lord, undoubtedly.

27751. And especially of the fishermen?—Undoubtedly. Those are the men that require it most, and know the need most.

27752. And are you aware that Rev. Mr. Green and some of the officials of the Congested Districts Board have more than once gone over that coast making an inspection?—I believe so.

27753. Do you think that in the course of this inspection they would not hear the fishermen?—Yes; the fishermen said that Mr. Green was there, and that the fishermen were very much there the day this man made the selection of the site, and that he would not listen to their demands where they wanted the slip to be.

27754. Shall we have any of the fishermen forward?—I would not be at all surprised if we had some of them from Magherow here.

27755. You would not expect a public body to construct any marine work on the coast without finding out with all care the views of those principally interested?—No.

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27755. But when they had taken all these views into consideration, would you not expect a public body like the Congested Districts Board to put upon their marine engineer the responsibility for selecting the exact site?—Certainly I would, but then I think that the people living along the sea coast know the requirement, and know it better than an engineer going down there from Dublin or anywhere else, and should be consulted, and that the engineer should meet them half way.

27757. Have you any means of knowing what the opinion of your county surveyor would be on this work?—No; we have not, because the county surveyor we had then is retired, and he is living in Dublin at present, and knows nothing at all about the business.

27758. Mr. SUTHERLAND.—Would a county surveyor necessarily be an authority on a pier?—I do not think he would. I would take a fisherman more as an authority than a surveyor.

27759. But on the engineering work?—No.

27760. A fisherman would look at it from a fisherman's point of view?—Yes.

27761. But what the engineer had to do was to carry out the work?—Quite so.

27762. Most Rev. Dr. O'DONNELL.—Might it turn out that if the expenditure contemplated had to remain under £500 this Knocklane work might be the best that could be constructed there?—Yes, if they put this landing slip where the boatmen wanted it.

27763. Mr. SUTHERLAND.—It would be more expensive?—It would be very beneficial.

27764. But would it be more expensive?—No; in fact, it would not be as expensive.

27765. Most Rev. Dr. O'DONNELL.—How far away is the site the fishermen desire from the one selected?—I should say about thirty or forty yards; and if you only saw the sea coast it makes a wonderful difference.

27766. I am glad you mentioned that. If it were merely a question of thirty or forty yards, is not it obvious that the engineer who selected it would be guided by his judgment as to the best site?—I should say he would; but, unfortunately, against the determination of the fishermen he would not be guided, so they tell me. If he put the landing slip thirty or forty yards further into a well-sheltered part they could land in the stormiest weather.

27767. Sir JOHN COLOMB.—I understood you to say that at the time of the consideration of the making of this pier it was thought that it would give a good deal of employment in the neighbourhood?—Yes.

27768. And then the work commenced, and there was not given the employment that was expected?—No; and in fair play, I will say that they could not expect it. It is not a stone work at all. It is a regular slip of concrete, and they could not get the amount of employment that the people expected that they would get, because they must allow it to set for a certain time as it was going on; but the only grievance that I have, and that I want to make plain to you, is that the pier is not as useful to the fishermen as it would be if it was in the site that the fishermen wanted it.

27769. Had any part of the work been begun a considerable time before you heard of the dissatisfaction?—It had.

27770. And, seeing that, they actually commenced it at a point that is now objected to, there was no dissatisfaction expressed at the time—at all events, it had not reached you?—No, it had not.

27771. And after a time the work went on, and there was dissatisfaction that there was not much employment?—Exactly.

27772. And then began the trouble?—Yes.

27773. Mr. O'KELLY.—Where did the people bring in their boats before this was erected?—In the same place.

27774. As the erection of the present pier?—Well, it is in the same place along the seashore that the slip is at present. It has a big cliff overhanging, and it is well sheltered, and there were also big stones that they had to clear away.

27775. And the present pier is erected in the place where the fishermen were accustomed in the past to bring in their boats?—Yes, but not in the exact same spot.

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27776. Mr. SUTHERLAND.—You are a man of intelligence, and you have given attention to this, and you have seen the pier?—I have.

27777. What is it that is wrong with it?—It is not long enough, from the situation of it at present, to be of any use to them.

27778. If it were on the other site and at the same length, would it?—If it were in the other place at the same length it would be all right for them.

27779. Sir JOHN COLOMB.—Have you seen it in different weather and a different sea breaking?—No; I only take the fishermen's word.

27780. Mr. SUTHERLAND.—Is there a different depth of water where it is?—When the tide is in, of course.

27781. Which is the deeper place?—It would not make much difference.

27782. They are both left dry at low water?—Yes.

27783. Mr. O'KELLY.—How far is it from this?—About seven miles.

27784. Sir FRANCIS MOWATT.—Go on to the next point?—The fishermen have very poor accommodation in the way of boats and nets, and several applications have been made to the Congested Districts Board to erect a fish-curing station at Raughly.

27786. Sir JOHN COLOMB.—Mullaghmore, I think, is twenty or thirty miles north-west?—Quite so. There is another pier at Raughly which is useless also, as it does not extend far enough out into the sea, and it gets filled up yearly by sand, and has to be cleaned at the expense of the County Council. This pier was built at the expense of the county by the Grand Jury. The fishermen have very poor accommodation in the way of boats and nets, and several applications have been made to the Congested Districts Board to erect a fish-curing station here, as the inhabitants are sometimes hampered for a market to dispose of their fish. In stormy weather the fishermen cannot venture out for want of proper landing stages. The roads in this division also are in a wretched condition, and many demands have been made upon the Congested Districts Board to aid the District Council in improving them. I may tell you that this particular place is the most neglected place probably in Ireland in the way of road accommodation.

27787. Most Rev. Dr. O'DONNELL.—There has been a statement made with regard to the Congested Districts Board not aiding in improving roads. They do not give a grant except for new roads?—Well, my lord, that is a great pity. The landlord, Sir Josslyn Gore-Booth, offered a grant of £30 towards the repair of one particular road at Cloonagh, which I would respectfully ask some member of the Commission to visit. If it could be done at all, I would say that a grant should be made towards repairing that bad road. It passes through one of the most congested districts in Ireland, Cloonagh, in the Lissadell West electoral division.

27788. Sir JOHN COLOMB.—These roads are under the control of the County Council?—No, sir, they are not.

27789. They are not public roads?—They are public roads, but there is no presentment for them.

27790. By whom were they originally made?—They were originally made in the year 1847.

27791. And have never been taken over by the county?—They have never been taken over by the county. They were made chiefly for the purpose of giving employment to these poor people to help them to live.

27792. And the county never maintained them or gave anything to keep them up?—No.

27793. Had that matter been discussed and considered by the County Council—the people are paying rates there, I suppose?—Yes.

27794. And are the County Council not getting any repairs done to these roads and places they are paying rates for?—No; they have too many roads in the district.

27795. In that particular district?—Well, what I mean by too many roads is this—that the Rural District Council only take up roads handed over to them by the Grand Jury, and these roads have never been handed over to them. They were only simply made for the purpose of giving the people employment, and they have never been put into repair.

27796. Do you mean that nobody has repaired them since the Famine?—Except the people themselves who throw a heap of stones here or there for their own accommodation to fill up the road.

27797. If they were not given over I do not think there could be anything done with them?—But I think, if it were possible, there ought to be a point stretched in their favour.

27798. If the county surveyor stated that the works were of utility?—They are of great public utility.

27799. Then the county could do something?—But the county does not like to have too much taxation.

27800. Is one of those roads a road leading to the pier that the County Council has agreed to give £100 to?—The road leading to the pier is a county road, but this is a road leading to the most congested village over there, and it is a road that I think nothing has been done upon since it was made, except the people themselves, I suppose, throw an odd heap of stones to fill up the road. Sir Josslyn Gore-Booth has offered a grant of £30 towards it.

27801. Most Rev. Dr. O'DONNELL.—Is there a road proposed to the Knocklane Pier?—Yes; that is the other portion of the estate that the Congested Districts Board have bought, and they are making a road to that.

27802. What estate is that?—The Gethins estate, at Knocklane. I have also to complain of the constitution of the Congested Districts Board, as we in County Sligo are denied having a representative on the Board, unlike the counties of Galway, Mayo, and Donegal, and that is the reason, to a great extent, why Sligo is neglected. There is plenty of waste land on the Gore-Booth property to relieve the congestion in those districts.

27803. Sir FRANCIS MOWATT.—Suitable waste land?—Yes; untenanted land.

27804. Sir JOHN COLOMB.—You say untenanted land and waste land. Now is it fallow altogether?—No; grazing land.

27805. Mr. O'KELLY.—Who is the man from Galway?—I do not know.

27806. There is no man from Galway?—I think it is fairly right with you over there.

27807. I do not live in Galway and I do not belong to the Board?—Representations have been made on several occasions to have Dr. Clancy appointed, and it appears there was no vacancy for him. As I was saying, there is plenty of waste land on the Gore-Booth property to relieve the congestion; and I would suggest that in order that the congestion should be properly and permanently relieved that the entire province of Connaught should be scheduled as congested, and that families might be migrated from different districts as a committee conversant with their needs would consider necessary or desirable. I would also like to draw the attention of the Commission to the condition of Lissadell West electoral division. The holdings there are very uneconomic, and this, combined with the want of road facilities and the long distances they have to travel for turbary, renders their condition very poor; and practically throughout the whole year they are in want. I would respectfully suggest that their holdings be enlarged, and that roads be constructed in the district. This would mitigate their poverty to a great extent, and would create prosperity in the district.

27808. Sir FRANCIS MOWATT.—If some of the tenants could be got to migrate you could use the holdings thus vacated for enlarging?—Quite so.

27809. Most Rev. Dr. O'DONNELL.—Have improvement works begun on that estate?—No; it is only last week they were beginning to strip that up.

27810. It is not so long since the estate was vested?—No, not long.

27811. There was delay in the vesting, and it was looked upon with considerable dissatisfaction?—Yes.

27812. The people thought the work should long ago have begun?—Yes, my lord.

27813. Mr. SUTHERLAND.—What is the nature of the operations they are carrying on there now?—It was a big grazing farm taken in there to put people on, and it was used as a grazing farm for years and years; and I believe that since the Congested Districts Board began to work they are striping it up into divisions—that is, all that is habitable of it.

27814. Is it sandy?—It is sandy.

27815 And it is not to be broken up for tillage?—I expect the half of it can be broken up for tillage.

27816. And what the people are getting is what was previously grazing land?—Yes.

27817. Will there be any new holdings at all?—Well, I see no indications of it yet; but there are people from the district who will give you more information.

27818. You expressed your wish that Sligo should get its fair share?—Yes.

27819. What do you mean by fair share?—A fair share of the money of the Congested Districts Board—that nothing has been done by the Congested Districts Board in Sligo.

27820-1. Do you mean that the public money with which the Congested Districts Board has to deal should be allotted to counties in certain proportions, without reference to the pressure of distress and poverty existing in those counties?—And reserving a lot for very congested areas. The area is bound to be in poverty, otherwise it would not be scheduled.

27822. Mr. O'Kelly.—Have you any individual experience of the working of the Congested Districts Board?—That is the only experience I have.

27823. Or of the Estates Commissioners?—No. The Estates Commissioners are not working in our district yet. The sale of this property, the Gore-Booth property, has not been sanctioned yet.

27824. Then you have not sufficient knowledge to enable you to come to a judgment as to the relative merits of both bodies, one compared with the other?—No; I am not able to give an opinion.

Rev. Michael Kelly examined.

27825. Chairman.—You are nominated by the Bishop of Elphin to give evidence?—Yes.

27826. You are Parish Priest of Grange?—Curate of Grange.

27827. What particular points do you wish to bring before the Commission?—Migration, and the fishing industry, the kelp industry, and the lace industry.

27828. We will deal with the points in the order that you prefer?—Yes.

27829. Begin with which you like?—Migration.

27830. Yes?—Well, there is very much congestion in this district. The average valuation is very low. In some places it is only 5*s*., and by means of migration a large number of people must be transferred from the locality and the holdings divided among those that will remain, and I am very glad to be in a position to state that nearly twenty people have agreed to give up their holdings and to go to other places. I have just put the question before them and they tell me that they are anxious to give up the holdings that they have.

27831. Are those young men or married men?—They were landholders, responsible to the landlord.

27832. But did you find that they were a particular class of men or people representative of all classes?—They are farmers, farmers in the locality.

27833. They were not all young men?—No. There were young men in the family. It was the head of the family I consulted in the matter.

27834. They were not exceptionally young men?—With regard to the young men of the family, I went to two young men and they agreed to go.

27835. Most Rev. Dr. O'Donnell.—They were heads of families?—Yes. In Mullaghmore there is a very unpleasant state of things. There are about sixty families there, and except some of them are migrated, and except the fishing industry is improved, I do not know how to deal with them. I think that perhaps the fishing industry might be improved. In the Magherow district I think there are nearly forty families that live by fishing alone, and the average valuation per family there for the whole district does not reach £5, and that includes the valuation of the grass lands that were bought up and divided by the Congested Districts Board on the Gethin Estate, and notwithstanding that fact it does not reach £5.

27836. Chairman.—What place is it?—Magherow district. It is included in Lissadell West Electoral Division.

27837. Most Rev. Dr. O'Donnell.—Explain to the Chairman that an estate has been bought there?—Yes. I forget the name of the landlord. Yes, Gethin is the name. On the estate there was a large grazing farm, and with the valuation of that included it does not bring the valuation up to £5, and I think that under such circumstances migration must take place, and some of the tenants must be transferred to give them what is known as an economic holding. Further, there is extreme poverty in the district. I know cases on the Colville-Jones estate where twelve years' arrears are owed by the tenants, and in Inishmurray Island I think there are fifteen years' arrears owed. And as a proof of the poverty of the district, the credit system is very largely in use. It is common enough for farmers to go to auctions to buy cattle at an auction and to pay the auctioneer's fees and to pay interest on the money, and then to keep the horse or cow they buy on six months' credit and try to pay up at the end of the six months, and I believe that a good deal of the stock is owned in that way.

27838. Sir Francis Mowatt.—They buy a cow and pay the auctioneer's fees and they do not pay for the cow?—They get it on what is known as six months' credit.

27839. And they try to pay at the end of the six months?—Yes, if possible, and anyone passing along the road between Grange and Ballyshannon cannot fail to be struck with the number of notices they see that "Debtors will be prosecuted if they do not pay up."

27840. Mr. O'Kelly.—Is that generally printed?—It is to be seen on the sea coast between here and Ballyshannon.

27841. Chairman.—Does the auctioneer put up these notices?—He advances the money to the man who holds the auction, and he gets interest from the person who buys the cow or horse, and at the end of the six months the man has to pay up.

27842. Sir Francis Mowatt.—The farmer who sells the cow gets paid?—Yes.

27843. The auctioneer pays him?—Yes.

27844. Mr. Kavanagh.—How does the profit go to the purchaser?—Merely that he gets the use of the horse or cow.

27845. On which he pays interest?—Yes.

27846. And the auctioneer's fees?—Yes. He thinks it better to do that than have a farm without any beast at all on it.

27847. Sir John Colomb.—Give us an illustration of the purchase of a cow by a farmer in that way?—Suppose a person bought a cow at £10 he would pay, at 5 per cent., the auctioneer's fees, and I suppose 7 or 8 per cent. interest on the price of the beast. I think he has to pay interest in addition to the auctioneer's fees. And then he is lent a beast for six months and at the end of the six months he has to pay up; but the auctioneer advances the money to the seller then and there at the auction.

27848. At the end of the six months is there any seizure in default, or does it happen that at the end of the six months these people are all fully paid?—I suppose they manage to pay or to get credit for an additional time at all events. It is very seldom that we hear of seizures.

27849. But really such a gamble is a ruinous thing?—It is. I do not believe the people can really pay it and it must keep them in perpetual poverty.

27850. Chairman.—Where does the money come from—from their friends?—A great deal of it from their friends in America, England and Scotland.

27851. Most Rev. Dr. O'Donnell.—And from the proceeds of the stock sold at country fairs?—Yes.

27852. Is that here?—On towards the mountains and towards Cliffoney. Such sales are very common there. With regard to migration, I think there are some farms in the district that could be used for migrating people to. There are three farms belonging to Mr. Ashley at Cliffoney. They are used by the people as grazing for their cows, and then there is a Mr. Jones who owns an estate in the neighbourhood. He offered to sell to the Congested Districts Board some time ago. I think he has twenty-one tenants on the estate, and he offered to sell his estate, which is valued, I think, at £1,753. He has not said anything about it for the last two years; but if the Board offered to take up the estate I think he could be induced to sell, and it would be a good means of bringing holdings up to an economic standard. His valuation of the house and demesne is £175. I do not know the number of acres on the farm.

27853. Sir John Colomb.—At present is it used by the small holders in the locality who could not otherwise keep their stock?—What happens is this. He

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keeps a large portion for meadow land and sells the meadow, and gets grazing on the rest of it.

27854. And that grazing is taken by the small holders who want it for their cattle, and if you deprived them of that by dividing it up into farms what would happen to the small holders who would thus be deprived of the grazing?—They could increase their farms by getting a portion of it. There is another matter that would relieve congestion in the district. There is a large strand there that is covered by flood tide and a stream flows through it, and I think if the Congested Districts Board sunk the bed of the river, the shore part of that land would be reclaimed. The stream discharges down through the flooded area and turns out in a northerly direction.

27855. Mr. SUTHERLAND.—That is similar to the case referred to by Mr. Brennan in the Cliffoney district?—Yes.

27856. Most Rev. Dr. O'DONNELL.—Are there any fishing rights?—No. There is no fishing in that district at all.

27857. Mr. SUTHERLAND.—Is there other land injured?—100 acres of strand is lost and some meadow land is injured by the overflow of the river.

27858. And is it submerged frequently?—The tide comes in regularly.

27859. Sir JOHN COLOMB.—Is it on the Ashley Estate?—On Mr. Jones's Estate, and on an estate lately sold by Mr. Barry at Runroe.

27860. Mr. SUTHERLAND.—It could be reclaimed entirely?—I think so.

27861. Most Rev. Dr. O'DONNELL.—Recovered from the sea?—I think it could be recovered from the sea. Then, I think also that the Congested Districts Board could do a good deal in the locality to improve the holdings of tenants even though they could not make them economic. There was an estate sold there some time ago, Mr. Barry's estate. I think there were about thirty-one tenants on it, and only half of them are residential and the other half non-residential. The sale was sanctioned by the Estates Commissioners. I think the price that was paid was about 23½ years' purchase on second term rents; and some of those holdings are in patches here and there and some are held in rundale, and the houses are all in a cluster, and certainly something ought to be done to improve the holdings or to benefit the position of the tenants, and it is astonishing that the Congested Districts Board did not do it.

27862. CHAIRMAN.—They did not get possession of the estate?—As a matter of fact they did not, because the estate was sold and the tenants are as they were before the sale, and I suppose the tenants and their successors will be consigned to that position for ever.

27863. Most Rev. Dr. O'DONNELL.—I think it was the Estates Commissioners bought the estate there?—The bargain was concluded between the tenants and the landlord, and I think he managed to get the sale through in that way, and then the Estates Commissioners were called in to sanction the sale.

27864. They did not buy it themselves?—I think not. A gentleman came down to see what was the purchase money and if estate was security for money to be advanced.

27865. At all events that has passed to the tenants unimproved?—Yes; some of the land is in rundale. They have it in little strips, without any place at all, and then there is a good deal of trouble with respect to disputes and differences and they are in the courts nearly every court day.

27866. Sir JOHN COLOMB.—Do you think now under the circumstances of that estate and the tenants being subject to annuities, owners as well as occupiers, that it would be practically possible to re-arrange that now after a bargain has actually been made?—Well, I think it would be possible.

27867. Mr. O'KELLY.—When was the estate purchased?—About two years ago.

27868. Was it represented to the Estates Commissioners that it was an estate that ought to be improved?—Well, I was never consulted.

27869. Who was it that negotiated the sale and purchase?—I think it was a solicitor in Ballyshannon.

27870. Has any attempt been made recently to invoke the assistance of the Estates Commissioners with a view to having the land improved?—I think not.

27871. Of course, you are aware that the Estates Commissioners can act as a Congested Districts Board on a property where the problem of congestion has to be faced?—Well, I would not get that impression from the way they acted on this estate.

27872. Has any negotiation taken place between those who were advising the tenants and the Commissioners?—I think not.

27873. Mr. SUTHERLAND.—In what way do you suggest that it could be remedied?—I think the holding could be striped.

27874. Striped?—Yes, and the houses could be removed. It is very unsanitary to have all the houses together in a cluster.

Mr. O'KELLY.—In a case of that kind the Congested Districts Board could step in and carry out the work. I have a case in my mind where the Congested Districts Board stepped in, with the greatest possible advantages to all parties, after the tenants had come to an arrangement with the landlord.

27876. Mr. SUTHERLAND.—You were not aware before of the fact which Mr. Conor O'Kelly has pointed out—that the Congested Districts Board could intervene even now?—I was not aware.

Mr. O'KELLY.—I did not say now.

27877. Most Rev. Dr. O'DONNELL.—Have the vesting orders been made out or completed?—I think so.

27877A. If so, then there would have to be a readjustment of everything, and the vesting orders would have to be made out anew, of course.

CHAIRMAN.—By voluntary agreement?

27878. Most Rev. Dr. O'DONNELL.—Only on the agreement of everybody?—Some of them would be satisfied, I believe, but some would not be satisfied.

Mr. O'KELLY.—I think it was by consent that the Congested Districts Board stepped in in the case I have in my mind—of the Roche property.

Most Rev. Dr. O'DONNELL.—I suppose the vesting orders had not been made.

27879. CHAIRMAN.—Will you go to the next point?—The next point is kelp. In the last report of the Congested Districts Board they have not made any reference at all to the amount of kelp produced on the Sligo coast, though they refer to Donegal and Mayo; and there are about 400 or 500 tons of kelp shipped each year at Mullaghmore. It is manufactured from two kinds of seaweed—drift weed and cut weed. The cut weed was chiefly used for the manufacture of carbonate of soda. It, carbonate of soda, is now produced from some other material, and the drift weed is principally used for the manufacture of iodine. Well, I wrote to the agent of the company which buys the kelp here, and I asked him what could be done for the industry; and his reply was that a good deal could be done for it, and that the price could be increased by twenty-five per cent., provided that they used the proper weed in the manufacture of the kelp; and, secondly, that they should not flux the kelp too much, and also that they should keep it clean—it was to be free of sand and stones. And a question was raised to-day about the burning of kelp. As the kelp is burnt here, it is done too quickly, and the heat is too intense, and nearly half the iodine volatilizes and escapes; and I think the Board should teach the people how to burn it profitably.

27880. In what way would you get the Board to act?—By appointing an inspector.

27881. How could you carry that out with regard to the poor men along the coast?—I think the Board should appoint an inspector, and that he should be in a position to see that the proper material was used and properly burned.

27882. Most Rev. Dr. O'DONNELL.—Does that mean that the process of making kelp should be improved?—Of course the iodine could not be extracted conveniently along the coast, but I think it would help the industry very much if an inspector or overseer were appointed.

27883. Sir JOHN COLOMB.—Do you think that they should appoint an inspector with powers to keep the people from burning the kelp wrongly?—I think he should have power to see that it was done rightly.

27884. And in what way would he enforce it?—He should be appointed by the Board.

27885. How is he to exercise his power on behalf of the Board?—He would get authority from Parliament.

27886. By legislation?—Yes.

27887. Most Rev. Dr. O'DONNELL.—This inspector would be able to see the operation, and to say such-and-such a man made his kelp well, and that would help the industry?—Yes.

27888. Mr. SUTHERLAND.—Would regulations—printed instructions—be useful?—I am afraid that it would not be easy to get the people out of their old methods that way, and that they would stick to their old methods.

27889. Mr. KAVANAGH.—Mr. Brennan told us that you get higher prices here for kelp than in Donegal?—Yes.

27890. And that would show that it was made better?—That does not show that it is made in the best way in either place.

27891. Mr. SUTHERLAND.—Are you of opinion that the manufacture of kelp could be largely increased here?—Yes, I think so. This gentleman, the agent, says the supply is going down, and is not nearly as large as it was in former years—the supply of kelp I mean that they send away to Scotland.

27892. The iodine is the principal product?—Yes; but it appears that there is a new manner of extracting iodine.

27893. Sir FRANCIS MOWATT.—Did the representative of this company hold out a prospect of a greater demand if good kelp could be supplied?—Yes; and he held out a prospect that the price would be increased by 25 per cent. He stated, also, that they were not using the proper weed to burn kelp. I suppose they were using the cut weed, which is not of any use for iodine at all. The weed they should use is the drift weed—that is, the weed washed in by the tide; and when the tide is out they go and cut the cut weed on the rocks.

27894. Mr. SUTHERLAND.—That is not the best?—No; that is of no use for iodine at all. The drift weed is the proper weed for iodine, not the other.

27895. That is not my experience?—Well, that is what I say; and I asked a gentleman here, and he said the same thing to me just now.

27896. CHAIRMAN.—Now about the lace-making?—Lace-making was started in this district ten years ago, about 1896; and it was on a very small scale at first, and it flourished very much in the district, and there was a great school here under the Congested Districts Board in 1902, and their supplies of lace were given to the Irish Lace Depôt, of Grafton-street. And then there was a company known as the Hibernian Lace Company, in O'Connell-street, and they used to get £300 or £400 worth from the school, and the teacher got orders from the Congested Districts Board's Inspector not to supply any more lace to this company; and the lady that was in charge of the school here transferred her services, and became an agent in the employment of the Hibernian Lace Company; there was no agent sent by the Board. The school continued for twelve months, and the prices paid by the girl who represented the Hibernian Lace Company for lace and her own personality attracted nearly all the girls away, and the Board stopped the school. Now I would suggest that the Board should re-establish the school, and for the following reasons. The people of Grange have taken a great interest in this lace industry. To show the amount of money that was paid, I take the year 1906, when it amounted to £3,261. We have returns of the sales to the Hibernian Lace Company.

27897. Most Rev. Dr. O'DONNELL.—That is last year?—Yes. I would not say that all that was in Grange, because there were agencies in Kinlough, and also in Cliffoney; but I think it would not be exaggerating to say that £2,000 was paid in the district of Grange itself. There are large numbers of girls from this district engaged in Dublin as well as throughout Ireland teaching lace-making. I should like to draw attention to another point, that not only should the lace industry be taught now, but that drawing and designing should be taught, as the girls cannot qualify to become teachers under the Department without that; and I think it would be a great advantage for the people, especially as they have taken such an interest in the industry, and that they might be able to fall in with new designs in lace production.

27898. CHAIRMAN.—Do not new girls go into the industry now which is being carried on under the auspices of the Hibernian Company?—Lace-making is at present prospering in the homes of the people, but they cannot qualify to become teachers. There is a vacancy for a teacher at Rosse's Point, and there are about eight or nine girls from this locality looking for the appointment, and they are disqualified because they have not a certificate; and I would ask the Board to re-establish the school here, and to send a teacher in drawing and designing to enable girls to qualify for appointments as teachers.

27899. Sir JOHN COLOMB.—Was any representation made by you or anybody else at the time of the withdrawal of this school, stating any reasons on the subject?—Well, with regard to that matter, I was here at the time, but I was not questioned on it; and the management of the whole business was between Mr. Walker, the Inspector of the Board, and the parish priest, and I did not interfere directly or indirectly.

27900. Most Rev. Dr. O'DONNELL.—And the parish priest has since died?—Yes.

27901. And would you take it that the school here was a very great success?—On the admission of Mr. Walker, it was the finest school of all the schools under the Board.

27902. And how many teachers are employed in Ireland from this district?—About twenty-six.

27903. Was not that a fine opening for girls?—A magnificent opening. They get about £1 a week.

27904. Do you think the girls who took to lace-making in this district so successfully gave up household occupations—did they become less useful in their own houses?—Well, the work of the house was done by the mothers or by younger girls.

27905. Are they less capable of doing household work now because they are good lace-makers?—Well, I believe they are quite capable of doing all the household work they have to do.

27906. Do those good lace-makers emigrate out of the country?—I knew one of the best who emigrated to America.

27907. But, on the whole, do they stick on here?—Yes, they stick on here. That was at the crisis that I speak of, in 1902. The school went down, and the Hibernian Company would not give the prices for the lace when there was no opposition, and many girls at the time emigrated.

27908. And do you think that Mr. Walker's management was very satisfactory in this district?—Well, I am not in a position to judge about it, because, as I have said already, I left the matter between Mr. Walker and the then parish priest.

27909. Has Mr. Walker been asked to send back the teacher?—Not that I am aware of. Of course, I did not ask him.

27910. Have you any apprehension that if he were approached on the subject he would give it full consideration?—Well, I believe he would.

27911. And I suppose you want something more than the teachers back?—I also want teachers in drawing and designing.

27912. So that the best of the girls in this locality may be thoroughly qualified and certificated for appointments as teachers?—Yes, that is so.

27913. You have no apprehension that that will deter Mr. Walker?—No.

27914. CHAIRMAN.—What is that girl doing now—do you know whether she is making lace or not, this girl that you say was such a good lace-maker?—She is in America.

27915. Is she making lace in America or not?—I believe she is not.

27916. She has gone to work there in another way?—Yes.

27917. And that is a loss?—Yes and she would be a most competent teacher if she had a certificate.

27918. Sir JOHN COLOMB.—And at this moment there is a great deal of lace-making going on in the homes of the people?—Yes.

27919. And that adds to the earnings of the homes?—Yes; nearly £2,000 last year.

27920. Last year?—Yes.

27921. Most Rev. Dr. O'DONNELL.—Have you a return for the different years?—I have a return of the sales to the Irish Lace Depôt and the Hibernian Lace Company. In 1900, £535 15*s.*; 1901, £1,102 17*s.* 2*d.*; 1902, £2,801 19*s.* 3*d.*; 1903, £2,994 17*s.* 11*d.*; 1904, £1,691 16*s.* 10*d.*; 1905, £3,460 16*s.* 2*d.*; 1906, £3,261 3*s.* 4*d.* That represents the sales to one company.

27922. Mr. SUTHERLAND.—To what area does that apply?—Between this and Ballyshannon. I suppose two-thirds of it applies to Grange district alone.

27923. Most Rev. Dr. O'DONNELL.—To what area in the Grange district?—About five miles each way here. Then we have the particulars of sales to the Irish Lace Depôt. The sales to the Irish Lace Depôt in March, 1907, were £170 17*s.* 9*d.* In April;

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Rev. Michael Kelly.

1906, the amount was £104 8*s.* 7*d.*; May, £109; June, £161; July, £1,067; September, £113 1*s.* 9*d.*; October, £91 2*s.* 4*d.*; November, £117 3*s.* 2*d.*; December, £94 14*s.* 6*d.*; January, 1907, £126 2*s.* 6*d.*; February, £155 7*s.* 9*d.*; March, £170 17*s.* 9*d.*

27924. Sir JOHN COLOMB.—Can you give the Commission anything approximately in the way of figures to show how many workers there are and the amount of money they receive, and what was the population among which it was distributed?—In this district alone there are about 500 families; and, taking an average, we allow two girls in each house. That would be about 1,000 girls in the district.

27925. Do I understand you to say that approximately all that money was disbursed amongst 500 families?—No; the money disbursed in the Grange district was. Two-thirds of that money was divided between 1,000 families.

27926. And that represents a population, you would say, of 5,000 altogether?—5,000.

27927. 5,000 persons, not 5,000 families?—About 1,000 families.

27928. Most Rev. Dr. O'DONNELL.—I suppose we do not know fully the circumstances under which Mr. Walker decided to withdraw the teacher?—Well, the reason was because the school was deserted; the girls did not come to the school.

27929. From what you state it would appear pretty evident that the girls in the Grange district are a most industrious class of girls?—Yes, very hard-working, very industrious.

27930. And also that if they are industrious they carry their industry to a very considerable stage of perfection?—Yes, quite so.

27931. And that is the basis of your application for having drawing and some other branches taught here?—Yes.

27932. Mr. O'KELLY.—Father Kelly, do you think that if the school were re-established the girls would attend?—They would, on the prospect that I hold out—if a teacher for drawing and design was appointed.

27933. And do you think that the non-appointment of such a teacher in the past accounts for the desertion of the school?—The higher price given by the Hibernian Lace Company and the personality of the teacher then in charge of the school, who had much influence with the girls in the school. She took most of these girls with her when she became agent of the Hibernian Lace Company. All this accounts for the desertion of the school.

27934. Sir JOHN COLOMB.—What was the amount of the grant of the Congested Districts Board for this school?—I think about £100, but I cannot say exactly.

27935. You are convinced that if the school were re-established, the attendance would be satisfactory?—I think it would.

27936. CHAIRMAN.—At the same time we must get the views of Mr. Walker?—The Congested Districts Board professes to have a special care of the smaller fisheries along the coast. I find that it has done very little for the fisheries on the Sligo coast here from Ballyshannon to Sligo. Now, there are two very important fishing stations, Magherow and Mullaghmore. Magherow is in Lissadell West. About ten years ago, in the neighbourhood of Grange, there were sixty boats fishing for herring and there is no trace of that now.

27937. Sir FRANCIS MOWATT.—Where is that?—About ten years ago there were about sixty boats fishing in the neighbourhood of Grange here for herring. At a place called Luchawn there was a landing place; and now the stations are closed, and there is no trace of the fishery now, and if the Board had taken a great interest in it that would not have occurred.

27938. Mr. SUTHERLAND.—But it stopped long before the institution of the Congested Districts Board?—No; it was going on then. On inquiry I find that it was going on ten years ago and there is no fishing now there.

27939. CHAIRMAN.—Did the herrings go away?—I suppose they did.

27940. The Board could not have controlled that?—In Lissadell West there are thirty ordinary fishing boats and thirteen trawlers. Now, these boats, they say themselves, make about £70 or £80 a year, and the trawlers make about £2 a day. The complaint these fishermen make is that the Board ought to supply large decked boats, and if they did that they would be able to go off to the deep sea fishing, and to follow the herring fishing in the different seasons of the year. Then I would suggest, certainly, that the Board should send down large boats and an instructor.

27941. What do you call a "large boat"?—About five tons I suppose, to be able to go to the deep-sea fishing.

27942. Five tons?—Well, of course I do not know much about the fishing.

27943. Most Rev. Dr. O'DONNELL.—Is it deck-boats?—Yes; those are the boats.

27944. Mr. SUTHERLAND.—Yes; boats of about fifty or sixty feet keel?—Yes.

27945. CHAIRMAN.—Will you go on?—I think that if the Board sent down one of those boats and an instructor for these men who take to fishing very earnestly, it would do a great deal of good to the district, and the people are most anxious for it too.

27946. Mr. SUTHERLAND.—If the fishermen earn £2 a day do you not think that they might after some time accummulate capital enough to get better boats than they have?—But they would not know where to get the fish, a great many of them, and I think if an instructor was sent down they would know something in that way, and the Board would do something to support the industry at all events.

27947. But why should not the fishermen do it for themselves?—They do not know where to go. These men are scarcely ever from sight of land. Then, also, they do not at present know how to manage these large boats if they had them.

27948. Sir JOHN COLOMB.—I have repeatedly looked at the chart of this coast, and I was impressed very much with the want of water—the shallowness?—Yes; that is a complaint.

27949. Is not it the case that that fact rather militates against the use of large boats?—Well, the fishermen want that done. They want the entrance of the harbour at Mullaghmore sunk in order to admit those boats.

27950. Then the harbour has not water enough in it for their boats?—Yes, that is a point I intended to mention in my evidence.

27951. Most Rev. Dr. O'DONNELL.—At present there is not a sheltered harbour for deck-boats?—There is one at Mullaghmore, but it is not sunk deep enough.

27952. CHAIRMAN.—Is it dry at low tide?—It is.

27953. Most Rev. Dr. O'DONNELL.—And it is silted up?—Yes.

27954. Sir JOHN COLOMB.—It is a very shallow bay judging from the chart?—Yes. On the island of Inishmurry there are at present thirteen families, and they do very little in the fishing line. They say themselves that they are not equipped with boats big enough to be able to carry on fishing successfully; and they say, furthermore, that they have no landing-place. The Congested Districts Board built a pier or landing-place which cost £146, and the people of the island say that it is perfectly useless to that district; that whenever the wind blows from the east no one at all could land a boat there, so that the money spent on the pier is lost, at all events it should be extended more out to sea, and an "L" turned on it. And they say that they have great trouble when they come in to get their boats out of the sea, and that the Board should also build a slip, and I think the money would be very well expended.

27955. Most Rev. Dr. O'DONNELL.—I gather that if this extension were made the past expenditure would not be quite useless?—Yes, that would be a relief to the poor people on the island.

27956. CHAIRMAN.—Did you say the population of Inishmurry had fallen off?—Yes.

27957. And there are thirteen families now?—Yes.

27958. How many were there a few years ago?—I was looking through the rate-collector's list and I found sixteen families in it. I was speaking to a late teacher on the island, and she told me that in her time there were thirty-five children attending the school, and at present there are only twelve. And five years ago, when I arrived here, there were three skilled crews, where at present you could scarcely get one skilled crew. At present the manhood of the island is going to America, and they have to resort to a very demoralizing practice; they resort to illicit distillation of spirits to maintain a livelihood.

27959. For which the island is peculiarly well suited geographically?—Yes; to escape the police.

27960. Do you know what has happened to the land that has been vacated by the three families that have

gone?—Well, there is a good deal of land on the island that is perfectly useless, barren rock; and with regard to the land indicated, I expect that the people sell it to some other one, or give it to their friends on the island.

27961. It has been merged in the other holdings?—Yes.

27962. Do you know whether the people who have had the addition to their land have done any better since they have got it?—There are only two inhabitants on the island who are in a way at all to make a decent livelihood for themselves. The others are in extreme poverty, and I say no addition of land could help them very much.

27963. The north and west sides of the island are swept by storms?—Yes; it is only on the southern side that they can safely land.

27964. Most Rev. Dr. O'Donnell.—With regard to the school?—That was built by the Board. It was a magnificient school for the money that it cost.

27965. Why did it cost so much?—Because it is very expensive to convey material from the mainland to the island. I suppose you could hardly get a boat to take a cargo of cement at less than £1, and tradesmen have to be brought too, and I suppose the school could not have been constructed for less. All things considered, I do not think the expenditure was so very extraordinary after all.

27966. Mr. Sutherland.—Is there a teacher's residence?—No.

27967. Nor a second room?—No.

27968. Sir John Colomb.—I suppose it is difficult to get a teacher to go across?—Yes.

27969. Chairman.—What parish is Inishmurry in?—It is in the parish of Ahamlish.

27970. There is no resident priest on the island?—No; it would be rather hard on the priest.

27971. Sir John Colomb.—It is rather hard to get there sometimes?—Oh, yes. I have to go there occasionally.

27972. You would be delayed by bad weather?—Yes.

27973. Mr. Sutherland.—You talk of fishing in Inishmurry. Supposing they caught fish, what would they do with them?—I often see them selling dried fish here at Grange.

27974. Dried in the sun?—Really I do not know the exact details, but I often see them selling it at the fair.

27975. Ordinary salted fish, split open?—Yes, I think so.

27976. Sir Francis Mowatt.—In an ordinary day and an ordinary sea, how long would it take a boat to get in from this pier to the mainland?—From this point where we go to the island would be an hour, pulling all the way, and it would take half an hour's sailing to the island if the wind was favourable. It would take an hour or an hour and a quarter to pull. It is four miles.

27977. Is there anything like a road along the island?—There is a road, but it is not kept in very good repair. The houses are all on the south side of the island.

27978. Chairman.—There is one thing I would ask you about. Under the head of "Industries" you say, "Our Franciscan Sisters of Loughglynn, if encouraged"?—They offered to come down here and establish a house here, and promote the industries of the locality if they get any encouragement, I suppose if the Board helped them. They consider that owing to the great population of this locality it would be a very useful thing, and that they could do a good deal for the people as they have done for the people in Loughglynn.

27979. To whom did they make this offer?—To the Bishop, Dr. Clancy, two years ago.

27980. Was it communicated to the Board?—I am not aware of that. He told me about it, and he told me to mention it in my evidence, but I forgot till just now.

27981. Did they get any direct financial aid from the Board?

Most Rev. Dr. O'Donnell.—Rather, my lord, it has been the Department. The Bishop, Dr. Clancy, has made an arrangement with the Department of Agriculture, and what the details are I do not know.

27982. Chairman.—There is nothing else that you want to say?—I do not think there is anything else except to speak of Parish Committees and Banks, and these have been discussed already. This is an account of the Barry Estate.

Mr. Henry L'Estrange examined.

27983. Chairman.—You, I think, appear to give evidence at the request of the Landlords' Convention?—Yes.

27984. You have, I think the management of a considerable amount of property about here?—I have, not immediately round this neighbourhood, but in the County Sligo generally.

27985. Is that Markree?—Yes, that is my principal agency. The evidence I wish to give on behalf of the landlords is to prove that they have, generally, in the County Sligo, expended very considerable sums of money in improving their properties.

27986. Are you speaking now since the Act of 1881?—Yes. Prior to it and since, principally prior to it.

27987. Do you mean that in the County Sligo money has been spent on the improvement of estates since the Act of 1881?—Yes, most distinctly. And also other principal evidence that I can give is evidence to show that rents although small have been well paid in this county.

27988. What sort of improvements have been effected during the last twenty years?—During the last twenty years, repairing of roads, reclaiming bog, draining bogs, planting timber, building of cottages, labourers' cottages, and such like, and loans to tenants for the purpose of improving their lands and houses.

27989. By the landlords?—By the landlords of this county. I think, however, my principal evidence is with regard to the Markree estate, which is the principal estate that I manage; and I know, of my own knowledge, that smaller landlords, with less incomes than the landlords of Markree have also, to a very considerable extent, dealt with their tenantry in the same way on their properties. The figures that I have to show to bear out what I say with regard to the improvements and expenditure of money I took principally from accounts in my office, and they show more than has been actually expended in my experience which is only seven years, that I have been acting as agent, but I took into account the period that my father managed before me.

27990. Sir John Colomb.—Was your father agent before you?—Yes, and my brother—my elder brother. They show more than has been expended during the seven years.

27991. Chairman.—Let us go through your evidence from the beginning. You say, "There is a considerable quantity of land on the properties which I manage in this county which is entirely unsuitable for tillage"?—Yes. By that I mean land—and there is a very considerable quantity of it, and a pretty good area of it—of a rocky nature, where there are rocks; and also low-lying land, too low-lying for drainage purposes.

27992. "Grazing is practically the only use to which these lands could profitably be put." You do not think these lands could be profitably broken up?—No.

27993. The fact of there being rocks would not be in itself sufficient to prevent tillage?—Not to prevent it if they were only loose rocks, but I mean solid rocks.

27994. Sir John Colomb.—Bare rock?—No; limestone, coming shallow up to the surface, within six inches.

27995. Chairman.—You know the Rosses in Donegal?—No.

27996. You see some remarkable tillage efforts among the rocks there?—I see a good deal of that too on the properties that I manage, that they do take crops out of it, but I class that rather under the second head with regard to grass land that can be tilled but not with advantage, not with profit because the labour entailed is so great. On the properties that I manage there is a good deal of rocky land that is tilled, but it is all spade labour and I consider it is not profitable.

27997. Mr. Kavanagh.—Are you speaking of untenanted land?—No; of tenanted land.

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Mr. Henry L'Estrange.

27998. Not of untenanted land?—Well, I mean both, but not altogether of untenanted land.

27999. CHAIRMAN.—Practically the whole of your first paragraph comes to this, that there are two kinds of land which you have in your mind, which are unsuitable for tilling, that is, first, land which is of such a rocky nature that it could not be profitably tilled, and the second of such a stony sub-soil that the amount of labour that would have to be exerted would make it unprofitable?—Yes.

28000. You rule out those two classes of land and then you say that "There are a few places where proper tillage would be more profitable and beneficial to the land than the present system of grazing. Parts of these are now of a heathery nature, and unless well cared would revert to their original condition"?—Yes.

28001. Have those places never been tilled—are there no traces of former tillage?—Oh, yes. I refer to a pretty large extent, as it were, between absolute mountain and the low-lying ground which I believe may be fairly easily reclaimed, but unless constant attention is given to it it will revert to the original state it started from. One sees that.

28002. I suppose that applies to all sorts of boggy land, does not it?—Yes, it does.

28003. Land which is tilled in Donegal, and Mayo, and elsewhere?—I should say it does, but it is largely used at the present time as rough mountain grazing.

28004. But is not it a fact that a boggy soil very often grows extremely good crops if well looked after?—Yes, and often a good rich crop.

28005. And therefore if it is well looked after there is no reason why it should not be profitably tilled?—No; none whatever.

28006. Then do you suggest that it should not be broken up because you have thoughts that it would not be properly tilled?—I think it requires more attention than other tillage land would, to prevent it's reverting to its original state.

28007. But surely there are heaps and heaps of that sort of land all over the West of Ireland that is only kept from reverting by the industry and work put into it by the people?—Oh, I should say that there is. There is a good deal used at present to produce rough grazing, because the labour that it entails to keep it in tillage is not forthcoming; but they can till it to a certain amount, not to any great extent.

28008. Sir FRANCIS MOWATT.—Are these all tenanted lands that you are speaking of—are they all now held by tenants to graze instead of tilling?—Not all; no, I include both in that.

28009. But is a large portion of them held by tenants?—Oh, yes; just as much tenanted as untenanted.

28010. And they graze instead of tilling—they find it better?—Yes.

28011. Sir JOHN COLOMB.—What you mean is that you are dealing with land which on the face of it is not tillage land?—Yes.

28012. And you are not dealing with the question of whether the land is tenanted or ought to be striped or anything else. You are merely dealing with the classification of land in relation to its nature and working. Is not that it?—Yes.

28013. And I gather that A, B, and C refer to land which may be described as grazing land and may not be adapted to tillage?—Yes.

28014. And undoubtedly much of this land was in former times tilled?—I do not know what proportion. I would hardly use the term "much," because there is such an enormous extent of it.

28015. But in your opinion it would not pay to till now?—I do not think so.

28016. And, therefore, it is really economic causes and the causes of necessity that have driven this class of land in these days into grazing and away from tillage?—I think so.

28017. CHAIRMAN.—Why should it not be tilled now? I am not talking of land which is unsuitable, which you can see is too stony, but land which is available for tillage, which only requires hard work to keep it from reverting—why should not that be tilled?—It is rather difficult to get hard work, to begin with. They do not like hard work on the side of the mountain, these fellows, and they generally have sufficient of a different class of land that is more profitable to deal with.

28018. But then your objection is a human objection, not so much to the land as to the people who till it?—It is that they have allowed it to go back because they do not consider it profitable to till.

28019. You say it would not pay to till. I want to know why it would not pay to till. I can quite understand that you would think that they could not till it sufficiently to make it pay, and that is an answer to my question; but is there anything in the land which would make it unprofitable to till?—I do not think there is.

28020. Sir JOHN COLOMB.—The class of land that Lord Dudley has mentioned that may be described as what you would call very hungry land, you would have to put a great deal of stuff into it to keep it up?—I would say so.

28021. And is not that one of the causes that, owing to the nature of the land, having hilly elements upon it, so much has to be put into it to get a real profit out of it, that it would not pay to do it?—Quite so.

28022. When you say "well looked after," you do not mean merely the fact of an active man giving all his energy, but a man having capital and energy and means of putting into the land what the hunger of the land demands to get a profit out of it. Is that what you mean?—Yes.

28023. The other point is this. It is the case, I think you mentioned it, and I want to ask you, taking bog-land now, that although undoubtedly you can get good crops out of boggy soil, reclaimed bog, still that is very hungry stuff, and you mean that the attention it demands is not merely human attention but the means of renewing the fertility of the bog which swallows up everything in the way of manures and that sort of thing?—Yes.

28024. And that is what you mean. It is not merely to attribute it to any defect of human will, but really to economic conditions that demand all these things to be put into that class of land to make it pay at all?—Yes, supplies of manures.

28025. CHAIRMAN.—If this land is such hungry land and wants so much put into it, would not it be more likely to be fertile if beasts were fed in stalls and the straw and manure was used for the improvement of this land than under the system of grazing?—You ask me would it be more likely?

28026. If the land is what Sir John calls hungry land and requires a good deal put into it before it will give a good crop, is not it more likely to do that if you have a proper system of manure?—Yes.

28027. And is not that proper system of manure much more likely to come about if beasts are put in houses and the manure used than under the grazing system?—Certainly it would.

28028. Sir JOHN COLOMB.—Is not that a question of a man having capital?—And means and stock.

28029. CHAIRMAN.—But still that would be a better system for hungry land because you put more manure into the land?—Yes; but the extent of land that I speak of is so great that it would require an enormous amount of capital and number of stock to have any appreciable effect.

28030. Why should a man want so much capital to have a shed on the ground to put these animals in—why should he want so much capital?—Well, you would want the animals.

28031. You might even have the same amount of animals that are now used, and if they are kept in a house and the manure properly used the land would gain more than it does at present?—It would; it would improve in a small degree.

28032. Where does the capital come in beyond building a byre in which to keep those animals?—Yes; it does not come in unless you want to do it on a large scale. It is some improvement.

28033. Sir JOHN COLOMB.—To practically illustrate what I mean, say you take A, and say there are 30 acres of this land you have described, and say the man builds a shanty for his cows and makes fences and even drains the land, and then in order to begin, this land must be manured?—Yes.

28034. And the plot of land will not, at first at all events, carry stock to make manure, so it must be a gradual progress?—Yes.

28035. And it is only after years of that progress that you can expect the whole 30 acres, after using capital and time, to be a fairly mixed farm?—Yes.

28036. Mr. O'KELLY.—You stated a while ago, in reply to Lord Dudley, that the land was capable of being tilled, this land that you describe as of a rocky nature?—Some.

28038. I think you went on to say that a lot of those fellows on the side of the mountain were so lazy that that would be an obstacle?—Well, it would entail more labour than what they, I believe, are prepared to expend on it.

28039. That is your experience?—Yes.

28040. Would you be prepared to say that the character of the great number of the small farmers would answer to your description of them as being a lot of lazy fellows?—No.

28041. To whom would that description apply?—I did not call them a lot of lazy fellows.

28042. I took your words—A lot of those fellows on the side of the mountain were too lazy to crop it. To whom did that apply?—My point is that it requires more labour than they or anyone else are likely to give to it.

28043. On what experience do you base that opinion?—Not on any actual experience beyond seeing that they allow it to revert to the old course of things.

28044. Who allows it to revert?—The people who endeavoured to reclaim it and use it.

28045. Do I understand you to say that the people who get rent fixed on their holdings allow them to revert to the original condition?—Not at all.

28046. What is the experience you speak of?—My experience is that where they have land that is suitable for tillage and comparatively easily worked, they have allowed some of this rough ground that I say is unsuitable for tillage owing to the amount of labour that will be required to till it and to improve it, to revert, and they use the suitable land naturally in preference to the other, as they are not going to do more work than is absolutely necessary to raise such crops as they require.

28047. Is the argument that you now give us based on any actual experience on the properties that you manage?—Yes.

28048. It is?—Where they have reclaimed some of this land such as I speak of, and have other land and have allowed the reclaimed part to go back.

28049. Mr. Sutherland.—Who reclaimed it?—The occupying tenant, and he has sufficient for his own purposes of other land that is more suitable.

28050. Mr. O'Kelly.—But the reverting of this land to its former condition to which you alluded you attributed entirely to the laziness, as you say, of those fellows on the mountain?—I may have said laziness. It may have slipped off my tongue, but lazy they are not. They are not lazy, these mountain fellows.

28051. And do you not think that, taking the County Sligo as a whole, you find the small farmers in it as industrious and energetic as you will find in any part of the West of Ireland?—Yes, I do. I think them a very good class.

28052. And therefore you modify if you do not entirely withdraw the description you gave of them a while ago?—By using the word "lazy" I did not mean it. The word must have been a slip.

28053. Mr. Sutherland.—Is it a fact, in your opinion, that land is now being tilled that ought not to be tilled by these people?—No.

28054. That is not the fair construction to put upon this statement, is it?—No.

28055. That is not your complaint?—No, no.

28056. Then may I ask you what is the general bearing of your evidence?—I mean that there is land available for the purpose of tillage that is at present used as grazing, and that if sufficient labour and capital were expended upon it that land might be profitable to work.

28057. Sir Francis Mowatt.—As tillage; but it would only pay to a very slight extent, as it requires so much labour.

28058. Mr. Sutherland.—You are limiting your opinion now to a sort of easy labour?—Yes.

28059. And, taking the case that we are dealing with, the relief of congestion, are there not other parts of the country to which it applies and not little bits of an estate? Is this general all over Ireland?—No; I deal with land that may be improved, not the extent of it.

28060. On your estates?—On estates that I manage; that the spade can be put into comfortably.

28061. And is that land now capable of tillage?—There is a large extent not capable.

28062. And that extent not capable should be available for the purpose of giving a profit rent to those men that your estates belong to?—Yes.

28063. Most Rev. Dr. O'Donnell.—Is not there this advantage in tilling land as against grazing, that in the hands of a small occupier tillage tends to employ the whole family?—Yes.

28064. Whereas there is comparatively little for the boys and girls connected with it under the grazing system. There is that advantage?—Yes.

28065. Then does not tillage give employment to artisans in the district?—Yes.

28066. To some extent?—Yes.

28067. Now, you have said that you have noticed land reclaimed by an occupier go back to its original condition?—Yes.

28068. Would this to some extent be the cause? Is there a great want of practical agricultural instruction in this locality?—Yes, I should say there is.

28069. Would it tend to keep these lands under a healthy system of cultivation if a practical agriculturist were planted by such a Board as the Congested Districts Board in the neighbourhood with the object of showing practically how this tillage was to continue?—I believe it would. I cannot say.

28070. And indicating the various methods of improving stock and dealing with it?—I think it certainly should, whether it would or not.

28071. From your observation of the people, are they not very willing to take up anything suggested for the improvement of their condition?—Yes, I should think so.

28072. Therefore, that tendency to allow the land to revert after having been reclaimed might be explained by the fact that we have not progressive instruction for the people in agriculture?—Yes; I think it would be a great advantage if it were developed more.

28073. Chairman.—Now, Mr. L'Estrange, so far as that first point of yours is concerned, may I take it that these are roughly your views: That there is a certain amount of grass land which in your opinion had better remain in grazing rather than be tilled; that there is another class of grass land which could be profitably tilled but which would, of course, in order to be properly tilled, require a steady amount of labour applied to it, and also a limited amount of capital?—Yes.

28074. And that you have no reason to suppose that the nature of the people of this district is such that they would not be able to put in the labour that would be necessary to profitably till that land?—No.

Mr. Sutherland.—It is difficult to understand why the worst land is in cultivation, the best out of it.

28075. Chairman.—You say "about 16 or 20 acres of fairly good land should be sufficient to enable a small occupier to live"; and "I am strongly of opinion that the introduction of strangers into a locality would be very much resented by surrounding tenants, as the tenants of any locality are generally anxious to obtain, and think they are entitled to, every possible foot of land for their own use." Now, when you speak of that, do you mean that you think that the tenants bordering on the grass farm would desire to have their holdings so much beyond what I may call an economic standard as to have no margin for migration?—Yes; I believe they would. On any property on which I have had any experience of that sort of thing the tenants on that property have given me to understand very clearly that they would resent any outsiders coming in on lands in the owner's hands if they were divided, notwithstanding the fact that their holdings are economic as they are.

28076. But do you mean that, supposing there was a grass farm surrounded by holdings already economic, in that case they would resent the introduction of strangers to that grass land?—A great many of them would. I mean that where there are economic and really substantial farmers, not the very independent men of the class that would have two farms, but the tenants that you speak of, having economic holdings, that is small tenants, industrious fellows, who get on and thrive, they would expect to get it. I do not mean to say that if there was a larger farmer, an absolutely independent sort of man, that he would be anxious to get it.

28077. Sir Francis Mowatt.—A man of a 30-acre holding?—A 30-acre holding if it was good land. I do not expect that he would.

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Mr. Henry L'Estrange.

28078. CHAIRMAN.—The small men on the margin, economic and uneconomic alike, would object?—I think they would expect to get some.

28079. Do you think they would carry their resentment to such an extent as to make it too hot for the strangers to come in at all?—It is rather difficult to say. They would make it very hot for them, I should say. It varies a great deal in different parts of the country, that sort of thing.

28080. Do you think that public opinion might change, or anything like that? Do you think that they would realize that unless they were prepared to take a patriotic view of these people living in congested areas no remedy could be found for their present condition?—You ask me do I think that they would change in their opinion?

28081. Do you think rather that that is a question for education and enlightenment?—It is difficult to say whether they would or would not.

28082. At any rate, I suppose you would not be disposed to disagree, would you, with the view that migration must play a very large part in the solution of the congestion problem?—No. I admit that it must.

28083. That it must play a very large part?—Yes.

28084. And the first condition of any scheme of migration is the possibility of obtaining grass lands on which to put the people?—Quite so.

28085. So that if there was a general parochial view such as you describe it would be difficult even to get land on which to migrate people from the poorest districts?—Unless it was land that was surrounded by large holdings or other grass lands or immediately outside demesne land, that is land that is in the hands of a number of tenants that are literally small farmers with 30-acre holdings. Smallish men, and there are plenty of them, who would consider only 20 acres or 15 acres uneconomic, would expect an increase if the untenanted land were situated on property of that sort.

28086. Sir JOHN COLOMB.—You say 16 or 20 statute acres of fairly good land would be sufficient to enable a small occupier to live fairly comfortably?—Yes.

28087. When you say fairly good land, do you mean ready for the plough?—Yes.

28088. Now, you have given us the acreage. Can you give the Commissioners any idea of what would approximately be the value of that land in rent—what would be the rent per acre of what you describe as fairly good land—just merely to have something to refer to in our minds?—I should say a rent at the present time of about 15*s.* or 14*s.* per statute acre.

28089. Now as regards the description you gave to Lord Dudley in answer to his question about that sort of feeling with regard to bringing in strangers. Do you anticipate that besides this claim of the smaller occupiers to have a benefit from the land appropriated for the purpose of migration there is any probability that there would be a claim from fairly large occupiers for some of that land being striped and given to some of their sons?—I think they would probably claim it.

28090. Do you think that it is likely that in the case of fairly substantial occupiers in the neighbourhood of grass farms taken up for the purpose of migration, the general feeling of the district would be that the sons of tenants ought to have a claim on that land before people from Galway or Mayo?—That is of a substantial man?

28091. Yes, of a fairly substantial farmer in the neighbourhood of the large farm?—And that he would consider that his son should be preferred to an outsider?

28092. Do you think that he would consider that rather than have a man from Galway or Mayo there, one of his sons should have it?—If he had a lot of sons he probably would.

28093. Mr. O'KELLY.—You spoke of resentment towards strangers. Have you any case to illustrate the point in your mind?—No, I have not. Not to mention the name of any particular estate, I have had experience of where I have been given to understand by the tenants on a property that there would be objection taken to a stranger coming there.

28094. Kindly tell me the name of the property?—Well, I will give it to you if you wish, but I think I ought not to be called upon to do that.

28095. But you made a statement, and I am at liberty to test the statement by asking for the case?—Well, I will give it to you if you wish—Major Phibbs's property.

28096. Now, why do the people on the Phibbs' property object, or why do you think they would object to the migration of people from a distance?—I did not ask them why they objected, but they did object.

28097. What was the nature of the objection?—Because there are lands there that are in hands.

28098. Is the property in a scheduled area?—No, I think not.

28099. It is not?—No.

28100. Who bought it?—The tenants have bought it. The lands in hand are being sold to the Estates Commissioners.

28101. And they say that they would object to the incoming of emigrants, that they would resent their coming in?—Yes.

28102. Would not it be a justification of their feeling that they themselves were the owners of uneconomic holdings, and that they thought that they had the first claim for fresh holdings, and that as soon as their necessities were met and their holdings made economic they had no objection to the surplus lands being handed over to people from Timbuctoo?—That may be. I did not question them.

28103. Do you not think that it would be proceeding rather on wrong lines if the available land on the Phibbs' property were handed over to people from a distance, however worthy, while on that same property there were holdings that stood as much in need of improvement as the holdings of those whom you proposed to migrate?—Yes, but they do not stand in such need. If that were so of course it would.

28104. If that were so on the Phibbs' property?—I think if they were in circumstances similar to those that the people from the scheduled areas are in they ought to get the preference of course.

28105. Over anyone from the scheduled areas?—Yes.

28106. But you admit the justice of the view that migrants from a distance ought to have a prior claim over the sons of tenants?—You mean sons of tenants living on economic holdings?

28107. Yes?—I do.

28108. I am quite sure you did not form your conclusions in these matters without having given a great deal of study to the facts. Is there anything else that led you to the view that you expressed, that if such migrants came there would be great resentment?—That is the one and the only one which I have mentioned to you. It is hearsay evidence.

28109. And from your knowledge you admit that there is a great deal of justification for the expressed resentment of the tenants?—Not a very great deal.

28110. Why?—Because they are on economic holdings.

28111. What is the average holding on the Phibbs' property?—Is it the average rent?

28112. Yes?—I cannot say. I have not gone into it, but I can very easily supply you with the actual figures.* I have not gone into the average rent, but I should say £9 perhaps—£8 or £9 perhaps. I am only giving it to you approximately.

28113. In fact, I am very much obliged for the enlightenment that you have given. Now, what would you describe as an uneconomic holding?—A holding that a person cannot live fairly comfortably upon.

28114. But what sort of an uneconomic holding in size or value?—Well, yes, I should say a small holding that one person cannot keep his family fairly comfortably in and meet his debts and so on.

28115. Ten acres?—That would depend on the quality of the soil. I suppose fifteen or twenty acres of fairly good land would be sufficient to enable a small occupier to live.

28116. How many holdings are there on the Phibbs' estate?—About ninety.

28117. How many of those would answer to your definition of economic?—Well, I should say fifty.

28118. Fifty would be economic?—Fifty or sixty.

28119. And forty would be uneconomic?—Yes.

28120. And what is the extent of the grazing land on the property, do you know?—I regret that I have not gone into the figures of this.

28121. But approximately?—I daresay 400 acres.

28122. Now you have forty holdings uneconomic on the Phibbs' property, and you have 400 acres to distribute amongst the owners of them. Do you

* See page 242.

think it unreasonable—because this is a most important question for the Commission—that those forty occupiers on the property should resent the incoming of people from a distance while they themselves stood in need of the 400 acres?—No, I do not think so.

28123. You do think it is unreasonable?—No, I do not think it is; but I am only giving you these figures without having gone into the matter at all on this estate, and I could furnish you with the exact figures to-morrow if you wish.

28124. Mr. SUTHERLAND.—They would not be substantially different?—But with regard to forty uneconomic holdings it is difficult to say that. People do not carry a rental about.

28125. Further on you say, "In my opinion, sufficient land necessary to relieve congested areas in County Sligo could readily be obtained in said County without resorting to compulsion, provided a fair purchase price was given for it." The land meant is grazing land, I presume?—Yes.

28126. You are speaking of grazing land?—Yes.

28127. I suppose it would take some years—ten years at all events—before grazing land could be brought into profitable tillage occupation?—The lands that I refer to are lands that could be tilled right away and that would improve under tillage.

28128. And that it would pay to cultivate in the second year?—Yes.

28129. I asked you for this reason, because it seemed to me that in making such a change a man would be living on his capital for the first year or two, though you say—and I daresay you are quite correct—that a crop could be got out of it the first year. What I was referring to was land that would take a couple of years perhaps before it got into profitable cultivation?—No; the land I refer to could be easily tilled.

28130. CHAIRMAN.—Would not it be a perfectly reasonable thing for a man to do if he went into the new holding which he intended to till but which he could not till altogether the first year—would not it be a perfectly reasonable thing for him to break up as much as he could manage and also take in cattle on the rest of it or let it out in meadow for a year or two till he could actually extend the area of his tillage?—Certainly. I do not think, no matter what land he had, he would probably till more than three or four acres at a time. The remainder would be in grass or meadow.

28131. And he could get it to yield an income, even the new farm, by treating it in that way from the very start?—I think so.

28132. And have you had any experience of that being done?—No, I have not.

28133. And we have been told by several witnesses, by Mr. Doran and others, that that has been done by migrants?—I have not the least doubt that it could be done on the lands that I think of, but I have not had experience of that kind, there being so little congestion in the neighbourhood of the properties that I manage generally.

28134. He would either meadow it or——what is the word for taking in cattle?—For agistment purposes, for grazing.

28135. When you say that in your opinion sufficient land could be obtained in the County Sligo without resorting to compulsion, that assumes, does it not, that all landlords in the County Sligo who had lands which were needed for this purpose, for the relief of congestion, would be willing to sell them at a fair price?—Yes.

28136. And that there would be no people in that position either asking a price that was so high as to be practically ridiculous, or else refusing to sell on any terms whatever?—I do not think there is a likelihood of it.

28137. I am not disputing your opinion, because you have got much more means of judging than I have, but why do you say that, as a matter of fact—what grounds have you for thinking that no landlord would refuse to sell at all?—Well, if the land were not immediately either inside of or attached to or worked in conjunction with his demesne, they would, I believe, sell.

28138. That they would be willing to sell at a fair price?—Yes.

28139. But I suppose it has occurred—it has occurred in certain counties, has not it, that a man, for sentimental reasons, or other reasons, has refused to sell at all?—Yes. That may be. I don't know of it in this county. I have not heard of it. It is not any one of my clients.

28140. If such a case did happen, suppose your prophecy was to be erroneous, how would you propose to deal with a man of that sort unless you had some power of compulsion. If a man did take the line, "I won't sell at all," how would you propose to get the land that you need for the relief of congestion?—I think that is a question that won't arise. I do not know how you would deal with it.

28141. But suppose it did arise, suppose that there was a great tract of land that was absolutely necessary for the relief of congestion, suppose the landlord took up an unreasonable attitude, and said, "I won't sell at any price," how is that to be dealt with except by compulsion?—I do not know any other way.

28142. And supposing he, knowing how necessary that land was for the purpose of relieving congestion, asked the Congested Districts Board a price so large that it was out of all proportion to what they could recover from the tenants, how, in that case, could you get the land without paying him this exorbitant price?—Well, I think some arrangement by arbitration could be arrived at.

28143. Well, that is compulsion, is not it?—Yes.

28144. Then you get the element of compulsion, you see, apart altogether from the price. You say to him, then, "You have got to sell?"—Yes.

28145. So that supposing there were landlords who either adopted an absolutely unreasonable attitude or demanded an absolutely extravagant price, it is difficult to see how you could get the land unless you did have some sort of compulsion?—It is.

28146. Mr. KAVANAGH.—How would you propose to arrive at what you call a fair price?—It seems to me that the most reasonable plan would be to deal with it on the basis of valuation, on the same lines as the income tax.

28147. Untenanted land I am talking of now. Do you think that would be a fair basis?—Yes. Take the Poor Law Valuation. First of all, you would have to go on the basis of what the income derived out of the land is, and to go on that similarly to the manner in which income tax is assessed. I go on those lines.

28148. Not the income that he gets from the land for eleven months?—Well, it might be. I do not know which way. I think it would be a matter of arrangement. I think it would apply more generally, perhaps, to land in the landlord's own hands. As far as my experience goes, I should be perfectly satisfied to deal with it on either of those lines.

28149. But the landlord would get more for an eleven months' letting than for tenanted land?—Yes.

28150. But it is not as certain?—No.

28151. And he has also to pay taxes, and the repairing of fences, and such like?—Yes.

28152. And you have to take that into consideration?—Yes; I should take the net income.

28153. And your basis to arrive at a fair purchase price would be the Poor Law Valuation?—Yes, in accordance with the income tax, that is one and a third, under Schedules A and B.

28154. Sir JOHN COLOMB.—Am I right in taking your opinion to be this, that there would be no difficulty in obtaining untenanted land if a fair price were given, but that there may be cases where under no circumstances would the landlord be willing voluntarily to sell, but, as a rule, the landlords are willing to sell at a fair price?—Yes.

28155. Then, to put what Mr. Kavanagh said, there may be cases where the value of untenanted land to a landlord may be greater than to anybody else, if he works that in connection with other land in a general scheme of farming upon which he relies for his income. That is so, is not it?—Yes, I should say so.

28156. It does not follow that there may not be cases where the landlord puts on a price, or asks for a price that is above what would be the value of the land, on abstract grounds, and he asks for it by reason of the fact that its sale would seriously militate against a general system of carrying on business in connection with other lands?—Yes.

28157. CHAIRMAN.—Would you just illustrate that?—If he has an outlying farm that he works in conjunction with his demesne, and if perhaps he has not got sufficient inside the demesne, or he makes use of this outlying farm for a certain time of the year, for the use of stock, and takes them in, say, three times in the year; and if this were taken from him, it would take away from the value of the land that is near his house. It would diminish the grazing value of his demesne in greater proportion than

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the amount of land taken would do. Well, I am stating that there may be some exceptional cases in which there is valuable land outside his demesne, and that the land actually in his demesne is not as good for grazing purposes, and that he has to work one in conjunction with the other to get the best results. Otherwise, the demesne lands may be a bad class of land, and in that case I say the landlord would naturally ask a price that would probably be considered excessive.

28158. In a case of that kind, supposing there was compulsion, or anything of that sort, that would be a legitimate case for the landlord to state a case for the Arbitration Court, or the people who should have to fix the price, and if he could state a case and show that land of this kind was more valuable than other land would be, the people fixing the price would certainly take that into account?—Yes. I would say, let the landlord make that case for the arbitrators, and give them the facts, and let them give the award accordingly.

28159. Sir JOHN COLOMB.—That would be a case where a Court of Arbitration might justly on the facts find that something more than the valuation of 1½ on the basis of the income tax might be allowed?—Might be.

28160. Mr. O'KELLY.—If the landlord gets a fair price, and that the tenant is willing to give a fair price, you think that there should be no obstacle to sale and purchase—I mean that land purchase should go on smoothly?—That is, talking of tenanted holdings?

28161. Yes, talking of tenanted holdings. If the tenant were willing to give a fair price, you do not think there would be any necessity for compulsion?—No, not if the money was forthcoming; and I think the Act has worked well enough. I think, if the purchase money had been available in this county, there would have been lots of land sold.

28162. But if the landlord is willing to accept a fair price, and the tenant to give it, land purchase ought to go on smoothly in the country?—Yes.

28163. And that in that case there would be no need for compulsion, and I think I understood from one of your references that the way of ascertaining the fair price would be the valuation and the tax the landlord pays on his income?—Taking tenanted lands, I would assume that the basis to go on is what the landlord's income was as shown by his books.

28164. By the income tax books?—I did not say that, but the office books.

28165. I presume the landlord pays income tax on his income?—Yes.

28166. On the full amount of his income?—It is on the Poor Law Valuation.

28167. Anyway the fair price would remove all difficulty. How many properties do you manage—half a dozen?—In this county?

28168. In the county of Sligo?—I think fifteen.

28169. Have any of the tenants approached you as representative of the landlord with a view to sale and purchase?—Yes.

28170. Have you sold?—Yes.

28171. How is the fair price ascertained in those cases?—Well, by considering how the net purchase price invested in trust securities would compare with the net income.

28172. Give us one property in point?—I do not know that I am compelled. Am I asked to mention the names of my clients?

28173. You can say A, B, and C; you sold the property of A, for instance. Or may be I should not press it?

CHAIRMAN.—Well, I would not.

Mr. O'KELLY.—But, in any case, you sold a number of them?—I sold two in this county, and the third is in course of being sold.

28175. With regard to the other twelve, have the tenants approached you with a view to sale and purchase?—Yes, some of them have.

28176. And is the obstacle in the way the difficulty of ascertaining what the fair price is?—No.

28177. But, in any case, you tell us that, if the tenants are willing to give a fair price on the properties that you manage, there would be no difficulty whatever in transferring the property to the tenants?—No, not a bit.

28178. Most Rev. Dr. O'DONNELL.—With respect to untenanted land, what deductions would you allow. Do you observe that the owners of property are escaping many things?—I do not mean mere management, but local rates?—I suppose that would have to be deducted.

28179. CHAIRMAN.—We must ask you now to finish as quickly as you can, because time is getting on?—I should like to come to my evidence of the improvements.

28180. You say, "The compulsory taking of grass lands on an estate, and the introduction of strangers to it, where negotiations for sale were proceeding, would stop the sale without the least doubt?"—You mean that if the tenants were asked to purchase the tenanted portion, whereas the grass part is sold to, say, the Congested Districts Board for the purpose of migration, the tenants of the tenanted part would refuse to buy merely their own holdings without any prospect of getting the grass land?

Mr. SUTHERLAND.—Is that the meaning?—Yes; that is my meaning.

28181. Sir JOHN COLOMB.—What you mean is that, as regards tenanted land, the landlord should, after making deductions, have his net income from a capital invested at 3½ per cent., and that for untenanted land you take as the basis the income tax basis of one and a third?—Yes.

28182. CHAIRMAN.—You also say, "On one estate alone which I manage the owner has expended several thousand pounds of late years in improving tenants' holdings and buildings." Now, on that estate that you speak of, is that since the Act of 1881?—There has been a considerable amount since.

28183. Actually on the holdings and buildings?—Yes; drains, draining bogs, and loans to tenants to improve their houses.

28184. But when you say "expended," do you mean in the way of loans or do you mean actual out-of-pocket expenditure?—I mean both. And road-making.

28185. Merely for the sake of curiosity, what advantage can an owner possibly gain in spending money upon tenants' holdings or buildings since the Act of 1881?—I don't think he gains anything, but it has been done.

28186. Then it is pure philanthropy. It cannot be done for estate purposes, can it?—No. Loans or advances have been made to tenants.

28187. But it is expenditure upon yearly tenants. Where does the advantage come in—But you say you have known it?—And he made roads and assisted in draining bogs. And he drained bogs, to develop the bogs.

28188. But they were not holdings. That was to create tenancies, was it?—No; it was for the purpose of supplying turbary to the estate.

28189. Turbary which was in his hands—in the landlord's hands?—In his hands.

28190. And he made a road to the bog in order to enable the tenant to cut the bog?—Yes.

28191. And I suppose he charged them something for the turbary?—Yes, nominal charges, less than those charged by the Commissioners.

28192. Well, that is a different point. In that case the owner owns the turbary, and in order to practically develop his own property, he makes a road in the interest of all who want to get it. But do you really know of cases in which landlords have actually spent money since the Act of 1881 upon the buildings or holdings of tenants that became under the Act of 1881 judicial tenants?—Yes, on buildings certainly, but it was in the shape of a loan, a repayable loan.

28193. Keep that apart; but actual expenditure of money not in the shape of a loan. Do you know a case where a man spent £50 or £100, or any sum you like, not in the form of a loan, but, say, to improve the house of a tenant or to improve the holding of the tenant when that tenant was a judicial tenant under the Act of 1881?—No; not except as a loan, and the tenant asked for it.

28193A. Sir FRANCIS MOWATT.—That the tenant came and said, "Will you lend me £50?" and the landlord lent him the £50?—Well, yes.

28194. But is not that different from saying that landlords have spent several thousands of pounds in improving tenants' houses and holdings?—But I did not put into my statement that it was subsequent to the Act of 1881. It was prior to that.

28195. Then you do not mean the words, "of late years," to refer to a small number of years. You say "of late years"?—I did not mean since the Act of 1881 at all; in fact, I meant since 1873. I have taken the figures from the estate books.

28195A. CHAIRMAN.—Then it is the case that since the Act of 1881 you do not know a case in which a landlord has spent money on holdings and buildings of tenants except in the form of a loan?—Except in the form of a loan.

28196. Mr. KAVANAGH.—But the loan is a benefit to the tenant, and a large benefit; and also it is lent at a small rate of interest, not a remunerative percentage?—Five per cent. is all they charge; and they can pay at any time they like, £5 or £10.

28197. CHAIRMAN.—But that act is not the act so much of a landlord as a friend. It is not an estate transaction?—I call it a very generous act.

28198. But you do not contend that it is an estate transaction?—It has always been done through the estate books, as it were, and that is why I bring it up. It has been done through my office.

28198A. Most Rev. Dr. O'DONNELL.—Is there any loss to the owner on these transactions?—Not a bit.

28199. He gets his five per cent.?—Yes.

28200. CHAIRMAN.—It is merely a friendly act from man to man, not from landlord to tenant?—Well, then, there is, in addition to that, the fact of having made roads absolutely to benefit the tenants. I have known that.

28201. That is to the bog?—Not all to the bog, but to their own holdings where they live, where they were a long way off the road, and no road to their holdings; and the late Colonel Cooper spent money on making these roads, some of which have been taken over by the county since, from the main road to the houses.

28202. Sir FRANCIS MOWATT.—Since 1881?—Yes.

28203. CHAIRMAN.—Did he get any return for that at all?—Not a penny.

28204. Mr. SUTHERLAND.—On whom is the making of roads conferred by statute in Ireland?—I suppose it is the County Council now that are responsible for it; but I know that on this Markree Estate that I speak of a large number of roads were made by the landlord in the old days, and taken over by the Grand Jury.

28205. I was reasoning by the analogy of Scotland, where the landlord has to make the road, and where the county authority takes it over afterwards. Is that the case in Ireland?—I think not. I think it has been a rule of their property.

28206. Most Rev. Dr. O'DONNELL.—You say some of them were made since 1881 by the landlord?—Yes.

28207. Do you say that any one of them was made up to the house of a tenant subsequent to his fair rent being fixed?—I think so.

28208. Are you sure?—Yes; I am certain. They were made in 1895.

28209. Sir JOHN COLOMB.—I presume that was a general rule and a matter of determined policy the making of roads by the landlord since the Act of 1881. It was not merely to give an advantage to one tenant, but to a group of tenants?—Yes.

28210. But as a matter of fact, and from your experience, the Act of 1881 did dry up the sources from which money was spent upon holdings, and upon the general advantage of the estate. The Act of 1881 had that effect. Is that so?—Yes, I think so.

28211. Perhaps you are going to give us some figures to test what I want to know. Previous to 1881 was it customary in properties of which you have access to the books, that there was a very great expenditure, in some cases, at all events, by the landlords on the improvements of the tenants' possessions and holdings?—Certainly, it was.

28212. And can you give now for twenty years previous to 1881 anything like approximately what to your knowledge was spent by the landlords?—Upon tenants' holdings?

28213. Upon the general improvement of the estate that was to the advantage of the tenants in their holdings?—Since 1873, and I have it down in each year. Colonel Cooper spent over £31,000 upon building roads, planting trees (which have done well, by the way), and drainage, one year with another. I have taken the figures from the estate books.

28214. You say 1873, do you?—That is where I commence.

28215. Do you mean between 1873 and the present day, or between 1873 and the Act of 1881?—1873 up to 1906.

28216. Can you tell approximately or within £1,000 how much was spent in 1881—the amount naturally will be down?—Yes, I have each year. A very large amount was spent for buildings.

28217. Mr. O'KELLY.—Buildings for tenants or buildings for himself?—A large amount of it was spent upon buildings for tenants in villages and labourers' cottages.

28218. And in planting trees. Were those trees in his own demesne or on the holdings of the tenants?—The trees were on the outlying mountains, as it were.

28219. CHAIRMAN.—Does that £31,000 include loans?—Loans for building purposes.

28220. Mr. O'KELLY.—The trees—were they on the holdings of tenants?—No.

28221. They were not on the holdings of the tenants?—No.

28222. Therefore they were not for the benefit of the tenants?—Except in the way of employing labour.

28223. What kind of buildings were put up?—Labourers' cottages, for one thing.

28224. But that was an investment?—Yes; this building was all an investment.

28225. Which brought Colonel Cooper a fairly good percentage?—Yes; five per cent. in the case of loans to tenants. And were not they lucky to get it?

28226. Mr. SUTHERLAND.—Why is the year 1881 so important in the history of Ireland—for continual references have been made to it to-day?—Because under the Act of 1881 the tenant got credit in the fixing of his rent for improvements that were made prior to that.

28227. And then is it to the point that the landlords changed their conduct since the passing of the Act of 1881, and showed resentment?—No. Judicial rents were fixed.

28228. But they were all less subsequent to 1881 than before, were not they?—Yes.

28229. Or the same as before?—Not the same as before, because they were reduced.

28230. They were reduced because they were too high, I presume. The Act of 1881 is part of the law of the country, and do you mean to say that a class of people showed their resentment on the passage of an Act of Parliament by changing their policy?—I do not quite follow.

28231. You say there was a larger expenditure of money by the landlords prior to 1881 than subsequently?—Certainly.

28232. What happened in the interval—was it that the Act of 1881 was passed?—Yes.

28233. And then their expenditure ceased from that point?—Because they had no guarantee or assurance that they would get credit for improvements if they now spent money on the land.

28234. Would not they get the fair rent?—They had no guarantee that they would get a fair allowance for the money that they had spent in the fixing of the fair rent.

28235. It would not be a fair rent?—They had not sufficient confidence in the people that were fixing the rent.

28236. Most Rev. Dr. O'DONNELL.—You can give us some idea of that £30,000. Was not it an investment? I think it was all an investment, except apparently making grants for roads?—Well, I suppose so, except the expenditure for the benefit of the tenants.

28237. Do you mean as regards the benefit of the tenants that the only grants would be for roads—is that so?—I would not say the only, but the principal. I have known several small gifts.

28238. Can you say how much was expended as regards the small grants?—Yes. Between 1880 and 1898 there was about £1,900 spent on roads.

28239. When the cases would come for hearing for the fixing of second term rents would there be evidence to show these roads were made as an improvement made by the landlord?—Yes.

28240. Therefore, if that is so, does it not look as if the road also was an investment?—It is an investment to a certain degree.

28241. Now, with reference to money for houses you mentioned that the owner who borrowed the money at five per cent. lent it to the tenants, and for this, in addition to the rent, he charged six per cent.?—Five per cent.

28242. Exactly the same?—Yes.

28243. And has there been any loss on the transaction?—No. I think the fact of making the roads benefited the tenants very much more materially than it did the landlord as an investment. They could not get to the places where they lived conveniently without such an improvement.

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Mr. Henry L'Estrange.

28244. I was anxious to know whether all these things might not be looked upon as investments.

Sir JOHN COLOMB.—With regard to that may I ask you this. Take the period previous to 1881. I presume that when the landlords were planting timber and improving, whether for investment or not, that they had a number of artizans there—an estate staff?—Yes.

28246. And that brings in the interests of other people—the artizans and the skilled labourer. Now, can you tell me has the effect of the Act of 1881 producing the results which you describe been to reduce at all events the expenditure on artizans and an estate staff. Have I put it sufficiently clearly?—Yes.

28247. That where the improving landlords were executing certain works they kept or maintained in one form or another an estate staff to do that work or employed local tradesmen?—Yes.

28248. Can you tell me has the Act of 1881 had the effect of stopping the employment of artizans and tradesmen and other people who are not tenants, but who live by their skill?—It has reduced the staffs.

28249. And therefore it did away with that class. The fact of the landlord being deterred from carrying on these improvements reduced the prospects of employment and the prosperity of the artizans and skilled labourers?—Yes. I find on another estate a similar state of things. I find from looking into the books as far back as 1833 that the landlord paid his tenants to make drains and fences on their holdings at that time.

28250. Do you think that that at all accounts for the fact that the Census discloses of the diminution of the artizan and skilled labourer class in the rural districts of Ireland since 1881?—I do not know.

28251. At all events—you will correct me if I am wrong—I understood you to say that the fact of the landlords ceasing from 1881 to carry out those improvements has reduced the employment of artizans, carpenters, etc.?—Yes. The staff that I refer to were men of a labouring class, paying rent and working at fencing and other things on the estate which they were paid for doing. That was on the estate of my uncle, Mr. O'Hara.

28252. Therefore the Act of 1881 has in its results reduced the employment of the artizan and labouring class?—Yes.

28253. Mr. O'KELLY.—The money which was expended so liberally in loans to tenants was borrowed from the Board of Works?—Not all, but some.

28254. A good deal. And the landlords were able to get the money from the Board of Works at 3½ or 3¼ per cent., and lend it to the tenants at 5?—At 6 per cent., not 3½.

28255. You got it from the Board of Works?

Sir JOHN COLOMB.—It filtered through the Board of Works.

Mr. O'KELLY.—I will put my question in another form. You have been getting it at 5 per cent., and the tenants might be called upon to pay 6 for it? You think it was possible?—Of course it was possible, but I do not think it was, in fact I am certain that it was not, the case.

28257. In any case this one fact remains that the money that was expended was got from the Board of Works and was not spent by the landlord out of his own private income?—I say more was spent by the landlord out of his own private means than was borrowed from the Board of Works.

28258. Is that your information or knowledge?—That is my opinion from what I have taken from the books that are in my office.

28259. What have you taken?—That a large amount of money was spent by Colonel Cooper direct out of the rents that were received into the office, and it was only occasionally that loans were applied for to the Board of Works for other purposes.

28260. Am I right in saying, Mr. L'Estrange, and if I am you will inform me, that in many cases on Colonel Cooper's property the interest charged to the tenants went up to 8, 9, and 10 per cent.?—No.

28261. Why do you give me that answer—is it founded upon a knowledge of the facts?—Well, I should have heard of it and I never heard, nor is it in any of the rentals or books.

28262. From whom would you hear of it?—From my brother, who was acting before me, and my father, before him, and from the books, which speak for themselves.

28263. They were not charged those rates?—They were never charged a single penny more than 5 per cent.

28264. Most Rev. Dr. O'DONNELL.—Would not there be this difference between these things? There is a difference between the interest charged to the tenant and the Board of Works' charge for the loan, which is 6 per cent., to cover both interest and sinking fund. The amount charged to your tenant does not cover the sinking fund, and he will have the whole principal to pay?—He could pay that.

28265. Five per cent. would not, to any substantial extent, cover the sinking fund?—Yes.

28266. The 6 per cent. to the Board of Works covers the principal as well as the interest?—Yes.

28267. Mr. KAVANAGH.—The Board of Works' loan is one per cent. for a sinking fund, and 5 per cent. for interest? Is not that so?—Yes.

28268. CHAIRMAN.—Did I understand you to tell us or one of the Commissioners that part of that £31,000 that had been expended since 1873 had been borrowed from the Board of Works?—Yes.

28269. Can you tell us how much of it was borrowed?—Well, I know that in 1880 and 1881 there was £1,000 borrowed from the Board of Works for drainage purposes, and spent upon tenants' holdings alone.

28270. Yes; that was £1,000, but you have not given us the figures which would tell us what was the gross amount borrowed which is included in the £31,000?—No; I have not got those figures.

28271. Would it be £10,000 of the £30,000?—Yes; I think it would be. It might be half. It would not be more than half. It might be half.*

28272. Yes; then what is the exact position. The landlord borrows from the Board of Works, and he is responsible for the repayment to the Board of Works, and he re-lends to the tenant?—Yes.

28273. And the tenant is responsible to him?—Yes.

28274. So that if the tenant fails the landlord would still be responsible and bound to the Board of Works?—Yes certainly.

28275. Now, you made a remark that a wood that had been planted had done well. Can you go into the history of the planting of these trees?—I know when they were planted and how many years they have been planted.

28276. What was the land used for before the plantations were made?—Some of it was of poor value for any purpose. Much of it was used for mountain grazing.

28277. Was it in the owner's possession, or did he have to come to some arrangement with the tenants?—In some cases perhaps it was already in his own possession, and perhaps in others the tenants had a right of grazing over this, and got compensation for giving up the right of mountain grazing.

28278. Have all those plantations succeeded?—Yes.

28279. And they have all grown well, and they are now bringing in a revenue to the estate?—Very trifling, for one thing, the timber is only getting saleable now, the larch for instance, and they are in out-of-the-way parts of the property, and it is difficult to get a price for it.

28280. When you say they have done well you mean they have grown well?—Yes; they have grown well. They are still too young for sale purposes.

28281. Would you say, looking at them as they are now, and judging by the present price of timber, that they will pay, that it will be worth while having planted them?—I should say yes.

28283. Sir JOHN COLOMB.—Taking the present price of timber?—Yes, if it is fairly convenient to the market to dispose of. Some of these are a long way from the market and consequently there would be the problem of access; but the timber itself is sufficient to realize a good market price.

28384. There has been a considerable outlay annually to keep them in order?—Yes; and there has been the expense of putting up a good fence.

28285. And there has been a certain amount of labour in addition?—Very little.

28286. Did you get any sale for the thinnings?—Locally, but not in those out-of-the-way districts. Still one does in and around the demesne, but not in these localities that I speak of.

28287. CHAIRMAN.—Are they all larch?—Yes, principally larch.

28288. Sir JOHN COLOMB.—With reference to the great question we have about afforestation; I suppose the situation is sheltered on the side of the hills facing away from the sea?—Yes, to a great extent.

28289. You avoid planting on the surface of the hills exposed to a north-westerly gale?—Yes, generally a southerly aspect.

* See page 243.

28290. CHAIRMAN.—Now, you have, of course, had considerable experience in managing fifteen estates. Do you believe that at the present time, under present conditions of tenant right and all the rest of it, it would be possible now to do on any of these Irish estates what Colonel Cooper did in the way of planting trees?—Yes, and that has been done, to a less extent; but generally it has been done for shooting purposes. And they have done extremely well.

28291. But do you believe that any plantations on a large scale are now possible?—I do, on those mountain slopes.

28292. You do not think that the tenants' grazing rights would interfere with your being able to carry out schemes of plantation?—Not as far as I know. I do not think it would interfere.

28293. You have always compensated them?—Yes, we had not any trouble. I suppose the more you develop that the greater the opposition or hostility would be; but my experience has been only in a small way with regard to the mountain side or an area of 300 or 400 acres. If it were going to be all along I take it that there would be some opposition.

28294. But supposing the Congested Districts Board were to buy an estate with a good deal of mountain land of that sort, and were to start trying to plant larch and other trees on those slopes, and compensating the tenants for the mountain grazing lands, do you not think that there would be dissatisfaction and grumbling, and that it would be more difficult for a Board or the Government at present to do a thing of that kind than for private owners?—No; I do not think it would.

28295. Sir FRANCIS MOWATT.—From your experience of this planting, should you say that, assuming places for planting were selected near roads, that reafforesting could be carried on with any hope not of an immediate but of an early success?—I believe it could. I have been given to understand so. I am not an expert myself, but I have been told that larch would do very well.

28296. Sir JOHN COLOMB.—I see that you say that rents have been paid punctually in Sligo notwithstanding the fact that the holdings are comparatively small. That, I presume, you put in to show that in your opinion there is no ground for apprehension at all about the payment of annuities?—No.

28297. Is it that where the rents have been punctually paid you have no apprehension at all as to the security of the State in these transactions?—Yes; that is my point, and I have figures which perhaps I will hand in to show that that has been the case within the past ten years, taken from my books for the last ten years.*

28298. CHAIRMAN.—Does that apply to all the estates that you have managed?—Yes. it does.

28299. I think the last witness told us that the arrears in Inishmurry were ten to fifteen years?—Well, that is an exceptional case.

28300. And an exceptional place too, perhaps?

Mr. SUTHERLAND.—Is that the advantage of the Act of 1881?—What?

28302. That the rents were punctually paid?—Oh, they were punctually paid before.

28303. CHAIRMAN.—Where you get places like that, with a number of years' arrears owing, do you think that there is in that sort of place any security for annuities to be paid to the State?—Yes, I do think so, with the reduced amounts.

28304. But when you get a place which is so very poor that you have a list of arrears of ten, twelve, or fifteen years, does not that show that the land is not capable of paying rent at all?—I daresay. It is outside my experience. I have not got any of those estates.

28305. But *prima facie* it looks as if the land could not return any rent at all?—Unless there is some reason why they were allowed to get into such a state, some mismanagement.

28306. But supposing that land is so poor that under any land system rent cannot be paid, under a State purchase system annuities are very insecure of course?—It is quite possible, but it is quite outside my experience.

28307. You have no instances in your management where there has been an accumulation of arrears?—The only one on which I have had any difficulty is Major Phibbs's, and the others are all well off. And it used to be paid, well paid, before the Act of 1881.

28308. And it has been less well paid since the Act of 1881?—Yes.

28309. Mr. SUTHERLAND.—Were there arrears due at the time of the Act of 1881?—They have not been paid so well since.

28310. Were there arrears in 1881 when you know the Commission had power to deal with arrears?—Yes.

28311. And did they deal with the arrears on this estate?—I am sure they dealt with the owner.

28312. Do you know how much?—I have not got the figures of that estate because I have not dealt with it. I have dealt with ten estates—principal estates.

28313. CHAIRMAN.—Is there any particular reason why rents should be paid less well since the Act of 1881 than before?—No.

28314. Mr. SUTHERLAND.—It is the other way, is not it?—Yes.

28315. What is the difficulty of this particualr estate?—I think it was partly perhaps owing to mismanagement. After a few years they got into arrears and into a slip-shod way of paying rent and we hoped they would pay better, and there was a difficulty to get them back to the old way of paying rents.

28316. Sir JOHN COLOMB.—In the case of arrears say, of fifteen years, it is the case that by law the landlord cannot recover by process of ejectment beyond two. Is not that so?—Yes.

28317. Mr. O'KELLY.—Did the tenants on the Phibbs' estate take the landlord into court?—Yes.

28318. Twice, I presume?—Yes.

28319. Consequently the amount payable after the fixing of the rent was less that the amount paid to the landlord before the Act of 1881?—Yes.

28320. And although the tenants were punctual in the payment of rent before 1881 they were less punctual in the payment of the reduced rents?—Yes.

28321. And you attribute that to what you call mismanagement?—To a great extent.

28322. Who was responsible for the mismanagement?—I think it was owing to the death of the owner and a change of hands, and in that way.

28323. To what extent was there default on the part of the people. You say they got into a slip-shod way of paying rents. Did that apply to all the tenants?—Well, the majority of them.

28324. I suppose they were proceeded against in ordinary process of law?—Oh, yes. It was principally owing to the Land League that the rents were badly paid. It was a combination against payment.

28325. And some people would suggest the other way round?—Yes.

Sir Josslyn Gore-Booth examined.

28327. CHAIRMAN.—If you would go through the heads of evidence which you have prepared we could ask you any questions which occur to us upon them?—Very well. As I think they may be of use to the Commission I hand in short statements dealing with the following:—(1) Voluntary striping of grazing lands. (2) Price of grazing lands. (3) The growth of the Co-operative Movement.† With regard to (1). In the year 1901 I was asked by the neighbours to stripe a grazing farm of 153 statute acres, I replied, "Certainly, provided I do not lose by the transaction." They agreed that this was very fair, and the problem was tackled at once. This farm had been used to take in grazing cattle from the neighbouring farmers. It was agreed that the net income should be taken in a five years' average of the returns from grazing, less expenses, *i.e.*, Herd's salary, rates, etc. Rough rules were drawn up as—although the farm was not actually situated in a congested district—there were on the property several small farmers whom it was desired to assist. These rough rules were embodied in an agreement drawn up by my agent, Mr. Cooper, and as this agreement sets forth in clear language the basis on which the whole transaction was conceived and carried out, I give herewith copy of this‡. It is only right to mention that I was offered far larger sums in fines from neighbouring farmers whose holdings I did not consider required enlargement.

28328. Sir FRANCIS MOWATT.—Does that mean that neighbouring farmers would give a larger sum if it

* See page 242. † See page 243. ‡ See page 245

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were given to them?—Yes; the land was divided on the basis that I was to get out of it the average net income that I had got during the previous five years. When the grazing land was set to them on second term rents it was found that the second term rents did not come up to the average of the five years' grazing. Therefore the people were asked would they pay fines which, if invested, would make up the difference between the grazing profits and the second term rents.

28329. CHAIRMAN.—What sort of sum did they have to pay?—That is set out in the schedule referred to in the agreement herewith. It gives the tenants' names and references, the fines paid in cash for occupation, the previous acreage before striping was done, and the addition to same with the fair rent and the total acreage when it was all finished.

28330. The fines were about £30 per head to make up the difference?—Yes.

28331. That was the difference between what might be called a fair second term rent and what you derived from the grazing?—Yes; the net profit I made taking in grazing cattle from neighbouring farmers. The tenants were helped to raise these fines in the local bank by the Parish Priest and I understand from him that these have long since been paid off. All the people who got these additions have done well and worked their land with great energy. It may be mentioned that in one case a holding situate about two miles from the grazing farm was equally divided between two small adjoining tenants, the latter paying for the tenant right of each half. The tenant selling was then provided with a new and better farm in Streamstown, paying the fine mostly with the money already received by him. He has already built a new slated house on this farm. The point which I wish to emphasise with regard to this striping is that it was done voluntarily on business lines with the people who required enlargement. No one has lost any money by this striping, and I am certain that the people are not only materially, but morally the better for the transaction. On a visit some time ago I was immensely struck by the pride which the people took in their additions.

28332. Was this land striped among neighbouring holdings?—Yes, neighbouring small farmers. It was on the same lines as the Congested Districts Board's work.

28333. Most Rev. Dr. O'DONNELL.—Except that the new tenants remain new tenants. They are not peasant proprietors?—Yes.

28334. Sir JOHN COLOMB.—They are judicial tenants?—Yes. This was done in 1901.

28335. Sir FRANCIS MOWATT.—Is that the only experiment of that sort you have carried out?—Yes.

28336. Is it the only one you have attempted?—It is the only one I have attempted. I was never asked to stripe any other.

28337. Mr. SUTHERLAND.—Was it to overcome the disadvantages of rundale?—No. It was a grazing farm situate a long way from where I live. So long as I got that income out of it I did not care what happened to it, when the people wanted it.

28338. Was it adjacent to their holdings?—It was. I might say in one case we removed a man two miles.

28339. So you did migrate?—We did migrate one man. There were two neighbouring small holdings. One occupier came in, the other got a farm in Streamstown.

28340. Did he build a house?—He did.

28341. Do you know how he was financed?—I do not know as regards building the house, but I know in some cases the local parish priest backed the people's bills in the local banks to find the money to pay the fine, and most of them have been paid off.

28342. But a new house has been built where there has been a migrant?—That was the only migrant. In all the other cases the additions were sufficiently near the existing holdings of people who had already houses of their own to live in.

28343. Are they all contiguous to this?—Practically. I have a map here showing the original holdings (*produces map*). I have also another map showing the additions to the holdings (*produces map*). That is the first lot of eight holdings. With reference to the price of grazing land, I am of opinion that a great deal of the grazing land would be immediately available for the enlargement of holdings if the prices offered were fair ones, taking into consideration the previous average net income made by the landlord out of the farm. I would go further and state that in my opinion many large graziers who have acquired judicial tenancies in their grazing lands would voluntarily give them up provided they got fair compensation. The Commission can judge for themselves as to the unreasonableness or otherwise of the owners and occupiers of grazing lands hesitating to offer same to the Government when they peruse the following cases which have actually happened on my own estates:—Case No. 1.—Area, 147a. 3r. 3p.; Poor Law valuation, £105; Average net income, £145; Price as valued by our Valuer, £3,368; Price offered by Land Commission, £2,100 (25 times Net Income would be £3,625). I may mention that my late father bought the tenants' interest in this holding for £953 at the request of the adjoining tenants in order to provide them with accommodation land.

28344. CHAIRMAN.—How does that work out?—The average net income was £145 and £2,100 was what the Land Commission offered?—Yes.

28345. What would that return?—At 4 per cent., which you could not get if you were a tenant for life, it would return £84 as against £145.

28346. Sir JOHN COLOMB.—I notice that the average net income you got was 1⅓ times the Poor Law valuation?—Yes, a little more. Now take Case No. 2. Area, 243a. 1r. 14p.; Poor Law valuation, £183 15*s.* 0*d.*; Average net income, £122; Price as valued by our Valuer, £3,314. This grazing farm together with mountain land:—894a. 2r. 18p.. £85 5*s.* 0*d.* valuation—the total valuation therefore being:—£269—was offered by me to the Land Commission. The price offered by them for *all* = £1,739. Case No. 3.—(Farm in tenants' hands jointly offered for striping)—Area, 354a. 0r. 8p.; Poor Law valuation, £250 5*s.*; First Term Rent, £240; Landlord's interest at 21½ years' purchase, as agreed with tenant, £5,169; Price offered by Land Commission, £5,635, leaving for tenants' interest, £466 (or less than 2 years' purchase). I may mention that I have seen that Mr. Bryce stated in the House of Commons (in reply to a question asked by Mr. M'Hugh) that the prices paid by the Congested Districts Board varied from 28 years' purchase of the annual value of untenanted land to 29 years' purchase for 1906, with an average for the six years of 27¾ years.

28347. Most Rev. Dr. O'DONNELL.—Was that of the valuation?—Of the annual value.

28348. Fixed by their own valuer?—Here is the extract from the paper giving the answer to the question. *Re* No. (3). With regard to the possibility of improving the agricultural industry I should like to give an instance. This is a good dairy county and I give the following figures taken from the audited accounts of three co-operative creameries in this neighbourhood for the years 1900 and 1906.

No.	Share Capital.		Turnover.		Net Profit after Depreciation.		Bank. Amounts Overdrawn		Bank. Cash in Bank.		Reserve Fund.	
	1900.	1906.	1900	1906.	1900.	1906.	1900	1906	1900.	1906.	1900.	1906.
	£	£	£	£	£	£	£	£	£	£	£	£
1	712	891	7,662	9.326	71	170	642	80	124	959		
2	475	810	4,240	8.041	47	178	295	300	43	209		
3	428	542	3,698	6,163	18	90	349	209	95	365		

Practically every farmer within reach of these creameries supplies milk, is a member, and the creameries are owned by the farmers themselves. The figures prove that they are a business success, and I give them to show what the people can do to help themselves. The only assistance they got was the teaching of the Irish Agricultural Organisation Society. The people themselves have found the necessary capital, and are working these creameries through committees of farmers elected by themselves. The possibilities of co-operation, especially amongst small farmers, are enormous, but, unfortunately, the Irish Agricultural Organisation Society has not the necessary funds to carry on an active propaganda. To sum up with regard to (1), I believe that grazing lands can mostly be striped without loss to anyone, except in certain cases in congested areas. I understand that even the Congested Districts Board in many cases charge fines in congested areas. On the

other hand, the policy of the Land Commission in presumably much richer districts, is, I am informed, to charge no fines whatever, and give away a valuable asset for nothing. With regard to (2), it is too early to ask for compulsion to acquire untenanted land, when, as in my case, a fair price, taking into account the previous net income, is not forthcoming for grazing lands voluntarily offered.

28349. CHAIRMAN.—Your argument appears to be that because under a voluntary system the offer made you was far short of the actual profit received by you, therefore it is too early to ask for compulsion?—If compulsion is going to be fair——

28350. Is there any reason to suppose that the price paid under compulsion would have any relation to the price offered in cases such as you mention?—You mean would the price under compulsion be a fair one?

28351. It might be a great deal higher. It presumes that the price under compulsion would be a fair one. The whole basis of these instances you give us is to show that the price offered was not a fair one?—Quite so.

28352. Sir JOHN COLOMB.—I suppose what you mean really is that the price offered you has been so infinitely below the actual value of the property that you are afraid compulsion means compelling you to take that price?—That is what it looks like, anyway.

28353. Most Rev. Dr. O'DONNELL.—According to this return the average price for untenanted land paid by the Congested Districts Board for six years was 27¾ years' purchase?—Yes. In this No. 1 case I have actually sold that land at the lower price to the Land Commission in order to get the tenanted land declared an estate; so that practically there was compulsion. The price was £2,100.

28354. Sir JOHN COLOMB.—Am I to construe that answer of yours, that there was indirect compulsion?—In that particular case if I had not taken that price for the untenanted land which I voluntarily offered they would have flung me back all my tenants. They would not have sanctioned the sale of the estate.

28355. Mr. SUTHERLAND.—At how many years' purchase was this estate carried through?—It is 14½ on the income of this untenanted land.

28356. CHAIRMAN.—Don't you think it is probable that a system of indirect compulsion, such as you have shown us, might be much more unfair than a system of direct compulsion, where a fair price is the basis of the arrangement?—Quite so. I am not a bit afraid of compulsion if it is going to be fair; but it does not look very hopeful for compulsion on those figures.

28357. It is quite conceivable that direct compulsion would be more fair than indirect compulsion like that?—Quite so.

28358. Sir JOHN COLOMB.—I take you to mean this as illustrating indirect compulsion of a pernicious character?—Yes.

28359. Most Rev. Dr. O'DONNELL.—Have you the number of years' purchase of the rent at which the tenanted land was sold?—21½ of first-term rents, and 24½ of second term rents.

28360. What was the figure for non-judicial?—24½. These non-judicial were the equivalent to or less than second term rents. With regard to (3), I cannot do better than quote the following paragraph from Sir Horace Plunkett's Memorandum, page 10:—"What we now need is a policy which has as its constant aim not only the inculcation of the principles of self-help and self-reliance, but the making of these principles vital and operative through a broadly-conceived scheme for improving the conditions of the people in rural Ireland." Just one further point. As I have seen it stated before this Commission that no landlord in the West of Ireland ever did anything to improve his property, I wish to state that with regard to my estates this is entirely inaccurate. In giving the foregoing evidence perhaps I should mention that I am doing so merely as a private individual.

28361. CHAIRMAN.—When you talk about improving your property, do you mean that since the Act of 1881 you have yourself spent money on the improvement of your estates?—Yes, I have.

28362. May I ask you what did you do it for? Was there any advantage, from your point of view?—It is very hard to say. I only bring this forward simply because I saw it stated in the newspapers that it was not conceivable that a man in the West of Ireland could ever have done anything for his estates. As a matter of fact, I joined with the Congested Districts Board in their first scheme. I have done one-third of drainage work in cases like that in order to get the thing carried through to help the people.

28363. The drainage of holdings of judicial tenants?—Yes. Where a number of tenants were interested in keeping a drain open, and joined together on these parish committee schemes to get a grant from the Board. In some cases I have joined with them, and given one-third of the grant.

28364. May I put it in this way: you gave that money not to improve your estate as a landlord?—No; as a neighbour.

28365. It is exactly the same way that you would subscribe to a work of utility in the neighbourhood?—Quite so.

28366. It is not in the least from an estate point of view?—No. I have done other things since 1901. I have given the tenants lime, timber, and things like that to help them to fix their houses.

28367. Since the Act of 1881?—Yes. I only succeeded in 1900.

28368. Most Rev. Dr. O'DONNELL.—Would not that come up in fixing the rent?—I don't see how it would personally.

28369. Might not evidence of that improvement be given by anyone on your behalf?—I don't think I have ever, as a matter of fact, given evidence of that; but you could, of course. As a matter of fact, very few of my tenants have been into court at all.

28370. I would like to ask you in reference to the land in your hands, whether you have ever offered any to the Congested Districts Board?—Not to the Board—to the Estates Commissioners.

28371. Have not you still a large quantity of land?—Yes.

28372. Would you offer that to the Congested Districts Board?—I have offered these farms, I stated here, to the Estates Commissioners, but not to the Congested Districts Board.

28373. If a price could be arranged, would you be willing that the grass lands in hands should be striped and divided among congests?—I have offered all my *bona fide* grazing farms to the Estates Commissioners already. If the price is right I will take it.

28374. How many acres would be available if a price was arranged?—The three cases are 147, 243, with 894 acres of mountain land added to that, and 354 acres.

28375. These lands are not in a scheduled district?—They are not.

28376. That is why you offered them to the Estates Commissioners?—Yes.

28377. Someone told us to-day you had 3,000 acres in your own hands? What have you to say on that subject?—I am working it myself.

28378. Would you be willing to part with that?—No; certainly not. It is demesne land.

28379. Is it all within the demesne?—Yes.

28380. CHAIRMAN.—This 1,300 acres that you speak of here, is that land that you would sell?—Quite so.

28381. Besides that you have other grass land that you work yourself that you would not sell?—I have home farms and a demesne, which I work myself. I am working it energetically.

28382. Is that inside the demesne wall?—There is no demesne wall round my demesne anywhere.

28383. Where do you fix the limits of the demesne?—That is what is called the demesne, and it has been used as demesne. It is marked as demesne on the map.

28384. Has that never been tenanted?—Certainly, in old times.

28385. Mr. SUTHERLAND.—How long ago?—I could not tell you without looking it up

28386. Are the marks of the tillage still there?—I don't think they are.

28387. Most Rev. Dr. O'DONNELL.—Someone said that in 1847 it was tenanted, and the tenants were all evicted?—I did not hear the evidence given here to-day. I have not gone into these things. I have the records in my office.

28388. Would not that be an inducement to people it again with tenants, where it was once occupied?—I don't think so.

28389. You would have a field for your beneficence in showing model agriculture in their midst. With reference to that farm which you striped, you managed to get the annual income by adding a fine to the second-term rent?—Yes.

28390. Did it occur to you that if there was a sale of the enlarged holdings to the tenants the annuities would be scarcely larger, if larger at all, than the

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second-term rents? An annuity to cover everything, purchase money, interest and fine included?—I don't quite follow that.

28391. Suppose, instead of enlarging these uneconomic holdings, and allowing the men to remain as tenants, you enlarged the holdings, and sold the enlarged holdings to the tenants under the Purchase Acts, so as to enable them to come under annuities instead of continuing to pay rent, would not that be a more advantageous system?—(*Mr. Cooper, witness's agent*).—They would rather pay less in the instalments and pay the fine down. That is what was done. The matter was discussed with the tenants.

28392. Apparently, if these holdings had been sold to the tenants the annuities would not exceed the fair rents, which they are now to continue to pay for ever, even though the annuity covered something for that fine which they paid for increasing their holding?—(*Witness*).—You are asking me why I did not sell it right out?

28393. Yes?—The Act of 1903 had not come in. This was done in 1901.

28394. Sir JOHN COLOMB.—With regard to the second and third cases, where you asked certain sums, and you were offered sums of considerably smaller amount, did it occur to you that you might try the Congested Districts Board with regard to these two properties?—Numbers 2 and 3 are not closed yet. It is only No. 1 that is closed, and that is a long way from a congested district.

28395. You know that the Congested Districts Board have power to acquire land outside of congested districts?—It did not occur to us.

28396. Mr. O'KELLY.—You spoke a while ago about your willingness to sell what you call genuine grazing farms?—Yes.

28397. What do you mean by genuine grazing farms?—What I mean is *bona fide* outlying grazing farms—that is farms outside demesne land.

28398. When you speak of *bona fide* grazing land you want to exclude what you call your demesne—is not that it?—Quite so.

28399. Do you think the description of demesne applied to the 4,000 acres of grass land is fair?—I don't think it is more than half that.*

28400. About 2,000 acres?—Yes; and a great deal of that is under timber.

28401. But a great deal of it is under grass?—A certain amount is under grass, and a certain amount of it is tilled. More and more of it is tilled every year.

28402. Was there portion of this grazing land ever occupied by tenants?—Yes; I think there was.

28403. I suppose you have no objection to seeing it occupied by tenants again?—Certainly.

28404. Why?—Because I am using it as part of my business. I am using my demesne as a business.

28405. How recently is it that you began to break up grazing land?—In 1900 I succeeded to my father, and ever since then I began to develop it.

28406. Did you break up what you call demesne land in 1900?—Yes. I have more and more tillage every year since I succeeded in 1900.

28407. You said a while ago you did not care how the lands were used so long as you got your net income?—It was an outlying grazing farm.

28408. But you would have an objection to disposing of this 2,000 acres of grass land or that portion of the demesne under grass, even though you got your net income from it?—Yes. I would object to disposing of anything I work as part of my business.

28409. It was not worked as part of the business of the estate until you succeeded?—It was to a certain extent, but it was more under grass. It employs more labour now.

28410. How much is under grass at present?—I could not tell you. I have not the books with me. I could get you the figures if you want them.

28411. Is it in a scheduled area?—The actual demesne is not, but there are scheduled areas along the sea coast.

Mr. Cooper.—A very small portion of the demesne is in a scheduled area. The remainder is in an unscheduled area.

28412. Mr. O'KELLY.—Would I be right in suggesting that it is unscheduled because of the value of the grass land, which raises the figure for the whole district, so that it is not scheduled?—The congested district is near us.

28413. Suppose you were to exclude the valuation of the grass land which you regard as portion of your demesne, would the valuation per head of the small holders who would be left come under the thirty shillings standard? Lissadell East comprises the great bulk of this property. Would I be right in suggesting that the reason Lissadell East is not scheduled is because of the high valuation of your demesne, but that if the demesne were excluded these other holdings would be under the thirty shillings limit?—No; you would be wrong in that.

28414. Can you give me the figures?—I have not got them now. I can get them.

28415. Do you know what the valuation of the electoral division is?—No, but I have looked into that question before. The congested district lies to the west of Lissadell.

28416. I am talking of the district not scheduled as congested, and suggesting as the reason why it is not scheduled the high valuation of the grass land in your hands?—You are wrong in that.

28417. In any case I am quite sure you would like to see the people kept in the country. You take a great interest in the revival movement?—Yes. I think I am doing something to help to keep the people in the country as it is.

28418. Is not one of the best ways of keeping the people in the country to provide them with land?—And to work the land energetically.

28419. The first indispensable condition is that you get it?—It is not necessary.

28420. How can you work the land if you don't get it?—If another man works the land is not it as good?

28421. Do you think the employment you give upon the land you have broken up that you call a demesne is equal to the employment that would be given if the people had the land themselves?—I should say it was. I have not gone into it. I don't wish to make a statement I cannot stand by, but I believe, as a matter of fact, it is.

28422. Anyway the broad fact remains that although what you now call a demesne was occupied by the tenants years ago, they were evicted in the forties?—I don't think they were evicted, as a matter of fact, at all. I never looked into this, but I always understood that these tenants were compensated and their passages were paid to America, and I am quite willing to go into the records I have at home and take those records.

28423. Sir JOHN COLOMB.—At present, working this demesne as you do, I understand that in the process of development by tillage you employ a considerable amount of labour?—Yes.

28424. Of various sorts, skilled and unskilled?—Yes.

28425. Do I understand that supposing your demesne were taken and split up into so many holdings there would not be the same demand for labour that there is at present?—There would not.

28426. Unless the labourers got the land those labourers would cease to have employment?—Quite so.

28427. And then they could only look for employment by going away and leaving the country?—That is so, I believe.

Mr. PATRICK MEEHAN examined.

Mr. Patrick Meehan.

28428. CHAIRMAN.—What is your address?—Liggan, Cloghboley.

28429. What is your occupation?—I am a farmer's son. My father owns the farm.

28430. What are the valuation and acreage?—About £20 valuation and 20 acres.

28431. Is he a tenant purchaser?—The land is in the hands of the Congested Districts Board at present.

28432. It has just been bought. It is on the Gethins estate.

28433. Most Rev. Dr. O'DONNELL.—It is being rearranged now?—The works are begun.

28434. CHAIRMAN.—What would you like to tell us?—I appear on behalf of the Magherow Branch of the United Irish League. The branch which I represent comprises the electoral divisions of Lissadell East, West, and a portion of Lissadell North. There is no untenanted land in Lissadell North as far as it runs into our parish. Road accommodation is badly needed in Lissadell West. We have in the townland

* *Note by Witness.*—I should like to add that I have since ascertained that the total area of demesne is 1,885 acres, which includes grass, tillage, plantations, etc. J.G.-B.

of Cloonagh sixty-one families without road accommodation. The same may be said of Carrigans, Ballyconnell, and Kilmacannon, in the same district. In the electoral division of Lissadell North the townlands of Aughagad and Cloonelly have no road accommodation. The fishing industry might be greatly improved along the coast by the erection of suitable landing places and improvement of boats. Inspection of estates when being sold, and before the purchase money is advanced by the State, is most desirable, and we know that the sale of the Gore-Booth property was concluded at an advanced price on account of tenants in arrears being too glad to close the bargain to get immediate relief. About two months ago the tenants on the Gore-Booth property proposed memorialising the Estates Commissioners, and a number of the tenants refused to sign because they were afraid if the sale was broken off the landlord would press them for the arrears, and ruin them. In the possession of Sir Josslyn Gore-Booth there are 206 acres 1 rood 31 perches, at a valuation of £149 5*s.*, while there are 216 families under £10 valuation, portion of whom had been evicted in 1873. In the electoral division of Lissadell East there is 1,121 acres of untenanted land, with a valuation of £845 4*s.*, in the possession of the landlord, Sir Josslyn Gore-Booth, while there are sixty-seven families under £10 valuation. In the electoral division of Lissadell North there is 77 acres 3 roods 30 perches untenanted, with a valuation of £3 19*s.*, in the possession of the landlord, Sir Josslyn Gore-Booth. In the electoral division of Lissadell West there is 373 acres of untenanted land, with a valuation of £98 5*s.*, in the possession of the Congested Districts Board.

28435. Most Rev. Dr. O'Donnell.—At what place exactly would you erect the boat slip or pier to help the fishery?—At present there is a boat-slip being constructed at Knocklane.

28436. We received complaints to-day about the position of the boat slip?—Yes. I believe it is more an obstruction to the fisherman than anything else.

28437. Are you a fisherman yourself at all?—No. The men think it ought to be placed thirty or forty yards further west to have its centre in Knocklane Head.

28438. Is there much fishing off that coast at present?—Not at present.

28439. There is a large number of boats?—Thirty or forty small boats and thirteen trawlers.

28440. The trawlers are not from this coast at all?—The trawlers come from Roughley.

28441. What do they trawl for?—Flat fish.

28442. Were the seven tenants to whom you allude or their predecessors evicted from this grass land?—I believe so. Some of them were.

28443. Would they be willing to pay a fair price for any addition to their holdings?—Certainly they would.

28444. Sir John Colomb.—Have they got money, or what do you mean by saying they would be willing to pay a fair price?—If it was bought over by the State.

28445. You mean they would be prepared to agree to a price in the shape of an annuity?—Yes.

28446. Mr. Kavanagh.—Are you in a congested district yourself?—I am.

28447. Would you or your neighbours be willing to migrate supposing land were provided for them at a distance away?—I think they would.

28448. Have you ever asked them?—No; I never asked them.

28449. The question has never been discussed among you?—No.

28450. Would you yourself go, for instance?—I would with a heart and a half.

28451. How far would you go?—Anywhere through Ireland that you sent me.

28452. Sir John Colomb.—As I understand you are the son of a tenant. How many in family are there?—Two more along with me.

28453. And your father and mother?—Yes.

28454. Chairman.—You are the eldest son?—Yes.

28455. Sir John Colomb.—Would the whole family go to any part of Ireland?—I don't say but they would. They would not be afraid to go any way.

28456. Do you say they would wish to go?—I won't say they would wish to go.

28457. You mean you yourself would be willing to go?—I would.

28458. Do I understand you answer for your family, that the whole family would start out root and branch to another part of Ireland?—I don't think the whole family might shift.

28459. You would like yourself to have a farm in some other part of Ireland?—Yes.

28460. Is that what you mean?—Yes.

28461. Most Rev. Dr. O'Donnell.—Is Magherow a poor district?—A very poor district.

28462. Your father's valuation is £20?—Yes.

28463. Suppose you were migrating, a good farm of £30 would be an attraction to the whole family?—It would.

28464. Is Magherow one of the poorest localities on this coast?—It is.

Mr. John George Quilty examined.

28465. Chairman.—Where do you live?—At Drumcliffe.

28466. What is your occupation?—Shopkeeper and small farmer. I was appointed by the North Sligo Divisional Executive of the United Irish League, at a meeting held on the 7th inst., at which Mr. M'Hugh, M.P., presided, to attend as witness at this Commission. I represent particularly the small North Sligo farmer, whose holding is uneconomic, the agricultural labourer, and the sons and daughters of both, whose only hope at present, generally speaking, is the emigrant ship, and who are regarded by the United States and the British Colonies as most desirable for colonization purposes. I am a small tenant and shopkeeper myself, living on an estate the majority of the tenancies of which are uneconomic, and come in daily contact with the tenants. I may remark that they are most desirous that I should appear here; still a better selection might easily have been made. The little estate on which I live, Logan's estate, is a typical Western estate, and, I think, the best information I can give the Commission is a particular description of it and the economic condition of its tenantry, for such tenants are the backbone of all Irish agrarian agitations. It contains about 500 statute acres, mostly reclaimed bog land. This is divided between thirty-two tenants, and the holdings vary in size from two acres to one hundred acres. The total rental amounts to £240. The greater part of this estate was primitively a boggy waste, which the present tenants and their immediate ancestors made productive. Formerly turf was cut and saved on it. According as they brought it into a state of cultivation rent was charged, or raised if already charged. Sometimes little holdings were confiscated and given to favourites. In the year 1864 an all-round raising of the rents occurred, the tenants being ejected under a notice to quit and reinstated at the increase. Their landlord is an absentee, but they are practically reminded of his existence every year by the estate bailiff, the agent, Mr. Roe, coming from Dublin to receive the rent. If they fail to pay they are at once processed and put to additional cost. They have been treated most harshly in the past, without the least sympathy and they naturally dislike landlordism. Some twenty-seven years ago the Drumcliffe Branch of the Land League was started by some of these very tenants who were discussing the then political situation, sitting one evening on the battlement of Drumcliffe Bridge. Immediately a treasurer was appointed and 17*s.* subscribed by those present. This, they say, was the first branch established in the county, and it exists yet. The estate is well watered, Glencar River running through it—too well watered, the tenants say, and much in need of drainage. Some of them borrowed money from the Board of Works for this purpose, but they say it robbed them. They, and farmers like them, should be assisted in reclaiming and improving their holdings. The tenants are very industrious, otherwise they could not possibly live, for the majority of their farms would not support them three months out of the twelve, and they are compelled, by extern labour on the part of themselves and children, to add to their incomes. If these men had good farms they would be model farmers. Their principal industry is producing milk for the local creamery, all their land being in pasture and meadow except what is necessary to raise vegetables for their own consumption, and a

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little straw for thatching, etc. As soon as their children reach the adult age, through the scarcity of employment, they join their uncles and aunts and cousins in the United States, one son remaining on the farm; and if the parents do not get him married before they die he generally sells out and goes, too. Thus the country is bleeding to death. I have prepared, in tabular form, a statement of the economic condition, etc., of the tenants of this estate.* There is no turbary on it, and fuel and light cost about £7 per tenant. The statement to which I refer shows that twenty-seven holdings out of the thirty-two are uneconomic. I prefer to give the present rents instead of the County Council ratings, as the fixed rent is the latest valuation, and I consider every holding rented at less than £10 uneconomic. It will be seen by the above table that the income of a farmer on an estate such as this, where Sir Horace Plunkett's creamery system has been adopted, depends almost entirely, as far as his farm is concerned, on the number of cows he can keep. The grass of this estate, being generally poor in quality, the milk yielded is also poor. If the sum drawn by one of these tenants for a cow's milk amounts to £6 for the season it is considered good. The calf is sold in September for about £4. The value of the milk and calf, therefore, amounts to about £10 for the season. But it will cost about 30s. in meal, bran, etc., to feed the cow (stuffs not produced on the farm) after calving, and 10s. at least to feed the calf. I might safely say that the net average profit on a cow is about £8. If you multiply the number of cows by £8 you have a fair idea of the net profit derived by one of the above-named tenants from his farm, for every £1 he can spare is now, since the introduction of the creamery system of producing butter, put into a cow; but, of course, the number he or she can keep is limited by the size and quality of the farm. The farmer may also have one or two tons of hay to spare for sale in the local market, and two or three pigs. But they say the profit on pigs is very light—about £1 per head after feeding them for four months, on account of the extra stuffs they must buy—and hay this year was hardly worth carting to market, hay of inferior quality, such as is generally produced on the above-given estate, being sold at £1 a ton, and from this must be deducted cartage and other little expenses. The tenants on this estate in general do not keep pigs, and do not have hay to spare; on the contrary, if the winter be very severe they are compelled to buy it. Take the case of a farmer keeping three cows. His net profit on them and their calves would be about £24; to this might be added, say, £4 for extras sold off the farm. His total income from the farm would be £28. Out of this he would have to pay £6 10s. rent at least, £1 rates, and £7 for fuel and light, and, say, £2 10s. for seed and special manures. Deduct these items, and the sum of £11 is left to feed and clothe himself and his family for the year. Such a man could not live without assistance from his children abroad and extern labour. Then, if a cow should die, it means the loss of one-third of his stock and profits. I have known farmers to grieve almost as much over the loss of a cow as they would over a child. I asked an old farmer, who owns three cows, if one should die how long it would take him to get the better of it. He replied, "It would take ten long years, and perhaps never." Thomas Mitchell (No. 11 on the tabular form) in 1860 married a girl who possessed a farm of twenty acres on this estate, a farm that consisted then of unreclaimed bogland. He brought about £90 to the place, which he spent in reclaiming and improving it. The greater part of the money he had earned in the United States, but hard as he wrought there, it was quite easy, in comparison to his toil on this farm, he says, trying to make ends meet. One of the Land Commissioners, when inspecting it for a fair rent, specially complimented him on his improvements and signs of industry. He is, he avers poorer now than when he first took possession, and all his children had to leave the country except one, as there was no work to be got for them. The original rent was £8, but when he was about four years in the place the rent was raised to £10. In 1884 he entered the Land Courts and it was reduced to £8, and he again entered in 1893, when it was further reduced to the present figure, £6 10s. In 1884 he borrowed £50 from the Board of Works for drainage purposes. This is how they treated him:—All they gave him was £47 10s., and they charged him first 10s., and after 6s. expenses. For the last twenty-two years he has been paying £3 5s. per annum, concluding his payments last autumn, and has paid a total sum of £72 6s. for an advance of £47 10s. I asked him how he managed to live and rear a family on the miserable income derived from his three cows, and pay an exorbitant rent and these loan instalments as well. He said he did not know, and that it was only latterly he could keep three cows. Surely such estates should be scheduled as congested, so that such tenants might get assistance. After the passing of the Wyndham Act the agent of the typical estate (Logan's estate) entered into negotiations to sell to the tenants. His first offer was a price that would bring them a reduction of 4s. and 2s. 6d. in the £1 on first and second term rents respectively. The tenants, however, offered seventeen and twenty years' purchase on first and second term rents, and refused to give more. Some time after he offered to sell at 6s. and 4s. in the £1, reduction; this they also refused, and his last offer is 6s. and 4s. 6d. in the £1, reduction. On condition that they got all the rights of the property (game, fishing, etc.), they agreed to give eighteen and a half and twenty-one and a half years' purchase. This he would not accept. They have gone back now to their original offer of seventeen and twenty years' purchase, and say they will struggle along paying rent, discontentedly. The women, I may add, are even more determined than the men, and their children in America and elsewhere so advise them. The first agrarian plan of compaign that offers will get their support. I very much doubt that the landlord and tenants of such an estate as this will ever come to an agreement—the sale must be effected by compulsion and inspection. About nine years ago the tenants of a neighbouring estate, known locally as the "Coolbeg estate," bought, under the Ashbourne Act, at seventeen years' purchase. The estate is exactly similar to Mr. Logan's, and the tenants think, naturally, that they should buy at the same price. There are no arrears on this estate, for the tenants were always treated mercilessly if they did not pay on demand. The Lissadell estate, in their neighbourhood, has recently been bought by the tenants at twenty-one and a half and twenty-four and a half years' purchase (Wyndham Act), but the landlord, Sir Josslyn Gore-Booth, is one of the best landlords, undoubtedly, in the province of Connaught, and takes some interest in the welfare of his tenants, a good many of whom were in arrears of rent, which were wiped out by the purchase. Twenty-four processes for the non-payment of the interest on the purchase money have been served on tenants on this property for the present Quarter Sessions. The tenants are also memorialising the Estates Commissioners not to sanction the sale. The Government have a bad security for purchase money advanced on these uneconomic holdings, and there must be a failure in payment if the tenants have no extern employment. The Coolbeg tenants (seventeen years' purchase), pay their purchase instalments without a hitch, though their holdings are uneconomic, simply because they have more or less extern employment to get; the Lissadell tenants (twenty-four and a half years' purchase) are already beginning to fail, at least some of them are, because, I suppose, their holdings are uneconomic and they can get no employment outside. In reference to this estate, I am informed that about fifty years ago the tenants who held the best of the land—some eighty-two acres—of the townland of Barnarobin on this property, were ejected under a "Notice to Quit," and their farms given by the then agent, a Captain Dodwell, to the estate bailiff and under-bailiffs, they getting in lieu a part of the townland that was an unreclaimed waste, at a rent of 24s. 6d. per acre on the average, the size of the new holdings being about seven acres each. Part of the mountain of Benbulbin is at the back of this townland, and the tenants had it as a commonage for grazing sheep. The agent divided the mountain land into two and gave the better part of it to the bailiff. The tenants had it rent free before their dispossession, but after the division they had to pay £5 5s. rent for their portion of it. This is an instance of the manner in which the tenants have been treated on this estate before the advent of Sir Josslyn Gore-Booth and his father, Sir Henry. These Barnarobin tenants say they must fail to pay their purchase

* See p. 246.

instalments, as their holdings are all uneconomic and they have no labour to get outside of their farms. They also expect ultimately to get farms on which they can live and pay their way out of Sir Josslyn Gore-Booth's ranch land. They, in addition, state that one and a half years' rent (half-year's rent due and one year of arrears) was added to their purchase price—that the landlord is really getting twenty-three and twenty-six years' purchase. On some estates in North Sligo, for instance, the Hippisley estate, near Grange, the landlords absolutely refuse to sell. The tenants of the estate mentioned say they endeavoured to negotiate with their landlord, Major Hippisley, but he refused to part with it on any account. The landlords of other estates, such as the Middleton estate, would sell part and retain the rest. The tenants, however, will not, I understand, agree, unless all is sold. That part of the Wynne estate situate in Carney Electoral Division has been omitted in the sale to the tenants, as the tenants would not give twenty-seven years' purchase for their bogland. It may be observed that the tenants of the Logan estate have already sent twenty-eight children abroad, principally to the United States. Those that are growing up will go also, for there is no chance, as far as their parents can see, of employment for them at home, and they will assist by sending over part of their earnings. The Christmas American letter is now a necessity, and the more children in America the better. The passage ticket comes from America, too, a brother, sister, uncle, aunt, or cousin sending it. England is a foreign country to the Western peasant; the United States is his harbour of refuge and the home of his friends. There is no use in trying to deflect this emigration to Canada by Blacksod Bay schemes, cheap assisted passages, and short routes. The best thing to do is to stop it, for Irish emigration is an evil to Ireland and a danger to the British Empire. If the young people had employment to get at home it would cease. Out of all who emigrate from this district very few return. There is some emigration to Scotland also, but only from amongst the very poor and those who have no friends in America to send the passage, and they, as soon as they have earned sufficient to pay their way, cross also to New York. These emigrants attribute their being in exile to landlordism and the support given it in the past by the Irish Executive Government. On the subject of industries the only farm industry I may say in North Sligo is butter production, principally on the creamery co-operative system. There is practically no land in tillage, and that is the reason the young people are flying away to America, especially since the co-operative creameries were introduced. I am not saying anything against them as they are really good in principle.

28467. CHAIRMAN.—You say the result has been that there is more land in grass?—It did away with tillage certainly.

28468. Sir JOHN COLOMB.—Mixed farming gives you better produce in milk than a grass farm?—I doubt it. The quantity may be increased but the quality will be affected. Roots flavour disagreeably the milk.

28469. Mr. SUTHERLAND.—How do you feed the cows in winter?—They hardly feed them at all. The tenants of uneconomic holdings practically let them starve and can't help it. They grow hay on part of their little farms, and give it to them.

28470. Sir JOHN COLOMB.—They don't grow cabbage or roots of any sort in order to increase the amount of milk to send to the creameries?—The kind of land we have here would hardly grow roots at all. It is reclaimed bog and would require a large amount of farmyard manure. Some of the creameries close in the winter.

28471. CHAIRMAN.—It would grow roots better than it would grow grass?—They give the cows hay in winter until they calve. After they calve they feed them with a little extra stuff. It is not well that a district should depend solely on one industry, and if the American flour and meal and bacon were stopped through war or trade disputes this district would starve in a short time. I may say, however, that the majority of the farms of Western estates (reclaimed bogland) are not capable of growing wheat, and the wheat land of Connacht is locked up in the grazing ranches. Formerly flax was cultivated here on the better part of the land to a small extent; might not its cultivation be revived? The fibre could be sent to the Northern factories, and the seed might be used for the feeding of calves and the fattening of cattle. The linseed meal used by the farmer here, is, I am given to understand, imported from Russia. Some poultry are also kept by the farmers' wives in North Sligo—generally a couple dozen hens and ducks—but the men do not like them. When the grass is soiled with their droppings the cattle will not eat it, and, besides, they are destructive to tillage; the farmer cannot afford to allot part of his little farm specially for their use. My suggestion as to untenanted land is that it should be partly tilled to give employment.

28472. How are you going to compel them to till it?—By law.

28473. Sir JOHN COLOMB.—Are you going to summons men and punish them if they don't till a certain amount?—No; I would give the owners two years, and if they did not till a certain amount by that time I would then take it up by compulsion.

28474. You would take them without giving anything?—No. I would compensate them. Tillage is required to stop emigration.

28475. Most Rev. Dr. O'DONNELL.—Would you suggest increasing tillage by instruction in agriculture?—I would compel those who have ranches to till one-third of the land, as they have the best of it and the necessary capital; they also should show a good example. Any system of agriculture you read would tell you that tillage would improve the land.

28476. Mr. SUTHERLAND.—Could not you teach the people that that is the fact?—There is no use. The people living on uneconomic holdings have not the necessary farmyard manure and capital, besides they could not devote time to root-crops. If one neglects his extern work there are a dozen others ready for it. If you examine the country you find all the ranches are grazing cattle, but if Scotch or English farmers come to settle they will till a half or one-third.

28477. CHAIRMAN.—Why won't the people here do the same?—They won't unless you compel them. The coast industries are fishing and kelp-making. The fishermen require better and larger fishing boats and suitable gear for deep-sea fishing. A boat for this purpose was sent to Raughley by the Congested Districts Board some time ago. It arrived at the Christmas season when no fish were to be got, and the weather so stormy that they dared not venture out. After staying a week or so it left and was never heard of since. A pier is very badly needed at the Rosses Point. About a hundred boats would make use of it. Between Mullaghmore and Knocklane peirs there are seventeen miles of congested district coast line and no landing place. A pier might be erected at Streeda, which is about central; the boats of the Innishmurry islanders would make use of it, as it would be the nearest point to them. Also a suitable pier should be built at the north-eastern corner of Innishmurray, the only spot at which a landing can be effected. The fishermen should be consulted by the engineer before the work of construction is commenced. In reference to Innishmurry, notices have been served on the guardians of Sligo Union to the effect that three of the islanders are to be evicted for non-payment of rent. I have a fair knowledge of this island. It is about a mile long and a half mile wide, being oval in shape, the centre of it being boggy. A short hard grass grows upon it, but no trees or shrubs, as far as I could see. The mainland is eight miles from the islanders, who number ninety souls—men, women, and children. Salt is everywhere; you can even scent it. If you touch a stone with your tongue you feel the taste of it. When a storm arises (a very common event here), the spray of the Atlantic sweeps right over the island. The crops grown on such a place must be precarious and bad, for though a little salt may be a good manure a shower bath of salt water frequently is rather too much. The potato blight and rats are unknown, for the Atlantic does all the spraying necessary, and poisons with salt the microbe, and, I am sorry to say, often the potato plant; the rat dies from starvation shortly after landing. Only in very calm weather can the islanders attend to their fishing or a landing be effected; therefore the rate-collector cannot get any rates. A force of police and a gunboat will now be sent, I suppose, to carry out evictions at this place, and the ratepayer and Sligo Union be put to expense. How they came by a landlord at all, and how rent is got from them I cannot imagine; but as he is the only gainer by them, and does not pay their rates for them, he should evict them himself. His next application will be, of course, for a police barrack to herd the holdings, and that will be

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another £400 on the rates, for as soon as the evictors leave, they will re-take possession. The landlord is one of those who refuse to sell to their tenants their estates. The children of the peasants on such an estate as the Logan property should be taught little cottage industries. Formerly fancy baskets, garden chairs, cradles, and such were woven from osier rods, which grow plentifully around here, by some of the cottiers; but emigration and want of encouragement killed the little industry. Some fifty years ago, old people tell me, earthenware crocks, milk pans, flower pots, etc., were manufactured here by a family named Irvine. The pit from which the clay was taken can still be seen. I remember, a few years ago, old men hawking through the streets of Sligo door-mats woven of bent grass. I never see any now. At the Market Gate, High street, Sligo, formerly on Saturdays, you would see men and women standing with large rolls of flannel manufactured by themselves. This they retailed by the yard, carrying a yard-stick for the purpose, and one yard of it was worth six of the flimsy stuff sold in the shops. They came from the parish of St. John's. They, also, have disappeared. Why should not children be taught, who live at the sea, to pick up fancy shells for decorating little gift boxes, picture frames, etc., and their fathers and elder brothers to make the articles during leisure hours? Little ornaments, pipe heads, brooches, etc., could be carved out of the bog oak waste in our bogs. Our hills and wastes are covered with whin and heather, and our valleys filled with flowers; but the honey manufacturer, the bee, is absent. There are a dozen other industries as well. The Congested Districts Board should establish and protect such industries, and find a market for their produce. I hear much praise from the peasantry of the crochet-knitting industry recently introduced. You have examples of these industries in France and all over the Continent. I should like to say a word in particular regarding the kelp industry, as it is next in importance to the fishing. About three shillings per cwt. was got for it last season, and it barely pays to burn it at the money. I am told that a half dozen agents have divided the Western coast between them, and can, consequently, as there is no competition, give whatever they like. I am also told that the kelp burners—at least some of them—in endeavouring to get even with the buyers, are beginning to adulterate the kelp. North of Sligo borough boundary, including Calry and the Wynne estate, there are exclusive of original demesnes, marked in the Parliamentary Blue Book containing the return of the untenanted lands of Ireland, 10,600 statute acres of untenanted land. There may be wood on part of this area, and also part of it may be mountainous, but the greater part is arable, and is, in fact, the fat of the land in this part of the county. This should be utilised for migration purposes and the enlargement of uneconomic holdings. The small farmers want it, and certainly it is only natural that those living in the district on uneconomic holdings, and who are constantly on the verge of famine, should covet this ranch land. I may remark that none of it situate in North Sligo has been surrendered for economic purposes by the landlords except the Ballyconnell Bent, on the property of Captain Gethins. Anyhow employment should be given to the people by compelling a certain portion of it to be tilled annually. In Canada a settler can acquire 160 acres of land, in addition to his original allotment, on condition that he plants the one-fourth of it in timber. Might not a variation of this principle be applied to these ranches and non-residential farms compelling the possessors to cultivate, say, the one-third of the areas annually for the purpose of giving employment and stopping emigration, or else to throw them up for a compensation. If such a rule were made there would be a large number of these grass ranches surrendered to the Estates Commissioners. Of course, I refer to land only fit for tillage, land valued at ten shillings per acre and over. A migrant also getting a farm from the Estates Commissioners or Congested Districts Board should be compelled to till a portion, the third of it, annually. Two new homes would thus be created, for he would be obliged to keep a permanent agricultural labourer on the farm. Large residential farms might to a certain extent be brought under the same rule. When a farm is valued at, say, over £50 in Connacht and £80 outside of it, the farmer might be compelled to till the one-third of the acreage over that which amounts to the £50 or £80 valuation. A large unwieldy farm, one difficult to be worked speedily degenerates into a grass ranch. It would be only fair to the nation to enact this, for land constantly used for grazing purposes deteriorates, and a market for roots and fresh vegetables is at our door in England if we would only cultivate them. Anyhow, the roots could be used to stall-feed cattle for the English market. Most of the cattle shipped from these ranches go over to England in a half-finished condition. This is a loss. The Irish labourer wants employment at home, the land cultivation, and the English people fresh beef and vegetables. Also the untenanted land under 10s. per acre should not be neglected. Ireland is almost denuded of woods, and the Canadian idea of setting the one-fourth in timber might be applied with benefit to this kind of land. After the enactment of a law such as this, shopkeepers and Government officials and others who have amassed money would not be so anxious or greedy for land as they are at present, and there would be a stoppage to excessive emigration, more trade and prosperity in the country, and less objection to labourers cottages being erected under the Act of 1906. Of course the establishing of farmers in the ranches surrendered and the paying of compensation to those entitled to it, should be done by the Government and will take some money. However, it should not be forgotten that in 1834 the then Government bought out, in the interests of humanity, the West Indian slaves at a cost of £20,000,000. The empire is richer now than then, and we shall soon see whether the Irish peasant or the West Indian negro is most thought about by our rulers. My solution of the problem of congestion, emigration, and constantly-recurring famine is—1st, compulsory purchase, at least in Connaught; 2nd, creating of labour by compulsory tillage; 3rd, the scheduling of all Connacht and the counties of Donegal, Clare, and Kerry as congested; 4th, the establishing of cottage industries; 5th, migration to the ranch lands when thrown up, and the enlarging of uneconomic holdings; 6th, cheap transit for agricultural products and the building of railways where required. I hand in a statement received by me from the Middleton tenantry.

Mr. Patrick Joseph Rooney examined.

Mr. Patrick Joseph Rooney.

28478. CHAIRMAN.—Where do you come from?—Lecklasser, Cliffoney. It is in Ross Inver East.

28479. What is your occupation?—I am a farmer.

28480. Have you got a farm of your own?—I have.

28481. What size is it?—Seventy-one statute acres, but the greater portion of it runs to the mountain. The valuation is £31 11s. and I pay £11 1s. 11d. half-yearly to the Estates Commissioners. It represents 3½ per cent. on the purchase money agreed on. The place is being sold. It is on Sir Josslyn Gore-Booth's estate. It is not scheduled as congested. The sale is not yet completed.

28482. How do you work your farm?—In grass and tillage.

28483. How much tillage have you?—About two English acres. There is not much available for tillage. The greater portion of it runs on the side of a mountain.

28484. Is there anything you wish to tell us about it specially?—It is not scheduled, the reason being, in my opinion, the effect of the grazing portion of it. I think it should be scheduled.

28485. Most Rev. Dr. O'DONNELL.—Owing to the valuation of the grazing portion the general valuation is put up?—Yes.

28486. What are the suggestions you have to put to the Commissioners?—I would like to have the division scheduled. Some of the divisions scheduled are far better off than the people in this place.

28487. There are townlands in your division as poor as many of these that are scheduled?—Yes.

28488. CHAIRMAN.—What is the valuation per head?—Outside the grazing portions I don't believe it is 30s. I think there are 900 or 1,000 acres in the grazing portions.

28489. The people there are very poor?—Yes.

28490. What would you like to see done if it were scheduled?—First, I would like to see the grazing portions cut up and divided among the people. There is a river running through the division that does a

wonderful lot of damage. It is flooded occasionally. Part of that river in some places is eating away the land to a considerable extent on some of the poor people. It is impossible for them to repair the damage done to that river without assistance from outside.

28491. Mr. SUTHERLAND.—Is it eating away the banks?—Yes.

28492. On both sides?—Yes.

28493. What river is it?—The Duff.

28494. Has it much of a fall?—Not very much.

28495. Generally a river going that way goes from one side to the other?—In some places it is eating both sides.

28496. Is it sandy?—Yes, and stony.

28497. Would planting trees on the bank help it?—No. In some places planting trees would not do any good. It is too much eaten away.

28498. So you would require to rebuild it?—Yes. Every year it is getting worse.

28499. CHAIRMAN.—Is there any other point?—The district is badly off with regard to roads. Where the people cut turf there is very bad road accommodation. Often for nine or ten months of the year they can get no turf if the season is wet.

28500. Has the District Council been told about this?—Yes, but the Sligo District Council have not passed any new works for the last six years, with very few exceptions.

28501. In your district?—No, nor in any other district.

28502. What reason does the District Council give for not making these roads?—On account of the rates being too high.

28503. You think if the district were scheduled the Congested Districts Board would give assistance?—The District Council would help the district.

28504. You want it scheduled that you may get assistance from the Congested Districts Board?—Yes.

28505. Sir JOHN COLOMB.—Is your farm close to these grazing lands?—No.

Mr. DANIEL GALLAHER and Mr. WILLIAM DUFFY examined.

28506. CHAIRMAN.—You come from Mullaghmore?—(*Mr. Gallaher*).—Yes. We walked it up. I am a pilot in the harbour and can give you all information about it.

28507. You are a pilot in Donegal bay?—In Mullaghmore and Donegal Bay.

28508. You fish from Mullaghmore?—Yes.

28509. You keep a boat there?—Yes.

28510. What size is it?—A two ton boat.

28511. Sir JOHN COLOMB.—What does she draw?—One and a half feet of water.

28512. CHAIRMAN.—How many boats are there there?—(*Mr. Duffy*).—Twenty-five boats. (*Mr. Gallaher*).—What we call Greencastle boats.

28513. Most Rev. Dr. O'DONNELL.—Twenty-five feet in keel?—(*Mr. Gallaher*).—Twenty-six.

28514. CHAIRMAN.—What part of the coast do you fish?—Donegal Bay.

28515. Do you go up around Killybegs?—Yes, I go as far as Teelin.

28516. What do you fish for principally?—Mackerel, herring, flat fish, and cod fish during the winter season.

28517. How have you been doing lately?—We did very poorly for the prices we were getting. In the mackerel season we must fish only four days in the week. On Friday and Saturday we cannot fish. No buyers come to us on Friday or Saturday. (*Mr. Duffy*).—We haul up the boats on Thursday evening.

28518. Mr. SUTHERLAND.—Must you haul it up?—(*Mr. Gallaher*).—Yes. It is a very rough harbour to leave the boat alongside. (*Mr. Duffy*).—They would be broken if we did not.

28519. We heard this afternoon from Mr. Brennan that it was filled up?—(*Mr. Gallaher*).—It is filled up with stones and gravel.

28520. Is it a very good harbour?—It is a very good harbour, splendid. It only requires cleaning out.

28521. Do you say generally you are interfered with in the pursuit of your industry by the harbour being allowed to become useless?—Yes.

28522. It is practically useless to you?—Yes.

28523. Do any vessels other than fishing boats come?—Yes, schooners; those coasting vessels from Liverpool and Glasgow.

28524. How do you account for it not being properly maintained. Are you ever asked for harbour dues?—No. There are no harbour dues in it.

28525. Most Rev. Dr. O'DONNELL.—Is it considered private property?—Yes. It belongs to Mr. Ashley.

28526. Sir JOHN COLOMB.—Did he build it?—Lord Palmerston built it.

28527. Most Rev. Dr. O'DONNELL.—How long have you lived there?—All my life. I go away an odd time.

28528. I suppose you remember thirty years ago?—Forty years ago.

28529. Did you ever know any effort to clear it out at all?—No.

28530. Was it always dry at low tide, as long as you remember it?—It was.

28531. What is the difference between the depth of the water now and what it was when you began fishing?—Six feet.

28532. How did the silting up occur?—In the winter season the tide comes across the wall, and shoves stones and gravel in from the bay.

28533. Mr. SUTHERLAND.—It is not sand?—Clay, and gravel and stones.

28534. Surely it is an easy matter to get away the silt. What is covered only by tidal water does not require dredging?—From the point of the jetty to within six yards beyond the breakwater must necessarily be dredged to keep the harbour clean.

28535. It is a pity, after all we hear about the absence of harbours, that when there is one it is not maintained properly?—It is a splendid harbour if it was kept properly. We are also badly off for the want of a curing station there.

28536. Sir JOHN COLOMB.—Have you lost the means of selling fish by the want of having a curing house?—We lost hundreds of cargoes of fish of these yawls by the want of a curing station.

28537. CHAIRMAN.—Has anybody ever written from the fishermen of Mullaghmore pointing out that to the Congested Districts Board?—I could not tell you that.

28538. Sir JOHN COLOMB.—Did you never ask your priest to write to the fishery people or the Congested Districts Board?—We used to speak to our priest about this curing station, and the harbour also.

28539. CHAIRMAN.—Did he write?—He did, I believe.

28540. What happened?—I could not tell that.

Mr. Brennan.—I brought it before the Chief Secretary in Dublin last October, at a deputation before Mr. Bryce, and he promised that something would be done.

28541. Sir FRANCIS MOWATT.—You say you never can recollect anything being done to that harbour?—I saw a little pointing, and that was all I saw done.

28542. Because in 1899 they spent £348 on it?—(*Mr. Duffy*).—There was not much more than six shillings worth of stuff on it, to the best of my opinion. (*Mr. Gallagher*).—A vessel broke down the jetty, and it was repaired.

28543. Sir JOHN COLOMB.—The jetty was repaired?—Yes.

28544. Then the breakwater was pointed?—But that was no good to the harbour.

28545. That was work done, and it is very expensive work?—But that would be no protection to the harbour all the same.

28546. Mr. SUTHERLAND.—It kept it standing?—Yes.

28547. Sir JOHN COLOMB.—Has not Mr. Green been around here?—He has.

28548. I suppose you had every opportunity of speaking to him—did you?—I did not.

28549. Did any of you?—Except the chief officer of Mullaghmore. They were saying he did.

28550. You knew that Mr. Green was there?—Yes.

28551. And that he was the man to advise the Congested Districts Board and the Department. Did any of you go to Mr. Green?—I don't think myself any of the fishermen spoke to him. They might have been speaking to him, but I heard no word about it.

28552. Most Rev. Dr. O'DONNELL.—You could still send on your representation stating your wants?—We are badly off for a curing station.

28553. What would you cure?—Mackerel, herring, and cod fish.

Most Rev. Dr. O'DONNELL.—Send on the application then.

The Commission adjourned.

SIXTY-THIRD PUBLIC SITTING.

THURSDAY, APRIL 18TH, 1907,

AT 11.0 O'CLOCK, A.M.,

At the Workhouse, Dromore West, County Sligo.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (Chairman); The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; Most Rev. Dr. O'DONNELL; CONOR O'KELLY, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.; ANGUS SUTHERLAND, Esq.;

and WALTER CALLAN, Esq., Secretary.

Dr. HENRY MARK SCOTT examined.

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Dr. Henry Mark Scott.

28554. CHAIRMAN.—You are medical officer of Easkey No. 2 Dispensary District?—Yes; in the Dromore West Union. It comprises the parish of Castleconnor and the parish of Kilglass, in which there are congested districts; the electoral divisions of Rathmacurky, Castleconnor East, and Castleconnor West. These are the three congested divisions.

28555. Castleconnor West is not scheduled?—No; but Castleconnor East is.

28556. Is there anything special that you wish to bring under the notice of the Commission?—What I wish to say to the Commission is this. As regards relieving people in the congested districts, I would desire that these people should get employment at home. The majority of the valuations of landholders in Rathmacurky and Castleconnor East are very low. The land is very poor. It is a place in which the people have small holdings, not sufficient to support their families. What I would suggest is, if there was direct labour on all the roads of the country these men, who have some of them two sons and some of them three sons, would earn on an average 10*s.* a week. If a man with a small holding of five or six acres has two sons, each earning about 10*s.* a week, it would mean about £50 a year additional to that family, which would put them in a more comfortable position than they now occupy.

28557. What do you mean by direct labour on the roads?—To be employed directly by the County Councils.

28558. Sir JOHN COLOMB.—Not by contract?—Not by contract. I look on the contract system as a sweating system.

28559. CHAIRMAN.—What is the contract system?—The contract system is this: all the roads are published for contracts. Men come forward and take a road, perhaps a mile, or two or three miles.

28560. Sir FRANCIS MOWATT.—For making or maintaining the roads?—Maintaining them—keeping them in order. The men who take these roads employ other men to do the work, and want to get as much profit as they can out of it. My object would be to have nothing between the County Council and the labourer. Even though this might be a little bit more expensive, it would be for the benefit of the country in the end. It would be for the benefit of the poor, and would help the poor.

28561. You want to get rid of the middleman?—Decidedly. If a man takes a contract he is generally a man with forty, fifty, or sixty acres of land. I consider that that man should be able to live on his land.

28562. CHAIRMAN.—I suppose that there is nothing to prevent the County Council doing what you suggest?—Up to the present it has not been allowed, except in a few counties in Ireland, such as Tipperary.

28563. Do the Local Government Board prevent it?—No, but the Local Government Board may not sanction it. It has not been applied for. I saw not long ago in the County Roscommon that it had been applied for, but whether it is accomplished yet or not I cannot say.

28564. Do you know whether in England and Scotland the roads are maintained by direct labour?—I saw not long ago that there was a report that in Scotland, in a county as big as the County Mayo, the roads are maintained by direct labour. The wages are a great deal better there than in the West of Ireland, being about £1 a week, and still the difference in the cost of maintaining the roads is very small, indeed. I forget the name of the county at the moment, but it is as big as the County Mayo.

28565. Is not a question of that sort a matter for the County Council and their electors?—You see the way the roads are kept. If you had direct labour on the roads not only would you give more labour to the poor, but you would also improve the roads.

28566. I daresay you might?—You would have a different class of road, and that would be a blessing to a man like me, who drives 200 or 300 miles a week in a trap over roads that are kept in bad repair.

28567. Is it not then a matter which ought to be made a question at the County Council elections when they come on; should not the electors then see that the County Council would apply for powers to do this?—There are two ways of looking at that. There is a great deal of power in the hands of the landholding class—the forty and fifty-acre men who take roads by contract—and they don't want to do away with the contract system.

28568. Sir JOHN COLOMB.—By the landholding class you mean the tenants?—The large holders. They are, of course, in a minority when you take the whole county into consideration.

28569. Mr. O'KELLY.—Small farmers are labourers themselves?—Yes. I want to provide for the permanent labourer and the small farmers' sons.

28570. CHAIRMAN.—Surely the men who are in a position to take these contracts are not in a majority?—Then there are men who take contracts down to twenty acres. They work with sweated labour, and I want to do away with that.

28571. I should have thought that the people you wish to benefit would be in the majority?—I want to keep the men in the country. I want also to see that this man with the small holding of land gets an opportunity for his children of earning their bread, so that they can live more comfortably than they have done in the past. A man with twenty acres of land can make something out of it.

28572. Mr. O'KELLY.—The majority of the contractors in County Sligo are small farmers?—They are all farmers, but not such small farmers; some of them have forty or fifty acres, and so on.

28573. Mr. SUTHERLAND.—They require to be men of capital?—Yes. They must be men of a certain amount of capital, and there must be a certain security, so that if they do not conform to the contract they can be made do so. The county surveyor can come in, and compel them to do so. If there was direct labour on the roads each man working would make about ten to twelve or fourteen shillings per week, and remain at home instead of going abroad.

28574. CHAIRMAN.—You say the system of direct

labour, although it would have more advantages, would be more expensive. Why do you think it would be more expensive?—I have not thoroughly considered why it should be; but, of course, you would have to pay the county surveyor something extra, and you would have to pay a few other men. You are at present paying assistant county surveyors. They are paid large sums. All they do is going about inspecting the roads once in three months. If there was direct labour I suppose you would have to have men over them, who would constantly superintend them, and see that the work was done properly.

28575. When the grand juries kept the roads did they have direct labour?—No; and it is the curse of the country they did not.

28576. The grand juries put out the roads under contract?—They did, unfortunately.

28577. But, I suppose, under the direct system you would save the profit of the middlemen?—You would, and you would have better roads.

28578. A better road might cost more than a bad road?—It would pay in saving wear and tear on all sorts of vehicles to have a better road in the end.

28579. That would hardly be a benefit to the County Council, but it would be a benefit to the owners of vehicles?—They are the ratepayers.

28580. Sir John Colomb.—With reference to Lord Dudley's question as to whether the direct labour or the contract system is the better, the matter is purely one for the decision of the County Council?—I know; but what I would do is, compel the County Councils to have direct labour on the roads.

28581. Chairman.—In order that I may understand it, the County Councils are elected?—Yes.

28582. And every man who has a holding has a vote?—Yes; and every man who has not.

28583. When you say that the big farmers and landholders have all the power I find that the number of holdings not exceeding £10 in the two congested electoral divisions you have been speaking about is about 70 per cent. Therefore, the balance of power is entirely in the hands of the small holders?—I quite agree as far as that is concerned; but you don't take into consideration the multiplicity of brothers-in-law, nephews, sons-in-law, and all the rest, with holdings from £10 up. In a great many of those instances it is a case of a family party.

28584. On the face of it, it is still true that in this very congested electoral division you represent the proportion is two to one?—Yes; but I am talking of the whole county. That would not be fair at all, because we all know why these districts are congested is because the small landholders are in the majority.

28585. Taking the whole county, do not the returns show that the small landholders are in the majority of voting power?—That may be; but they are not instructed in what is best for themselves; and I think you will agree with me when you think the thing over. There are so many thousands a year collected in the rates of the county. You want good roads, and you have a right to see the thing well done, and to see that the ratepayers get the best value for their money; and if you possibly can do it you have a right to benefit the labourer. The man who actually does the work is the man to be benefited.

28586. What you really advocate is ignoring popular government?—No.

28587. Because I understood you to say that there should be a law to compel County Councils?—I advocate direct labour on the roads for the simple purpose of giving the small labourer a chance.

28588. Yes; but as the elected body will not do it, do I understand you to say that some other authority should step in and do what the local authority, popularly elected, will not do?—I think that the higher authority ought to recommend the local authority to do it. I think if it was pointed out to the County Councils that it would be the best thing to do for the small landholders they would do it.

28589. Mr. Kavanagh.—Has it ever been suggested in this county?—Not in this county.

28590. Why not?—I assure you I have not anything to do whatever with the matter in a political sense. I don't interfere in politics in the county in any shape or form. I have nothing to do with politics. Had I to do with politics, I might get up and speak on the subject, and bring it before the constituents; and, perhaps, if it was put before them very strongly the people would insist on it, as they did in Athlone and elsewhere.

28591. There is one reason why it is not done, because it would raise the rates very considerably?—I don't know that it would.

28592. You don't know that it would not?—No; I have not calculated the thing, but I look upon it as the best way of spending public money. I think, when there is public money to be spent, it should be spent for the good of the greatest number.

28593. Would it affect the small farmer who is the direct contractor, who takes a contract and does the work himself?—I would not interfere with him, for this reason, that he goes and works on the road himself just as a labourer.

28594. That is quite different from a man taking a contract and then paying day labourers to do it?—He could take a small contract if he chose.

28595. Mr. Sutherland.—Do you consider that the roads are kept well enough at present for the money that you spend on them?—I do not think so.

28596. Do you know what sections of the road are in the contract?—One, two, three or, perhaps, four miles, and when you consider the condition of the roads in the West of Ireland, you can see what a benefit it would be to have them properly kept. The way I look at it is this; you may have large numbers of small occupiers of perhaps 5 acres of land, at a rent of, say, £2 10*s*., and they will have families of two or three big boys and some girls in the house with nothing to do. The result is that the children have to go off to Scotland—Glasgow, Govan, or some place like that, while if these boys were employed at from 10 to 12 shillings a week they need not be sent away.

28597. Do these contractors work themselves or employ labour?—Both.

28598. Are you satisfied with the wages they pay?—Decidedly not.

28599. If there were direct labour, do you anticipate that the wages would be higher?—About double. A man must have a profit, or he would not take a contract.

28600. Are you certain that there is anything to prevent the County Councils from doing it at present if they wished it?—I am not aware. There may be, for all I know.

28601. Do you think the roads are better now or worse than in the old Grand Jury times?—About the same. Of course there is an amount of improvement in this way, that they have made more roads since the Grand Jury times. They have increased the mileage considerably.

28602. They have made new roads and extensions?—Yes.

28603. Sir Francis Mowatt.—You say that if there were direct labour on the roads, you would expect the labourers to be paid from 10 to 12 shillings a week?—Yes, and perhaps up to 14 shillings.

28604. What are they paid now?—They are paid now between 7 and 8 shillings; some of them less.

28605. Chairman.—Is there any other point you wish to bring before the Commission?—That is the point I wish to bring before you.

Mr. Michael O'Neill examined.

28606. Chairman.—You live at Culleens, County Sligo?—Yes.

28607. You are Secretary of the Kilglass Branch of the United Irish League?—Yes, and District Councillor for Rathmacurky Electoral Division. It is a scheduled congested electoral division. I have an opportunity of knowing the conditions under which the tenant farmers in Rathmacurky and the surrounding divisions live, and I wish to give evidence on several subjects.

28608. You have given a little sketch of your evidence: would you like to go through it?—I sent in a statement as Secretary of the United Irish League in the first place, and as a voluntary witness in the second place. As Secretary of the United Irish League, I had opportunities of knowing the circumstances of sales of land that took place. In Kilglass parish several sales have taken place under the Land Act of 1903. Up to the present the tenants have not been declared tenant purchasers, but they expect to

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be. They are paying interest on the purchase money. To my mind, the condition of the people there will be very bad if something is not done in the way of giving them an increase of land. The majority of the people cannot live on the land that they have. It may be expected that they could live on all the land that they have, but on some of the estates the land is of very inferior quality. No matter how hard the tenants work it is not enough. The tenants in the Kilglass district are very industrious. There is no doubt about that, not only at home, but also abroad, for they often have to go away. I knew farmers with big families who had to go to the United States of America to earn a living for their families and pay the rent to the landlord.

28609. Most Rev. Dr. O'Donnell.—Tell us the size of the holdings?—The majority are between 5 and 15 acres.

28610. What would the valuation or the rent be?—Take the Campbell Estate first. It is in Rathmacurky Electoral Division, in the Union of Dromore West, and the majority of the rents are from £4 to £5, some being about £3 and others up to £10. On the Rathmacurky portion of the estate the people live in a village. The land is held in rundale. There are 19 tenants on that portion. Of these, three may have economic holdings, but the remainder of them have very miserable holdings, some of them as low as fifteen shillings. The highest rent, except in two or three cases, would not be more than £4, and the valuations would range from 15 shillings to £4.

28611. Sir Francis Mowatt.—There are in Rathmacurky 235 holdings, and of those 123 holdings are less than £4. That will save your taking particular holdings?—These people have entered into purchase agreements without fully considering what they were doing. The result is that if the money coming from America and other places were withdrawn the tenants would be unable to meet their annuities.

28612. Most Rev. Dr. O'Donnell.—How used they supplement their income from the land to pay the rent up to the present?—They almost all got money from America, England, or Scotland, and in one village on the Hale Estate where there are twelve tenants, I find that the amount of money coming to these tenants in the year would, taking a rough estimate, amount annually to about £108.

28613. Sir Francis Mowatt.—Are all these twelve tenants below £4 valuation?—Yes.

28614. Most Rev. Dr. O'Donnell.—You say they got £108 from England and Scotland?—Chiefly from America.

28615. Was any of this money earned by migratory labourers who went over to England or Scotland, and came back?—Not at present, but in the past few years there were migratory labourers. Almost all the people have gone to America, save old people. There are left only old people and children.

28616. The connection is with America rather than with England or Scotland?—Yes; at present very many of them go to America.

28617. Is that Hale Estate in two portions or all together?—It is in two portions—the tenanted land in Culleens and the untenanted land in Knockagower, Castleconnor. Both portions were sold at the same time, in the spring of 1904, to the Congested Districts Board.

28618. Did they buy land for enlarging holdings?—Very little. There were only three holdings made out of the eighty acres of grass land bought. Two tenants migrated, and their holdings have been divided among six persons whose holdings were very small—between three and four Irish acres.

28619. That process is good as far as it goes?—It is, but it does not seem to work so well. If the people got grass lands nearer home, anywhere from three to five miles, they would rather get plots of land. The recommendation of finding plots is intended for persons who would not volunteer to migrate. There would be a large number of volunteers if grass land was available.

28620. Sir John Colomb.—For grazing?—No, but for tillage. For conacre they pay from £3 to £5 an acre.

28621. Most Rev. Dr. O'Donnell.—Grass land at a distance connected by a road with home would be quite convenient?—Yes.

28622. Would those three or four acres at a distance of some miles form portion of the farm?—They could be used for agricultural purposes as conacre places are at present.

28623. You would look on the road as making one farm of the two pieces?—Yes.

28624. Mr. Sutherland.—What is the limit of distance you would go?—Four miles would be far enough.

28625. Sir John Colomb.—Do you think a small farmer could carry on tillage four miles from where he lives?—I think he will. I know people have to go five miles for conacre, and pay £4 and £5 an acre for it.

28627. Do you mean for tillage or grazing?—For tillage purposes. Small farmers with only a few acres of worked-out reclaimed moor land have to go a distance for conacre.

28628. Mr. Sutherland.—Who takes the conacre, people with no land at all?—People with only a few acres of land are very glad to get conacre, but as a matter of fact conacre does not pay.

28629. Pay whom?—It only increases the supply of provisions for the winter in the shape of potatoes and some food for the cattle. If they were to pay for manure, labour, and rent, and estimate the profit made on conacre I am sure a man would not make a shilling a day on his labour.

28630. Most Rev. Dr. O'Donnell.—From what class of people do they take conacre from?—Middlemen who have large farms of from twenty to one hundred acres, and these people all cultivate their own holdings to the last extent before they take conacre.

28631. They have reached the limit of profit of their own holdings first?—Yes.

28632. There is a large annual return from the little plots that are let out in conacre?—Yes.

28633. Mr. Kavanagh.—And for corn crop they take a second acre?—They take a corn crop off the first year, and then potatoes. Persons who can afford it take two or more acres, so as to give their own worn out holdings a rest.

28634. They take it for two years?—Yes, and for five years.

28635. What manure do they get?—They do not get farmyard manure. They use artificial manures.

28636. Chairman.—You want to tell us about Colonel Howley's estate?—Yes; but with regard to the Hale estate, only six of the tenants have got their holdings enlarged. The small plots they have got are of very little value to them. That leaves twenty-five or twenty-six other tenants without holdings large enough to be economic. Now the Congested Districts Board has done very good work on the Hale estate. It made bits of roads, and did all it could to improve the condition of the tenants, but after all they could do they had not sufficient grass lands to get the benefit. The members of the Congested Districts Board cannot feel satisfied that they are stopped on the Hale estate for want of sufficient land.

28637. When did they buy this estate?—About three years ago, but I think the estate was only vested in the Congested Districts Board about a year or a year and a half ago.

28638. Would you say that the fact of a great many of them being left out is due to the want of land available?—I think so.

28639. You don't suggest that the Congested Districts Board could have done any more?—The Congested Districts Board could not do any more at the present time. What is needed is grass lands in the locality or migration to other districts. The Congested Districts Board might have given the loans and grants for the reclamation of cutaway bog; and thus have made some of the existing holdings economic.

28640. I see on my map that the Hale estate appears to be in two portions?—Yes.

28641. Separated from each other?—By a river.

28642. Is the grass land on one side, and the tenanted land on the other?—No; both sides of the river are tenanted land, but the grass land is five or six miles away from the tenanted land.

28643. Where is the grass land they have bought?—At a place called Knockagower, within one and a half miles of the little town of Inniscrone.

28644. Is that on the property nearest to Killala Bay?—Yes. It is six miles nearer to Killala Bay than the tenanted land.

28645. Is there no demesne house on the property?—No. This is the Hale estate.

28646. The grass land is some distance from the tenanted land?—Six or seven miles. Three men migrated from Culleens to Knockagower; two houses were built, and a third is to be built.

28647. The land which they leave is divided among the others?—Yes.

28648. In no case does a person leaving one place hold land in another?—Not up to the present.

28649. Most Rev. Dr. O'Donnell.—That was a suggestion of yours?—Yes, from the small farmer's point of view. I have an opportunity of knowing the place.

28650. Sir Francis Mowatt.—You say five miles is the limit at which you could give an additional piece of land?—Yes.

28651. This is beyond that distance?—It is. With regard to other farms purchased by direct sale in that parish a great many of the tenants are small holders. I instance the Campbell estate. I am sure if something is not done in the future to provide them with sufficient land the condition is this. These tenants have very small holdings, the smallest in the district. They have purchased at seven shillings in the pound off, but that means nothing to them only a few shillings in the year, so that they have no prospects before them.

28652. They bought direct from the landlord?—Yes. It is at Culleens, adjoining the Hale estate.

28653. Chairman.—How far off are these two estates from here?—About four miles.

28654. Then these tenants on the Campbell estate are in very much the same position as the tenants on the Hale estate who have not had their holdings enlarged?—Yes. The reason why they are so is because there was no grass land. Grass lands may be available, but there was no element of compulsion in the Land Act to enable the Estates Commissioners or any body to purchase these grass lands for the tenants.

28655. Was there any attempt made to sell the estate through the Congested Districts Board?—I think they suggested to the landlord to sell either through the Congested Districts Board or the Estates Commissioners, and the landlord refused to sell to either of these bodies.

28656. He preferred to sell direct?—He preferred to sell direct. It has been the same way on all the estates purchased. The Orme estate was purchased in Kilglass, and in the case of the Duke estate and four or five others it was the same. The tenants were very poor, and in need of an immediate reduction, and on account of the few shillings that they got off their rents they agreed to purchase. In all cases there was a year's rent added to the purchase price, so as to enable the tenants to have the benefit of a year's rent. This was two years ago. It was a year of exceptional distress in the district, and the tenants embraced the opportunity of immediate relief by saving that year's rent.

28657. Were there many arrears of rent on the Campbell Estate when the sale took place?—There were some arrears. The year's rent then due was added to the purchasing price. All other arrears were wiped out on the payment to the landlord of one year's rent subject to a reduction equivalent to the reduction secured by the purchase.

28658. Were there any intermixed plots on the Campbell Estate?—Yes; Rathmacurky is all in rundale. Each tenant may have five or six plots sometimes, and have to go one and a half miles to a small plot of a half acre or a rood. Each tenant has several small plots.

28659. How do they propose to settle that estate now that they have bought?—I don't know unless something is done by the Estates Commissioners, or some body having power under the State to stripe the land.

28660. Can they stripe it voluntarily among themselves?—I think not.

28661. Would people of that sort, who have already bought, allow the Congested Districts Board, or any body, to come down and divide the land for them?—At present the holdings in the hands of the farmers would not be worth striping, they are too small. Unless grass land is available, or some of the tenants migrate, it would not suit to stripe.

28662. Even supposing that no land was available for the enlargement of holdings, would it not be an advantage to have the holdings solid?—It would.

28663. That, you think, can only be done by some outside body?—I think so.

28664. It cannot be done by themselves?—It cannot.

28665. Would they allow the Congested Districts Board to come in and do it?—I believe they would.

28666. Voluntarily? I think so, if they were able to get more land.

28667. My point is if they are not able to get more land?—I cannot say they would, because it happens at the present time some of them have better land than others. A great part of the land is moor land, and cutaway bog, and land not reclaimed at all, and I am perfectly sure that the persons having better land would not be willing to take on a portion of bad land instead.

28668. Does it come to this, that except a rearrangement of land in rundale can be effected during a sale, it is very difficult to do it when the sale is carried through?—I do not know if it can be effected under the present Land Act.

28669. After the land is sold, can it be done at all unless there is more land added?—It cannot be done so as to give satisfaction.

28670. Most Rev. Dr. O'Donnell.—If more land were available for the enlargement of holdings, that would be sufficient, in your opinion, to induce the tenant purchasers to agree to the re-striping of their holdings?—It would.

28671. Mr. Sutherland.—Is it adjacent, that land?—There are plenty of grass farms in the parish. I can read, if you wish, a list of grass farms.

28672. Could these holdings be enlarged without lifting the people away?—Yes, if all the grass lands in the parish were purchased.

28673. That is, they are surrounded by grass lands?—Yes, not so much in this electoral division, but in the next electoral division, Kilglass.

28674. Chairman.—Are you speaking of the Campbell Estate?—Yes.

28675. There is grass land available which can be bought?—Yes. Colonel Campbell had two estates in the Kilglass parish. One was known as the Frankford Estate. This was all grass farms held by non-residential tenants. I have a list of the tenants, the rent and the valuation of the holdings. It has been sold recently to these non-residential tenants. In all I think there were about 300 acres sold last November.

28676. Is that Colonel Campbell of Sligo?—Yes.

28677. Sir John Colomb.—How many tenants were on that 300 acres?—Seven; each of these tenants has a residential holding on some other estate.

28678. They were judicial tenants like everybody else?—Yes.

28679. They worked this land in grass and not in tillage?—Yes.

28680. They were judicial tenants who preferred working the land in grass?—Yes.

28681. On an average, they have about 40 acres at present?—One has 61. The same person, I find, has in an adjoining townland, 71 acres, and he has a residential holding beside. The same state prevails all through the parish.

28682. Mr. O'Kelly.—How far does he live from those non-residential holdings?—A mile or two.

28683. Most Rev. Dr. O'Donnell.—Had he any tenancy of these non-judicial holdings before he bought them?—I have got a list. On this list they are given as untenanted lands. Of course, there is no residence on these lands.

28684. Sir John Colomb.—Can you give us the valuation of that 300 acres of land, that is, what it works out at on an average; the total valuation of the 61 acres is £34?—Yes. In all it comes to over £120 or £125. What I have said about the Campbell Estate applied to the Orme, Duke and Rashleigh Estates. They are also sold direct.

28685. Under the last Act?—Yes.

28686. Most Rev. Dr. O'Donnell.—In those cases some non-residential grass farms were sold with the others?—Yes; there were.

28687. Are they also in rundale?—No; there is no rundale.

28688. On any of them?—I think there is not much.

28689. They are small holdings?—The majority of them are small holdings.

28690. Holdings on which the people cannot get a living from the holding itself?—Yes.

28691. Sir John Colomb.—Were there any houses on these grass lands you speak of?—Unless a herd's house, there were none.

28692. There were some men getting a living out of the places by living on them?—Herding.

28693. Chairman.—These estates that you speak of, the Rashleigh, Orme and Duke, were they grass lands?—No, but there were some. On the

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Rashleigh Estate a few of the tenants had large farms, but the majority had small farms. In the Carranduff village there are ten rented under £10 and one over it, and three are valued under £10 and eight over it; so the rent and valuation do not compare very favourably in that place. The same system with regard to rents and valuations prevails all over the division. The people are fully as poor as in the scheduled divisions, and it ought to be scheduled.

28694. Most Rev. Dr. O'Donnell.—Do you say that on that Rashleigh Estate there were some grass lands sold to non-residential tenants?—No. I did not say that.

28695. Were there any grass lands that might be availed of to enlarge those small tenants to which you have called attention?—Not on the Rashleigh Estate.

28696. Were there any grass lands near it?—Yes. There were plenty of grass lands near it.

28697. You seem to suggest to the Commission that before small holdings are sold to tenants a distinct effort should be made to find land for their enlargement?—Yes.

28698. Would you go so far as to say that the money of the State ought not to be available to enable non-residential tenants to purchase those grass lands, especially as long as there are small holdings needing enlargement?—I think and believe that were the small holdings enlarged it would be a greater advantage to the government of the country to have a number of prosperous small farmers than to have a few graziers, because the graziers are not making the most out of the land. A small farmer with 30 acres of land might make as much out of his 30 acres of land as a grazier with 100 acres. A judiciously managed small farm of 30 acres would be as valuable to a tenant farmer, I believe. When the people of the country are prosperous the State would be prosperous, and this 30-acre farm would be as valuable to the State as 100 acres of grass lands.

28699. Sir John Colomb.—Do you think that tillage pays better than grass lands?—Yes, if judiciously worked.

28700. You have got a farm yourself?—Yes.

28701. Do you find it pays better by working it in tillage than in grass?—If a tenant has some capital to expend on the farm, and manages it judiciously, it would pay better, because the tenant of 30 acres of land might fatten cattle and get the full profit if his farm is judiciously managed, whereas now he has to sell them as stores and not get half the amount.

28702. What is the size of your farm?—My farm is a small farm. The area is over 30 acres. The quality is very bad. A great part is unreclaimed land.

28703. What is your valuation?—Very low; only £3.

28704. Do you, with your experience and the great intelligence you possess, find it better to work in tillage rather than keep it in grazing?—Yes.

28705. What proportion of your 30 acres do you work in tillage?—I till the whole of it in a five-course rotation. Of course, I leave fields out for two or three years for grazing purposes, and some for meadow, and I till the remainder in a five-course rotation.

28706. What is your rent per acre?—The rent is very low.

28707. Sir Francis Mowatt.—You say a large portion of your land is practically unreclaimed?—Yes.

28708. Do you till that?—It would require a large expenditure, of £10 an acre or so, to reclaim it.

28709. Do you manage to find the capital to till that; does the whole of your land pass through the alternate crops?—The unreclaimed portion does not, because I cannot till that.

28710. Mr. Sutherland.—What proportion of it is unreclaimed—half and half?—Yes.

28711. Most Rev. Dr. O'Donnell.—So you have 15 acres under rotation?—There might be 15 statute acres.

28712. How many of those acres did you reclaim?—All that is reclaimed. It was reclaimed within the last generation.

28713. By you and your father?—Yes.

28714. Sir John Colomb.—As tillage involves the expenditure of capital, do you think the enlarged holdings would be worked in tillage; that there is capital enough in the hands of the small tenants to carry on tillage?—I do.

28715. Do you think the class of tenants we are speaking of have capital sufficient to put into tillage if they had sufficient land?—I don't think they have all the capital, but if they had——

28716. Chairman.—Where is your farm?—In Culleens.

28717. Most Rev. Dr. O'Donnell.—Could you live at all if you allowed your land to grow grass and did not till?—I could not. Inside of ten years it would be growing heather and rushes.

28718. Tell the Commission what you take off that farm from year to year?—I take potatoes, but they don't yield a good crop. They are little more than half the crop that would be got on land of better quality.

28719. Sir John Colomb.—What stock do you find you can keep?—I might keep more had I the means to do so. Five or six cattle and a horse are as much as I can keep.

28720. Sir Francis Mowatt.—Do you keep a horse?—Yes. I could not manage rough land like that without a horse.

28721. Sir John Colomb.—Do you think a holding can be considered an economic holding which is not horse-farmed; do you think a holding which cannot keep a horse can be called economic?—I do not.

28722. Chairman.—Sir John wants to know whether you think a man can ever get a living off a holding if that holding is of such acreage that he has to do all his cultivation by spade work?—I think he cannot. The occupier of a spade-labour farm situated near a town might make a living on it.

28723. Sir John Colomb.—At what age do you find yourself compelled to part with your cattle?—At one and a half or two years old.

28724. You cannot keep them beyond that?—No, because land of that inferior quality cannot grow root crops that would fatten. Even if you could afford to keep the beast to fatten you could not grow the crops.

28725. You are compelled to part with your beasts at a year or a year and a half by the circumstances of your farm?—Yes.

28726. Chairman.—Is there a creamery near here?—No; there is no creamery in this district. There is no industry whatever, except quite convenient there are some small tenants with two or three acres of unreclaimed bog land and they cut turf and sell it here. It is not a very remunerative industry. I don't believe it pays them a shilling a day. There is the pig breeding and rearing and the egg industry, which are not profitable on account of the distance to the nearest railway. Pigs have to be sold at less than they would realise in Sligo or other towns.

28727. Is there any particular reason why there should not be a creamery?—There is; the people cannot feed their milch cows well enough to keep up the required quantity of milk, and there is very little milk to be had during the winter months.

28728. Would a creamery answer in these places?—I believe it would. At the present time the small farmers who make butter have, in the majority of cases, to sell it at sixpence a pound to the local traders.

28729. They make butter themselves?—Yes.

28730. Most Rev. Dr. O'Donnell.—The housing conditions are not good for making butter?—No. The housing accommodation for the people themselves is not good, and the dwelling-houses are not what they should be.

28731. Chairman.—Is it a general thing here for the small holders on the Campbell and Hale estates to make the butter themselves?—Yes. They all keep one or two milch cows.

28732. They all make butter?—Yes.

28733. If that is so why is there no creamery?—I cannot say. I suppose capitalists do not think it safe to invest money. The people are not sufficiently advanced to start co-operative industries, or they have no capital. Such industries were started here and ended in failure. The present condition of the small farmers is such that they could not produce milk in sufficient quantities to supply a creamery all the year round. The grass is poor in summer time, and the land is unable to produce roots for winter feeding.

28734. Mr. Sutherland.—Has a creamery been a failure here?—No.

28735. What industries do you refer to?—In Ballina a boot factory was started and failed. It requires a man with capital to keep an industry like that going.

28736. Who started these industries?—In Ballina Father Quinn and some of the local clergymen started the boot factory.

28737. Mr. SUTHERLAND.—Did the Congested Districts Board start anything?—No.

28738. Mr. O'KELLY.—Can you account for the failure of the Ballina boot factory?—I cannot well account for it.

28739. Sir FRANCIS MOWATT.—How long did it go on?—About one and a half or two years. I am sure they had not sufficient capital and perhaps they found it difficult to get a market for their boots. There is no body to foster these industries when started; so generally they fall through.

28740. Mr. O'KELLY.—Had the Department of Agriculture anything to do with these industries?—I cannot say. Lord Dudley knows something about it. There was a grant given by the Government to start it.

CHAIRMAN.—I understand not. I believe that they only gave instruction.

28741. Mr. O'KELLY.—Was the selection of the manager of the Ballina industry left to the Department of Agriculture?—I cannot say. I don't know much about it, but my idea is this, that when an industry like the Ballina industry fails it causes persons with capital to refrain from starting industries.

28742. You don't know anything about the causes of its failure?—No.

28743. Most Rev. Dr. O'DONNELL.—In every district such as this milk and butter are very important products. You were asked about creameries. Would it be a great improvement if little cottage dairies were attached to the houses of the small occupiers?—Yes.

28744. Do you think would that meet the wants of a place like this rather better than creameries?—It would if there was a way for the people to get a market for the butter manufactured there. The want of a market is the chief cause. The distance to the nearest butter market, Sligo, is 27 or 30 miles, and the cost of the journey with a horse and cart leaves a very small margin of profit. With railway communication and cottage dairies the butter industry would become profitable in the district.

28745. Don't you think the market, though very desirable, would come close on the heels of the improvement in the produce?—I believe it would, if the industry was fostered by some body; but an industry started by poor people, on their own responsibility, as a rule does not get much of a chance in this country presently.

28746. You described something of the way you work your farm; what help have you on it?—I have only myself.

28747. Are you a married man?—I am. I do the weight of the work myself.

28748. Have you a hired man occasionally?—Occasionally, but I could not afford to pay a hired man the whole year round. As a matter of fact I have to manage very carefully to meet my calls. Everyone in the locality has, from time to time, to trust to the generosity of the local shopkeeper.

28749. Your family is small at present?—Yes.

28750. That is the critical time?—I have only one child, my wife, and mother. If my family was larger it would be impossible for me to hope to make a living.

28751. You have not any holidays in the year?—I have not.

28752. You work the whole year?—Yes, except Sundays and holidays.

28753. You work the whole day?—Yes, I work from about half past six or seven o'clock at the latest until very often ten or twelve o'clock at night. I have to work inside to look after cattle and pigs, to help my wife and mother at night and in the early morning, and I work on the farm during the day.

28754. I think it is most admirable?—I am sure the same thing can be said of every other small farmer in the district.

28755. You think so?—From what I can see.

28756. They are industrious?—Very industrious.

28757. If the farms were larger, if they got economic holdings, they would till them, to the best of their knowledge?—Yes, if they got something to start with, but it is not easy to make an uphill fight getting credit for everything, and paying maybe from £20 to £100 for it.

28758. CHAIRMAN.—You told his lordship that in your opinion a small dairy attached to those cottages would suit the conditions of this district better than creameries. What reason had you for saying that?—In the district I come from the grass lands are in the centre, and the tenants' land is up towards the mountains, and the distance that the milk would have to be carried to the creamery, which would be situated near the grass farms, would be very great, so that the profit would not be much on account of this loss of labour. Moreover the holdings are so small and of such inferior quality that a sufficient supply of milk could not be kept up.

28759. Have not many creameries got a system of daily collection?—I don't know. I am not acquainted with the system. There is no creamery within twelve miles.

28760. There are rough roads in these places?—There are. In the mountain districts, in some places, the roads are very bad.

28761. Mr. SUTHERLAND.—Of course they get a better price for their butter if made in a creamery than for butter made under the existing conditions?—I believe so, but I do not know; I live at such a distance from the nearest auxiliary creamery down at Skreen, ten miles from me.

28762. CHAIRMAN.—Have you ever thought, supposing there was a small dairy attached to the house and the tenant went in for dairying what the smallest number of cows he could get along with would be?—As a rule the people cannot keep more than two cows, and these two cows they have to house-feed a great part of the year, and in winter time, in the mountain districts, they have to buy turnips, meal, and bran to keep the cattle, and very often hay.

28763. Do you think an individual dairy, such as his lordship suggested should be attached to the house, could be made to pay on two cows?—I think it would be better if something could be got up on a co-operative scheme for the locality. The co-operation I mean is co-operation in exporting the butter.

28764. That is a different thing. That is the creamery idea. I understand you prefer an individual dairy connected with the house, everybody doing his own dairying?—I know this case, where there are two or three cows kept, and there happens to be a dairy, the persons who keep them make good butter, exhibit it at the local shows, and get fancy prices in the Ballina butter market. I am sure that pays them fairly well, and if some such system were carried on through this district it might be remunerative.

28765. Most Rev. Dr. O'DONNELL.—A cottage dairy does not involve a change of system. It merely involves better treatment of the milk and butter?—Yes; that is so.

28766. It is better to get the milk into a separate apartment outside the house, and keep it in pans until it is made into butter. That would not involve any considerable expenditure in the upkeep, but it would enable the occupant to give more fair play to the important products of milk and butter?—I believe that by that system the small holders would make double.

28767. Sir FRANCIS MOWATT.—How often could you churn with two cows, one giving milk and the other perhaps out; could you churn twice a week?—They do.

28768. You would not have your milk very fresh for your butter?—There must be at least three cows.

28769. Sir JOHN COLOMB.—Where do you sell your butter at present?—In almost all the local shops. They buy it in small rolls.

28770. Is there any competition among buyers?—There is not very much competition; the same price all round.

28771. Sir FRANCIS MOWATT.—Sixpence per lb?—Sixpence to 7½*d.* That is the highest I know it to go in these places.

28772. CHAIRMAN.—Do they pay sixpence for good and bad butter alike?—It seems to me they do. Of course where there is very good butter they take it to market and get the highest price. They sell it to *bona fide* buyers.

28773. Is there very much variation between the butter that is made by one house and another?—There is.

28774. There is a great deal of variation?—Yes. There is a great difference in the quality of the butter.

28775. If there is a great difference in the quality of the butter don't you think it probable that a great deal of the best butter does not fetch a good price because of the bad quality of the butter that is also sold?—It does not.

28776. If a man has to pay a uniform price because of local feeling he is probably getting the best butter very cheaply?—He is.

28777. Would not the quality of the butter be more

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uniform under the creamery system than under the individual system?—I cannot say. I know nothing of the creamery system.

28778. If you have a creamery with a person in charge of it who knows how to make the best sort of butter is not it more likely that the butter turned out there would be of better uniform quality than butter made under those various conditions where some people may know all about butter and some people may know very little about it?—Certainly; it would be of more uniform quality.

28779. Then would not it command a better price than is now obtainable as a whole?—Yes, if the difficulty of distance could be got over. The untenanted land is in the centre portion, and five or six miles away along the sea-shore, and in the mountainous districts the place is very thickly populated.

28780. Most Rev. Dr. O'Donnell.—In winter could you feed any cows to keep up the supply of milk for the creameries?—The tenant farmers as circumstanced at present would be unable to keep suitable cows and feed them properly so as to keep up a sufficient supply.

28781. Have you heard that with creameries there is a tendency to send off all the milk to the creameries and to leave little for the family?—Yes; and I am also told that the skim milk coming from the creamery is of very little value to the farmer as a food.

28782. You alluded to the amount of capital necessary to start migrants on a new holding. Did you consider, with reference to those migrants on the Hale estate, what sum would be absolutely necessary to start a man?—A great deal would depend on the circumstances of the tenant before he migrated. On the Hale estate the persons migrated had each a horse and farm implements and a few head of cattle. Yet they would require about £50 to place them in circumstances suited to the size of the farms.

28783. Sir Francis Mowatt.—There is a house?—Yes.

28784. Some sort of a cow house?—Yes; but the out-offices built there are large enough to meet the needs of the incoming tenant if he keeps sufficient stock for the needs of the farm.

28785. There are already houses?—Yes, there are two houses built, with out-offices. The out-offices are small. They have no accommodation for pigs, but accommodation for a horse and two or three head of cattle.

28786. Chairman.—These are built by the Congested Districts Board?—Yes. I know on the Hale estate one of the tenants about to migrate was offered £30 of a free grant and £25 of a loan if he would undertake to build a house there himself. If each of these tenants in congested districts got £25 of a loan, payable on the same terms as land purchase loans, I think, apart from the Hale estate, it would be a very good scheme to improve the housing accommodation of the people, as most of the dwelling-houses are small, low, and insanitary.

28787. Most Rev. Dr. O'Donnell.—Suppose a man like you is migrated to a holding of fifteen acres of fair land for the purposes of tillage, and the house is put up on it, and out-houses, not in great plenty but sufficient for a start, and suppose you have no money whatever from the sale of your own farm, how much would you require in hand to provide stock for that farm and agricultural implements and manures?—I think £50 would be a very low estimate if I had no money of my own along with my present stock and farm implements. It might vary between £50 and £70. I would not want to be extravagant.

28788. Mr. Sutherland.—You would not like to go into debt?—Not too deeply. But some tenants are more industrious than others, but, on the whole, they are all industrious. I would like to go as far as I would be able to meet.

28789. Mr. O'Kelly.—What are the items making up the £50?—Assuming a man has no stock of his own, or money, he would want two milch cows. The cows he would buy for £20 the pair would not be good cows. He would want a horse. He might buy a horse suitable for the farm for between £10 and £15.

28790. Take it at £12 10*s*. What is the next item?—If he had no farm implements he would want £10. Then pigs would be required. A person beginning life like that would require four or five pigs. That would be £4.

28791. What about sheep?—What I was building the £50 on was that he might have some stock of his own to migrate to his holding. He would require about £100 if he was without cattle of his own if migrated to an economic holding; and I believe he could afford to pay the annuities on that £100 out of the profits of the farm.

28792. Chairman.—Take the circumstances of any estate you know about here. Take the case of an ordinary man, paying £5 or £6 a year rent—what sort of stock has he got?—A great deal depends on the value of the farm. These small farms are not alike. A farm of four or five acres would be equal in some cases to a farm of ten acres.

28793. Take a man of £5 or £6 rent—what stock has he got?—About four or five head of cattle and a horse—in some cases he has not a horse—and pigs.

28794. Would he possess a plough and harrow?—In almost all cases they do.

28795. Suppose that man was migrated in that position; suppose he was migrated to a better farm somewhere else, would not it be perfectly possible for him to start for a year or two on the capital and stock that he already possesses?—I think it would not; because on a larger farm he has to meet larger calls. He has more rent and rates to pay, and he has, in order to be in a position to meet all these charges, to wait until the stock produces stock. That might be too long. Then there are losses connected with the rearing of stock. If a man has only two or three cows something might happen them. They might die before he realises them.

28796. Cannot he get the little necessary capital to meet the increased rent, and so on, by letting out the balance of his land in meadow or taking in grazing?—I am sure he could get the most of it; but I think it would suit him better if he had cattle of his own, and laboured the land for himself.

28797. I daresay it would, but until he is in a position to extend his operations, until the natural process of stock producing stock has been arrived at, don't you think he could make up what he wants by letting out the land?—I am sure he would be able, at a little disadvantage.

28798. But is it absolutely necessary for him to have more than he possessed on his former holding?—It is.

28799. You don't think a man could be migrated to work successfully unless he has got some capital?—I think he could, provided he got capital on the same terms as the land purchase loan—payable on the same terms and at the same rate of interest. That would work very well, because it would not be very heavy on the tenant. The feeling among the people is not to take more than they would be able to meet; and men not industrious, or not inclined to improve their position, would not, with very few exceptions, go in for a loan.

28800. Mr. Sutherland.—Have you ever heard of an arrangement by which premiums repayable on advances are delayed for two or three years; by which the repayment of the loan is delayed at the beginning for two or three years and added on at the end of the term—would that meet those cases?—That would be a good arrangement.

28801. You are aware that an arrangement like that exists in Scotland?—I am not aware.

28802. That would meet the case, you think?—I think it would. It would give the tenant room to make a good start.

28803. You say your individual case is typical, and that you have to part with your stock at a year or a year and a half?—Yes.

28804. I suppose you sell them at local fairs?—Yes.

28805. Who are mostly the buyers at these local fairs?—The local graziers, who buy store stock; and strangers come in to buy the stock. They reap all the profits while the small farmers rear the stock.

28806. Do you live altogether by your farm?—I do; but it is a great struggle to live. I have to be very careful; and as I am, I have to run into debt, and it is very uncertain with such means as mine if I am able to meet it. I hope I may.

28807. Chairman.—What is the next point?—The next matter is the Howley estate. In the first case the tenants, I believe, entered into an agreement with Colonel Howley to purchase their farms. The holdings are of very inferior quality, mostly of bogland, tillage bogland, with reclaimed moorland of very

inferior quality. I believe it was rented cheaply, but if the tenants got it for nothing I am sure there are some tenants in Ireland would not come to live on it, because they would not expect to make a living on it. Colonel Howley offered to give the tenants grass land sufficient to make their holdings economic, but when the time came for having the agreements signed none of the grass lands would be given; then the tenants murmured, and got the Estates Commissioners to interfere. The result was that some of the grass land on the Howley estate was sold for distribution among the tenants, but there was not enough of it sold.

28808. Sir FRANCIS MOWATT.—Whom was it sold to?—It was a private sale of the owner. The Estates Commissioners stepped in. I don't know whether the Estates Commissioners or the tenants purchased direct from the landlord. A great many of the tenants did not sign the purchase agreements for the landlord. On the understanding that they were to get grass lands they signed purchase agreements. At first the tenants' agreements fell through. In the end, the agreement signed was with the Estates Commissioners.

28809. CHAIRMAN.—Where is the Howley estate?—On the Rathmacurkey division.

28810. How near is it to these other estates?—It is about a mile apart or two miles. There were upwards of fifty tenants on the Howley estate. Thirty-two got their holdings enlarged by the Estates Commissioners. They got between four and seven acres. I have a list of the increases. Those of fairly high valuation, from £5, got their holdings enlarged. Others, with valuations ranging from 5*s.* to £3, have not got any of these grass lands. It would appear to most people that if the Estates Commissioners had grass lands to divide the persons to have first claim on it would be the small occupiers.

28811. Most Rev. Dr. O'DONNELL.—Your point is that those who got the enlargements were not those most in need of the enlargements?—Yes.

28812. Sir JOHN COLOMB.—The tenants first agreed with the landlord, and then some of them thought better of it, and wrote up to the Estates Commissioners, and through the action of the Estates Commissioners the grass lands were sold by the landlord as well?—Yes.

28813. Then came the matter of the additions of grass lands given to certain tenants by the Estates Commissioners?—Yes. For instance: Maria Kennedy with a valuation of £4 19*s.* 0*d.* got 6 acres 3 roods of an increase, while on the other side Phil Atkinson, with 2 acres 0 roods and 6 perches, and no valuation, got no increase of land. It is bogland. He was living on a lot of bog, and it would be valued on Colonel Howley or else the valuer did not see any value in it.

28814. Was there any offer made to the very small men to migrate, or anything of that sort?—I never heard of it.

28815. Mr. O'KELLY.—Has all the grazing land been divided?—It has not.

28816. Does not that suggest that there is some hope that those tenants may get an increase yet?—But this sale has been fully completed now. Some of the tenants refused to sign purchase agreements. They were brought by the Estates Commissioners to two or three sessions in Easkey and Sligo, and were decreed, and forced to sign, with the exception of one, who held out; and he is now declared a tenant purchaser against his will.

28817. Sir JOHN COLOMB.—The vesting order has been received by the tenants?—Yes. The one who refused to sign the agreement has been declared a tenant purchaser. On the Howley estate, I am informed on very reliable authority, there is 365 acres of grass land in Cooga and an 11 months' grass farm in Kilgarvin, County Mayo.

28818. Mr. SUTHERLAND.—Did the Estates Commissioners buy the land?—I believe they purchased it. The bargain was agreed to at first by the tenants.

28819. Did they propose to make any rearrangement of the land?—It seems they did not.

28820. Mr. O'KELLY.—How long have the Estates Commissioners the property?—They have it upwards of three years. It is vested in the tenants for some time. The last of the tenants who held it, Pat Brady, with 4 acres 2 roods and 5 perches, and a valuation of £1 5*s.*, who refused to sign, has been declared by Act of Parliament a purchasing tenant.

28821. CHAIRMAN.—I think you have now told us practically all you have to say. At the end of your evidence you want to go into the question of roads and drainage, and that sort of thing, but we have heard so much on that point that I don't think there is any necessity for it?—All I would say is that in the west of this Dromore West district in the congested districts along the mountains they are very much in need of roads. Some persons have to travel three or four miles through the mountain for want of road accommodation of any sort. Another matter of great importance that I would recommend is a harbour at Poulaheeny. It is a splendid natural harbour. The proposed work would very much improve the condition of 300 or 400 families, all under £5 or £6 valuation.

28822. All fishermen?—Yes; they could not live on the land. I have here a map of the place drawn by a man in the district, and also a statement of the necessity for the proposed pier, and the use which it would be in developing fishing and helping the kelp industry. It is signed by about a hundred occupiers of holdings in the districts of Carrowmacbrine, Rathlee, and Cabra. Opposite the signatures are particulars of area, valuation, rent, and number of persons living on each holding. From this it will be seen that the interests of over 500 people are represented by those who have signed the memorial, and that the tenants who have signed all live on very small holdings. (*Hands in memorial*).

Mr. WILLIAM MITCHELL examined.

28823. CHAIRMAN.—You are a member of the Rural District Council of Dromore?—Yes.

28824. You appear here to represent them?—Yes.

28825. What is there particularly you would like to tell us?—I would like to inform you with regard to the uneconomic holdings in my district, and also to give you information regarding the grass lands and anything else that might be useful to you that I might be able to tell you about.

28826. Take the uneconomic holdings first?—I have got a list of holdings of certain valuations, not exceeding £20, £15, £10, and £5. That is only for the three parishes of Templeboy, north and south, Skreen and Dromore East and West.

28827. Give the result of all those?—Holdings not exceeding £20 number twenty-nine, £15 are 128, £10 are 142, and £5, 178. Holdings above £20 I did not take into consideration, as I thought you did not care about the large holdings. In the same district I will give you the total amount of untenanted lands taken from the Blue Book as 2,175 acres in the three parishes at a valuation of £736 12*s.* Another very important case occurred within a mile of this place. It is a property that was under consideration of sale to the Congested Districts Board. There are thirteen tenants, nearly all very uneconomic, in the place, and a certain gentleman, a shopkeeper, walked in and bought it over their heads. The average valuation of these poor people is only £4. These people live on a bit of bog reclaimed and cut away, and one of the most important things in the barony of Tireragh to-day is to have something for these poor people, and people circumstanced like them.

28828. Mr. O'KELLY.—What is the name of the property?—The Comcuil. I think you know a little about it. I have been informed on very good authority since I came here that there are eight tenants, comprising forty-five individuals, living on £10 15*s.* valuation of land. Looking at all the small holdings we have in the lower part of this rural district I think it ought to be scheduled as congested. I think it would be a great benefit if it was; and I also think that those grazing farms should be acquired and divided. There is one especially, the ranch of Templeboy. Henry A. King is the landlord. He lives in Australia, and was not in this country for the last fifty years, and it is probable that he remembers when there were three villages of tenants living near it. They were all evicted. I don't think they owed arrears of rent, but they were evicted to make room for large farms.

28829. Sir JOHN COLOMB.—Can you give us the date?—About 1848 or 1849. I was only a boy at the

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time. These people were all sent away. Some of them went to live up in the mountains, in any places they could get holdings. Some of them emigrated. Some of their descendants can be found. I think if this land could be divided it should be divided, but you won't get this land divided in my opinion until we have some kind of compulsion by Act of Parliament. I think compulsion must be used before you can ever take up grass lands in this country. Graziers are not running this at present. Graziers had it and could not get a rent fixed because it was grass land, and they had to give it up; so they are now taking in grazing and making the most they can of it for the landlord who never sees it and probably never will see it; and it is some of the most fertile land in the County Sligo. It comprises 355 acres with a valuation of £227 5*s*. That would relieve congestion in a great part because one acre of that land is worth ten of what the poor people have in the mountains. No better land can be found.

28830. CHAIRMAN.—Where did you get these figures?—From the Blue Book; but I have it in my own book, because I value land. I have been all over this land.

28831. Sir JOHN COLOMB.—Would you apply compulsion to tenants as well as landlords who have land suitable and wanted?—Certainly.

28832. CHAIRMAN.—Where is Ballygrenan?—About four miles before you come to here.

28833. Did Mr. King farm this himself?—He is away in Australia sheep farming. He never farmed it himself. His father did.

28834. Who farms it?—A herd or bailiff for Mr. King. He takes in grazing cattle.

28835. From the tenants about?—From the tenants about. There are no houses on it, only a herd's house. Mr. King's father removed all the tenants and took it into his own hands.

28836. Sir JOHN COLOMB.—Suppose it was in the hands of a shopkeeper, would you take the land compulsorily from him?—It would all depend on the size of the farm.

28837. Whatever it may depend on, you would apply it indifferently to owner or tenant or shopkeeper holding the land?—I would.

28838. Mr. O'KELLY.—You think that congestion must be put an end to, and the only way of doing this is by acquiring land, and any obstacle standing in the way should be removed whether shopkeeper or non-residential grazier?—I would not take into consideration the person and circumstances of the land, but only whether it was required, and then I would apply compulsion for the general good of the community.

28839. CHAIRMAN.—Has Mr. King been asked to sell this land?—I don't know.

28840. You don't know if anybody has ever made an attempt to buy it from him?—I don't know.

28841. Is there a demesne house there?—There is no house at all except a herd's house.

28842. Is that the only grass land that that particular gentleman has got?—That is all.

28843. Has he any dairy land as well?—No.

28844. Only one tract of land?—One large tract with two herds upon it. He owns land here in Dromore West which is tenanted, but not at the place I mention.

28845. Most Rev. Dr. O'DONNELL.—When was that land cleared to which you refer?—About 1848, in the famine times.

28846. What happened to the people?—Some are living upon the mountain side, and some emigrated, and some are in their graves.

28847. CHAIRMAN.—Is there any other grass land in Templeboy that is suitable?—There is in my district. I am talking of Dromard East and West. We have Mrs. M'Munn, who lives at Templeboy also. Doonflynn is the name of the townland.

28848. Mr. KAVANAGH.—Are all these lands in the hands of graziers?—Yes.

28849. Suppose you broke them all up and gave them to migrants, what effect would that have on the cattle trade of this country?—You would have more stores because the people on these lands buy the stores in our neighbouring fairs and fatten them for a year and then ship them off to Liverpool or Glasgow as the case may be.

28850. I quite agree with you, but if you turn all these grass lands into small tillage farms you don't say that the market for store cattle will be greater in this country?—I do not.

28851. Sir JOHN COLOMB.—What would happen the small men who get a market for their stores from the workers of the grass lands: who is to buy up the stores if you dry up that?—My opinion is if a man had say ten or twenty acres of this land by a mixed system of farming he could fatten his own stores.

28852. How about the other people who are not taking up this land like the last witness, who said he had to part with stock at 1½ years old: what is to happen to him?—I am not a prophet.

28853. Mr. KAVANAGH.—You are a farmer?—Yes, I farm a good deal of land. I buy stores and rear stores.

28854. Sir JOHN COLOMB.—What is to happen if you cut off the market by splitting up these lands: what is to happen the people who now find a market from the owners of these lands?—The only thing I say is that a mixed system of farming is better. A small farmer can get more out of his ground by keeping his stores himself until they are fit for the market.

28855. Why don't they do that now if it pays so much better?—They have not the land to do it. If they got this land they could fatten a beast upon it.

28856. But what about the multitude of small holders who won't get this land?—The multitude of the holders don't sell to these people at all. Buyers from England and Scotland come over to buy from them. The best stores are sold in fairs every day and shipped at Sligo. If you have got a year old beast there is no beast in the fair you will sell to the foreigner better. I am informed that in England now there is double the price for young beef, and that fat year olds brought over from here are never put out to grass in England but are fed on oil cake and sold in the English markets at a high price.

28857. What is the size of your holding?—I have two holdings. Where I live I purchased under the Act. It has only 44 statute acres. In the other there is about 120 Irish acres.

28858. I presume on your two holdings you keep stock until it is two years old?—Yes, and some until it is three years old.

28859. But the people on the small holdings who sell them to the grazier cannot keep them so long?—My answer is they will always find a market.

28860. That a market somehow or other will turn up?—Yes. At present a great many of our best stores are shipped across to England and Scotland. I could not attempt to buy them when the Englishman comes into the market.

28861. There will be a diminution in the market?—There might be for a while. Things will right themselves in my opinion. If we want to do good for our country make the most of what the country can produce, turn the people on to the land, and you will sell more produce off one acre of land tilled than off five acres in grass.

28862. Do you mostly work your land in tillage?—I work about eight Irish acres.

28863. Out of a total acreage of what?—The one holding is not suitable in any way for tillage. The small farm is generally used in tillage.

28864. I want to get the benefit of your experience as a practical farmer: what amount of tillage do you have in proportion to the whole holding? What is in permanent grass and what is in tillage on your farm?—I have about eight acres of tillage.

28865. Out of what?—Out of twenty-eight.

28866. On the two holdings?—Twenty-eight is on this holding. On the other I have no tillage except what the herd tills.

28867. Therefore what you have got is two holdings. One you work in tillage and the other is a grass farm?—Yes.

28868. Do you think it would not be harsh to take away your grass farm from you?—It won't be very long a grass farm. One of my sons is going on it very shortly. I am not talking for myself at all. I want none of your grass land, not a bit.

28869. But you would like to hold on to what you have?—If it was for the good of the country I don't think I would hold on too tightly to it.

28870. Would not you think it only right and fair that you should get into your pocket what is the true value of this grass farm so that you should not be the loser?—Don't think for a moment that I suggest grass farms should be taken away for nothing. I would pay a fair price for them.

28871. You would leave a man the income that he had from it before?—I would allow the Government to fix a price.

28872. Would you think it right when compulsion is used for the benefit of the State that the State should lose or that the man against whom it is applied should lose?—I think neither of them would lose.

28873. You have advocated the principle of compulsion. Take your own case as an illustration: do you think it right that if compulsion for the benefit of the State is desirable as a policy that the person to whom it is to be applied should be a loser?—Certainly not.

28874. If there is any loss it should be borne by the State and not by the individual?—Certainly.

28875. Mr. SUTHERLAND.—If there is any profit on the transaction who ought to get it?—You cannot make two laws. If there is any profit let the State get it.

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Mr. WILLIAM ROUSE examined.

28876. CHAIRMAN.—You also are a member of the Dromore West Rural District Council?—Yes.

28877. What do you wish to tell us?—The first point is the compulsory sale of the lands, and the second is the relief of congestion in part of the district which is not already scheduled.

28878. What is your opinion about compulsion: why do you think it is necessary?—In this district the Land Act of 1903 has not worked at all. In the parish of Easkey there are twelve or fourteen landlords and only two sales have been effected up to the present. I am led to believe that the reason there are not more sales is that the demands of the landlords are considered a bit exorbitant, and the number of years' purchase which they ask is more than the tenants are prepared to pay.

28879. You are talking of tenanted land?—Yes. On the other hand, I think they are more disposed to sell to the Congested Districts Board or the Estates Commissioners.

28880. Do you know anything about the Campbell, Rashleigh, Hale, Orme and Duke properties which were referred to this morning as having all been sold since the Act of 1903: do you know anything about these properties?—I don't know much about them.

28881. Have you any reason to suppose that any of these properties have been sold since the Act of 1903?—No; they have been sold since then, but I was referring to the parish of Easkey in which only two properties have been sold.

28882. Have they all tried to purchase?—In most cases they have. The idea failed in some cases from the fact that the landlords were not disposed to sell.

28883. Who have failed?—The tenants who prefer to purchase through the Congested Districts Board or the Estates Commissioners.

28884. Then your reason for wishing to have compulsion is in order to be able to get the land at a price which more nearly approximates to the tenants' offer?—Yes.

28885. Mr. KAVANAGH.—You would apply compulsion to tenanted as well as untenanted land—to all parties?—Yes.

28886. You are aware that there are only about five millions a year available for land purchase?—Yes.

28887. If you applied compulsion how much would be available then?—It is a question of money, undoubtedly.

28888. CHAIRMAN.—Is there any other point?—Then as to the congestion of the district in general, there are parts of the district already scheduled, and I consider that there are even smaller holdings and lower valuations in the unscheduled portions.

28889. Can you give us an instance?—Yes. I have made out a few instances. Quite convenient to Dromore West is the townland of Ballymeny, on the Worthington property. That contains fifty-five tenants. Three-fourths of those are under a valuation of £5.

28890. Do you know what the valuation per head of the townland is?—The population of the townland is 275. Taking the population of that townland, it would give each person 1 acre 3 roods to live on.

28891. You cannot tell us the valuation per head of the population of the townland?—No, I cannot.

28892. Why do you want the place scheduled?—I understand that some assistance should be given by the Congested Districts Board to such small valuations as these.

28893. Is there anything particular in the district which the people want done which they cannot get done because they are not scheduled?—An improvement to their little holdings would be necessary, and the houses really are in a very bad state in that particular place.

28894. Improvement is required to the holdings and the houses?—Yes. I understand that some aid is given to these matters by the Congested Districts Board when the place is scheduled.

Mr. William Rouse.

28895. Most Rev. Dr. O'DONNELL.—You might have a parish committee, I suppose?—Yes.

28896. CHAIRMAN.—Is there a parish committee in any of these other places?—Yes.

28897. Where is the parish committee?—In Rathmacurkey and Easkey. I might also mention that along the seaboard there is another townland called Rathlea, containing eighty tenants. Out of these there are more than half under £5 valuation. To my knowledge, there are some of them living on two and a half acres of land. There is a third property, a Mr. Brinkley's, which contains about fifty tenants. About half of these are living on farms of a valuation of £5 and under. There is very little grazing land in that particular place that might be split up. There are perhaps 300 or 400 acres that might be successfully divided among these small tenants. The place is very much lacking in industries. If there could be something done to foster industries to give the people some little employment with the small holdings they have to live on at present it would be a great improvement in their position.

28898. Have you any idea what industries would be suitable?—The only industry at present existing is the making of kelp. That industry at the present moment is almost a valueless one.

28899. Have you got any special industry in your mind?—One industry that might be encouraged with great success is lace-making.

28900. What reason have you for supposing that there is any greater opening for lace-making?—This much I know, that there are a great number of young girls in the locality who have practically no employment whatever except to emigrate.

28901. Do you know anything about the demand for lace and the probable market?—No; but I understand there is a market.

28902. An unlimited market?—I would say so.

28903. Have you never heard of lace classes in a district being temporarily shut up because the market was insufficient?—I never heard that.

28904. Most Rev. Dr. O'DONNELL.—Are there many girls without employment?—A great number.

28905. What do the girls do?—They have nothing to do except emigrate.

28906. Is there a fishing industry?—The fishing industry is rather poor owing to the very bad accommodation. There are some piers in existence, but they are practically of no use. I think there is one very central point, a particularly good spot for fishing, about the best along the coast, midway between here and a place called Poulaheeny. There is a fairly good natural harbour there, and with some expenditure it can be made a beautiful pier and landing place for boats.

28907. Is that district scheduled?—No. That is the reason I refer to these places having these wretchedly small holdings, in some cases between two and a half and five acres of land, with a valuation of under £5.

28908. You think they ought to be scheduled?—I think they should. I would like to draw particular attention to Poulaheeny.

28909. Most Rev. Dr. O'DONNELL.—Is there any lace-making in the neighbouring scheduled area?—None whatever.

28910. If started there the people in your area would benefit very much?—Yes.

28911. Perhaps someone would bring it under the notice of Mr. Walker?—Very well.

Apr. 18, 1907.

Rev. Patrick M'Nulty.

Rev. PATRICK M'NULTY examined.

28912. CHAIRMAN.—You are parish priest of Skreen and Dromard?—Yes.

28913. What points do you wish to bring before us?—I wish to explain that the district in which I live, and Tireragh generally, should be an agricultural district, and that the development of agriculture and the apportionment of the people to the land should be facilitated. I was interested in the evidence given by Mr. Mitchell about King's farm at Ballygrehan. Ballygrehan is about midway between Sligo and Ballina. I came into this district in July, 1869, and I came on Bianconi's car. The car was crowded, and the driver invited me to the top seat, and I was glad to get it. We went along and he knew all the places. As we came to this place he said: "This is King's farm." I said: "It looks well; it is a nice country." "It is a beautiful country," he said, "and a fine farm." "I came driving this car," he said, "from Sligo in the morning eighteen years ago, and when I came here it was in the month of May. There were twenty-six families asleep lying on the roadside. It rained a little during the night and they were wet, but still they appeared to sleep soundly. There were some saucepans and things lying about the people scattered on the road. Now," he said, "when I returned from Ballina in the evening the people were all gone. They were evicted the day before and driven out on the roadside, and they had to sleep that night on the roadside, and it rained, but still they slept, and in the evening when I returned they were all gone, never to see the place again." I heard it given in evidence that there are 355 acres of land on that farm. Continuously from that time, 1869, to my knowledge, and probably for twenty years before, it was a grass farm from which those twenty-six families were evicted, and it has remained ever since then in the hands of the landlord. I think the children of those families, so far as they can be found, should be sent back to that land. I don't see that it has served any useful purpose beyond rearing a number of bullocks and yielding a rent to the landlord.

28914. Do you know whether any attempt has ever been made to buy this farm from Mr. King?—I am not aware.

28915. If you are so anxious to see these people put back would not your first step be to see whether the landlord be willing to sell it?—I cannot form any opinion upon that. He lives in Australia.

28916. Would it not be a usual thing to find out if he is willing to sell it: if he is willing to sell it there would be no difficulty in getting it distributed among the people?—The difficulty arises in this that at present the whole decision as to sale rests with the landlord. If the landlord is not prepared to sell to the tenants the tenants can do nothing.

28917. You know perfectly well in many places all over Ireland local people have been the means of suggesting to the landlord sales which have been carried through?—I know that very well, because I have been concerned in a very large sale. I had a great deal to do with it. As far as the tenants were concerned there was no solicitor at all. There was no word about it in the country. The sale was carried through by the solicitors having carriage of sale. There was not the slightest complaint since. That was Webber's estate. In this case I was not concerned in the matter. It is not within my parish, but on the very borders of it. I pass through the place almost every day and know it as well as possible.

28918. I suppose he has got an agent here managing it for him?—A firm of solicitors from Dublin.

28919. No suggestion of purchase has been made even to the firm of solicitors?—No. I am not aware of that. Of course the only purchasers would be the Estates Commissioners.

28920. Mr. KAVANAGH.—Where are the twenty-six families now?—They are scattered.

28921. Are they in this country?—I don't suppose they are. That is a great many years ago.

28922. Has the attention of the Estates Commissioners ever been drawn to the fact that this land is there and might be available?—I am not aware that it has been brought to their notice.

28923. Have the Congested Districts Board been written to about it?—It is not in a scheduled district.

28924. CHAIRMAN.—It does not follow that because it is not in a scheduled area the Congested Districts Board cannot buy it. They can buy land outside a scheduled area.

28925. Most Rev. Dr. O'DONNELL.—Are there small occupiers close to it?—They are all round about. The worst feature is that these small occupiers are obliged to send their children to America just when they are grown up. I have painful instances of it in this very season, young men and girls having been obliged to go away.

28926. CHAIRMAN.—Are there any other grass lands that you know of available?—Yes; Carrowcullen, very near where I live.

28927. What is Carrowcullen?—It is a large extent of grass land in the Skreen electoral division.

28928. Lecarrow, is that one of the townlands?—Yes.

28929. What is the name of the landlord?—Guilfoyle.

28930. How much land is available there?—I think there is an extent of grazing land of about 200 acres there.

28931. Untenanted?—There are no resident tenants on it. It has been used exclusively for grass land for some years, but in years gone by it was entirely used for agricultural purposes.

28932. It is tenanted land you are speaking of?—It is.

28933. Are they judicial tenants you are speaking of?—They are.

28934. What do you propose should be done with regard to that?—I propose that there should be some authority vested in the Estates Commissioners which would extend agriculture and make the district agricultural and not have it a wilderness as it is now.

28935. Take a case of that kind where the lands are in the hands of a judicial tenant; what do you propose?—I could not propose anything. I see the difficulty very well, but I say that the Estates Commissioners should be vested with some power.

28936. What power have you got in your mind: you must have some idea of what you think should be done?—Here is how the injustice comes in. The landlord of those lands is not getting £1 a year as a judicial rent. The tenants who occupy those districts can get £4 and £5 an acre for it by the operation of law.

28937. That is not a scheduled district?—It is not.

28938. Your proposal is that the Estates Commissioners, the Congested Districts Board, or some body, should have power to take land of this class from these judicial tenants?—Yes, and keep the people from being driven out of the country.

28939. They are to take land, in the first instance, from these judicial tenants?—Yes.

28940. If they won't sell it, they must compulsorily buy it from the judicial tenants?—Yes. I don't see any other way for it, as far as I am concerned.

28941. Then you are prepared to apply compulsion not only to landlords but to tenants too?—Certainly; to extend agriculture and to employ the people on the land which will always pay, and not have this land given over to cattle. The whole of Tireragh is a wilderness—the best land in the country.

28942. Are you prepared to draw a line?—I would draw no line.

28943. The very fact of a man having got grazing land of any sort would involve the possibility of applying compulsion over the whole of it?—The land is naturally intended for tillage. Instead of that, it is a wilderness, while on the very borders of these lands, within a distance of 250 yards, there are young men and young women, the best of the family, who have to go out to America because they have not a place to labour.

28944. Then the whole point in your mind is that the land is under grass and not under tillage, and you wish to have people compelled to till?—I wish there should be moderate-sized holdings on which people could live. Then we could have the people, and we could have as many cattle as there are in the district at present.

28945. A judicial tenant has got a holding of 100 acres in grass: do you object to that man having that land merely because it is not tilled or because it is 100 acres?—I don't object to it either on the one ground or the other, but I object to there being such

an extent of grass land that tillage is pushed out of the country, and people must go away because there is no employment.

28946. That is objecting to it because it is not in tillage?—Yes.

28947. If that man tilled his 100 acres, or tilled 50 of it, would you be prepared to let him alone or apply compulsion?—If he tills 100 acres, or even 50, he must give a good deal of employment. At present those farms afford no employment. There is no one living upon those farms.

28948. So if a farmer with 100 acres had it under grass you would be prepared to apply compulsion to take it away from him, but if he preferred to till 50 acres you would leave him alone?—The district is an agricultural district, and should be used for that purpose; and 10 or 12 acres of that land is quite sufficient to maintain a family, and a family living upon 10 acres would be better for the State than 4 or 5 or 10 bullocks.

28949. Can you tell me any other instance anywhere in which the State lays down what are the rules under which an industry is to be carried on: is there any other business?—Not as far as I know. I am not concerned to deal with that question.

28950. If there is no other business that you can think of, where the State lays down rules under which it should be conducted, does not it seem to you rather a strong order that in agriculture the State should adopt that attitude?—I certainly think that Nature intended that district for human beings to live upon. Instead of living on the good land all through Tireragh, they are living in the slums of the mountain. They are driven on to the mountain land by the extension of the grazing farms.

28951. Do you think if you had a farm of 100 acres you would not resent very much the State laying down the conditions on which you were to farm?—I am sure I should resent it and feel indignant, but at the same time I should submit to justice.

28952. You don't mind creating indignation among these people for the good of the country?—I do mind it. I am always very peaceful.

28953. You think the State would be justified?—I think the State ought to have the power of resuming or taking up those lands as occasion might offer, and the State should encourage those young men who are leaving to remain at home. If their fathers' holdings were increased by a few acres even I have before my mind several instances in which the family could remain together. It is a sad thing to think that at present they only leave behind the old and infirm. That is the population of some of the villages.

28954. Mr. Kavanagh.—Would not these men till their farms if it paid them?—It won't pay them; but a man living on a small holding of land, if there are two good hours in the day, can work for those two hours or for a single hour, but a man having a large farm and employing labour employs them for a day. He must either keep them on for the day or send them home. A lot of broken time could be turned to good account by a small farmer. He will always find some little thing to do. The big man could not find time for these little things.

28955. You are going to apply compulsion to make a man do what you say it will not pay him to do?—No. In the case of the large farm I speak of a place like that would be taken up and given to tenants in reasonable holdings. They need not be very large. Small holdings of this good land would be worth a whole district to a poor man for supporting his family.

28956. Most Rev. Dr. O'Donnell.—Your point seems to be that tillage on a small scale is very different from tillage on a large scale?—Yes.

28957. Tillage on a small scale might pay where tillage on a large scale might not?—Yes.

28958. Owing to the climate and seasons men employing many labourers might find on occasions that he could not either dismiss them or keep them working?—That is so.

28959. In the other instance the small holder might find indoor jobs in rainy times?—Yes.

28960. With reference to the point that the State should not interfere with people and make regulations about tillage, I may put it in a negative way that you think it would be for the State not to give the same facilities for purchase to tenants of non-residential holdings as are given to those who are resident on holdings which they till?—Yes.

28961. Facilities for purchase should be given in the first instance, you consider, to residents who till?—Yes.

28962. Then to residents of some class?—Yes.

28963. Then non-residents would come after these two classes?—Yes.

28964. You feel quite confident that the State has an obvious advantage from a tillage system?—Certainly it has.

28965. Is not it for the advantage of the State that fine men should remain in the country?—Yes. The Irish race is perishing through strong, able men leaving the country.

28966. Have you heard at all in such countries as Australia of practical encouragement given to tillage by the State?—Yes.

28967. I am not familiar with it except through hearsay, but I believe it is so?—There certainly should be encouragement given to tilling the land and facilities given to people entering on the lands.

28968. Suppose that were done, how would you meet this difficulty? Suppose the small occupiers, after having the land divided up among them, took to grazing rather than tillage?—Small occupiers cannot do that. They must till the land. They could not live on it except they tilled it.

28969. A witness we had this morning said he could not live on his land if he did not work it. You think these people could not live on the small holdings unless they cultivated them?—They could not.

28970. Is there anything such as stall feeding on moderately sized holdings?—Very little of it is done in this country. The grass is taken off; the cattle are allowed to eat the grass. So far has that been carried that some of those who have grazing lands would not even cut the meadow for the purpose of feeding cattle during the winter. They would leave a field of meadow standing, and if the winter was very bad they would let the cattle on it so that there should be no labour expended on it.

28971. Has there been anything done for practical agricultural instruction in this country?—Yes. The County Council has employed an agricultural instructor.

28972. Has it been of service?—Yes. Unquestionably it has awakened the intelligence of the people a good deal, but so far as practical results are concerned I have not noticed it very much.

28973. Is it your feeling that you would require a resident instructor who would practically demonstrate by cultivation?—Some of the men possessed of land are quite capable of carrying out any system that would be pointed out to them. I say those parties should be encouraged to make their holdings demonstrations in the locality. There is very little good cultivation of the land practically. It is not what it ought to be.

28974. Is there room for improvement in the rotation of crops?—Yes.

28975. And in drainage?—Yes.

28976. And in improving the homesteads of the people?—Yes.

28977. Have you formed any mature opinions which you would like to convey to the Commission as to the extent to which a farmer's condition can be improved without the holding being enlarged? To what extent can the condition of the farmer in this locality be improved by the improvement of the holding, reclamation, drainage, and improved methods of cultivation, without the enlargement of the holding itself?—The land in this part of the district requires simple cultivation, and drainage of course would be a great service; but it is good land as a rule. Then there are other portions of it, and I do not think they will ever pay for the cultivation. There are holdings of land in the neighbourhood of our workhouse, and I do not think they were ever worth the labour that was expended on them.

28978. Some of the Commissioners were interested to-day in finding what class of land there was along the road within half a mile of this place: is it cut-away bog?—Yes, and I also say that the land from here to Ballina is cut-away bog and reclaimed after the turf is cut away.

28979. If a farmer has labour in his own family is it good business to put his son on the cut-away bog?—That sort of land will not pay the labour. It was only that the people had to be doing something, but it would never pay for hired labour.

28980. But it is a comparatively good outlet for the tenant's labour once his improvements are secured to himself?—It is.

Apr. 18, 1907.

Rev. Patrick M'Nulty.

28981. Sir FRANCIS MOWATT.—How many tenants were there on Mr. King's land?—The drover told me there were twenty-six tenants lying on the road.

28982. How many tenants are there now?—There are none. It is a grass farm. It is in the hands of the landlord and is managed by a firm of solicitors in Dublin. That is all he knows about it.

28983. Do they take in cattle at so much a head?—Yes. For a long time it was a grazing farm in the hands of one tenant.

28984. That is not so now?—It is not. It is managed by the landlord now, I understand.

28985. The CHAIRMAN.—Is there any other point you wish to mention?—This part of the country borders the sea. It is a splendid fishing ground, but there is really no accommodation for the men. There used to be a number of boats along the coast, but there are none at all now. In the parish where I live, the parish of Dromard, there is a place called Portavad, and there were as many as forty boats at that place. It is naturally a very nice and safe harbour. It is on Ballysodare Bay. When the cathedral in Ballina was being built by Dr. MacHale in 1828, a great deal of the stones were quarried and cut in my parish, and they were taken in boats from West Sligo up the River Moy and deposited on the very ground where the cathedral is built. At that time I always heard they were able to send forty boats from it. There is not any boat at all in it now. There is not any fishing at all in it now.

28986. Most Rev. Dr. O'DONNELL.—That was before the famine?—It was.

28987. Are you aware that in 1845, before the famine, twice as many men were engaged in the fishery on the Irish coast as there are to-day?—Certainly, I am aware of that. At that time at that little place they had forty boats, and they have none at all to-day. The coastguards and everyone who knows anything about the locality say that there are plenty of fish in the bay if there were only the proper means of capturing them.

28988. Those forty boats engaged in the fishing were regular fishing boats?—Yes.

28989. Sir FRANCIS MOWATT.—Do you say there is no fishing in Sligo Bay now?—There is plenty of it. Boats come from the Isle of Man, but there are no local boats.

28990. Mr. KAVANAGH.—Why is that?—I don't know. I think myself that fishing is a thing requiring a very special training. Men have to be accustomed to it and accustomed to the sea.

28991. Most Rev. Dr. O'DONNELL.—The fishing population were cleared away in the famine times?—The population declined and the industry dwindled away.

28992. And the industry never recovered?—It did not. I have received letters over and over again from people who never saw this country but whose parents were born here. They had heard that their fathers were possessed of fishing fleets here and imagined that there was some property to settle. I think the people have to be brought up to it. You cannot get a crew of men to go into a boat and manage it without training. That training is gone. It is not among the people. For twenty miles along the coast that business is entirely killed.

28993. Mr. KAVANAGH.—You do not think there is any opening for fishing in this locality as the people are carrying on their farms?—I would not say that. One of the things I always hoped for was that the population would be preserved to the country and take themselves once more to the sea, having got training and encouragement for it, and that it would receive its due share of attention along with agriculture.

28994. The CHAIRMAN.—What used they catch in those days?—There were immense catches of herrings.

28995. Do you know that the herrings are here still?—They are.

28996. You are sure they are here still?—They are. About three years ago there was a great deal of doubt on that. The men came over from the other side of the County Sligo, the Donegal side, and fished along with other boats, knowing the herrings were in it. The people of the locality, whatever means they have of determining that, said that the fish were in the bay. They went out, and some of the men who were there on that occasion told me they found they were driving the boat through the shoals of fish, and the fish were rubbing the boat. They commenced by selling them at 50*s.* per 1,000, and they ended by selling them at 7*s.* 6*d.* per 1,000, and then when the buyers got what they wanted they did not go further.

28997. Sir FRANCIS MOWATT.—You know that the Congested Districts Board have made 74 loans amounting to £626 16*s.* 10*d.* for small boats in Sligo?—There are a few of them in my own locality.

28998. There are a few?—About Sligo, but that is a very big coast of over 100 miles. There are three or four of those loans in my parish, but they extend from Ballysodare to where we are now in Dromore West, possibly about twenty-five miles of coast line.

28999. Most Rev. Dr. O'DONNELL.—Do you think some training would be necessary before the fleet could be greatly enlarged?—I think training is absolutely necessary. They won't go into a boat now and stay at fishing as they would do if they were trained.

29000. I suppose that any applications that were made have been freely acceded to?—They were. There is no difficulty at all about that. They got the money.

29001. Sir FRANCIS MOWATT.—But do boats come there from other parts of the West of Ireland to fish in Sligo Bay?—They have.

29002. Irish boats?—From the Isle of Man and even from the French coast.

29003. Do Donegal boats ever come to Sligo Bay?—I am not aware that they do. They fish the northern side of Sligo Bay, but they do not come over here.

29004. They do not follow the fish in Sligo Bay?—They do, but not along our coast.

29005. The CHAIRMAN.—Is there any other point?—I wish to refer to the inconvenience the people suffer for the want of locomotion. There are no means of transit throughout this large district. There is not the slightest public means of transit except a one-horse car that goes up in the morning and down in the evening, and the people here in marketing their produce actually lose three days by the journey to Sligo and back. They have to prepare a cart of oats or potatoes or whatever they have for market. They have to start at 2 or 3 o'clock in the morning. They have to stand in the market, and then they come home on the following night. This causes terrible inconvenience and danger to life, and three or four accidents have occurred to my knowledge.

29006. If this new railway comes it will help you?—Yes; it will do a great lot of good if it comes.

Mr. P. J. GILLIGAN examined.

Mr. P. J. Gilligan.

29007. The CHAIRMAN.—Where do you reside?—At Aughris, Skreen. I am a small farmer. My valuation is £9 3*s.*, and my rent £6 10*s.* My landlord is Mr. Bryan Cooper, of Markree Castle. The size of my farm is something about ten Irish acres.

29008. What do you want to tell us?—There are twenty-nine tenants on the townland, and sixteen are in rundale. Three have got holdings that have got eight different plots. I have five myself. I have a half-acre in one, one and a-half in another, and three acres in another, and there is over a mile distance between some of these plots. I have as many as ten different men to keep fences repaired with.

29009. Most Rev. Dr. O'DONNELL.—Neighbours of yours on the mearing?—Yes. We want the Congested Districts Board to buy.

29010. Will Mr. Cooper sell it?—We approached him. He offered us 5*s.* on first term rents and 3*s.* 6*d.* on second term rents. That was in June, 1904.

29011. What did you offer?—It would average 6*s.* for the whole townland. It was in trustees' hands at the time, and they could not accept their offer, and we had no reply from them since. There is a place there where often when we have the crop in full bloom the wind raises the spray of the sea and destroys our crop. Only for the money we get from our children in America we could not live on the land. They go to America. I have four in it myself. The oldest when he left me was under 18.

29012. Do any of them go to England as labourers?—They all go as labourers and remain in America. When they go they have no business coming back.

There is nothing for them here. Only for America we could not stand it at all. Very often I get as much as £30 and £40 annually myself from America.

29013. Is all that from your sons?—From my own family. I have three sons and a girl in it. It is a general thing with all the townland. There is not one in the townland that does not get very nearly as much, and some of them more.

29014. What are your sons doing in America?—Two of them are waiters in a hotel, and another is on a motor car, a conductor. We have a small pier here. A few years ago, before we got the pier erected here at all, we had a very good salmon fishery in it there. That would be over twenty years since. We made for three years in succession from £18 to £21 per man, paying all the expenses of fishing gear.

29015. Sir FRANCIS MOWATT.—In the bay?—Yes.

29016. Mr. KAVANAGH.—Do you think it would be a good thing to purchase with the rundale as it is at present?—I think it would be a very difficult thing to do. There is a grass farm on the mearing part of the townland called Garraduff. They have eighty acres. If we got any addition to our holdings we would be very much inclined to get it done.

29017. How does the rundale come about?—I could not tell you. It is that way this century.

29018. Is it going on since?—It is there the same as ever.

29019. Is it increasing?—Not a bit. It is just the same as when I first saw it.

29020. Would not it be better that the Congested Districts Board or the Estates Commissioners should buy it and restripe it?—That would be our wish.

29021. The CHAIRMAN.—What was the reason that the salmon fishing was declining?—I was a *bona-fide* fisherman at the age of twelve years. I fished every kind of fish from lobster to salmon. There was a great lot of salmon taken. There came a failure for eighteen or twenty years. Over twenty years ago they made from £18 to £20 a man after paying all expenses of fishing gear, and we did pretty well. Year after year it declined away, and we were fishing for nothing at all at the finish. Then we got out of boats.

29022. Sir FRANCIS MOWATT.—Where did you get your boat?—From Killala.

29023. You hired them?—No; we always bought our own boats.

29024. Then you had a boat?—I always had my share in two boats until the last few years. I fished salmon, herring and lobsters all my life from the time I was twelve or thirteen years of age. I can make nets and mend nets or do anything that way.

29025. Most Rev. Dr. O'DONNELL.—Are the herrings about still?—Any amount of herring, but we have neither boats nor nets.

29026. When you caught the herring were they sold fresh?—Immediately.

29027. If they were caught now in large quantities you would need them cured?—If we could not sell them we would cure them. We have barrels and we could salt them.

29028. You used to cure before now?—Yes; often up to 3,000 or 4,000.

29029. About those farms in rundale, is there any grass land near that could be used for enlargement?—Eighty-one acres on the very mearing part of the townland.

29030. Sir FRANCIS MOWATT.—You say that the herrings are still coming into the bay?—I never saw more sign of herring than lately.

29031. Would not it be worth while to fish them?—We had no boats to go out.

29032. Do they come in every year?—There are signs of them every year. I never saw better signs of them than during the last two years.

29033. You would not hire boats to fish them?—There were boats quite convenient, but the owners would not let for hire in the bay except on a very calm day.

29034. What if you had boats?—We could go out in very fine weather.

29035. Could you get men?—We would get a few young fellows to have a try, but I don't believe they would continue, unless it be made worth their while to stay, because they are up to age now, and they are away from sea altogether. We have a pier there, and it is a very remarkable slip. It is very dangerous coming in. When there is a ground sea on we have to be very cautious.

Mr. THOMAS PATRICK MELVIN examined.

29036. The CHAIRMAN.—Where do you live?—In Templeboy. I am a small farmer. I have fourteen statute acres at a rent of £8, but it will be £7 5*s.* when the sale is properly through. It is in the hands of the Land Commission, who are being paid 3½ per cent. on the purchase money.

29037. Who was the landlord?—Major Hillis.

29038. What is your townland?—Killasleeter.

29039. What do you want to say?—I have heard you ask Father McNulty about the ranch at Templeboy, the property of Mr. King, of Australia. It has been in the hands of a firm of solicitors in Dublin, Messrs. Longfield, Kelly and Armstrong. You asked him did he know whether there were any negotiations for sale and he said he did not know. I am in a position to say that there were. The firm of solicitors in Dublin made an offer. Some of the tenants resided in Dromore West and some in Templeboy. The tenants refused to buy unless the Ballygrenagh ranch and other ranches or farms were subdivided among them; so the sale fell through.

29040. Then Mr. King has got some tenanted land as well?—Yes.

29041. The firm of solicitors offered to sell this tenanted land direct to the tenants, and the tenants refused unless they could get Ballygrenagh grass land as well?—Yes; they made no offer of the untenanted land, but they offered to sell their farms to the tenants, who refused to buy, as their own holdings would not be enlarged.

29042. No more was heard of it?—No more was heard of it since.

29043. Sir FRANCIS MOWATT.—How long ago is that?—About one and a half years.

29044. Most Rev. Dr. O'DONNELL.—The tenants asked the owner to cut up this grazing ranch and sell it to them?—The tenants demanded that as a condition of sale, and it was denied.

29045. Mr. KAVANAGH.—Did the price suit them otherwise?—There would not be much trouble about the price if they got the lands for 5*s.* in the £ immediate reduction off.

29046. It was only the question of splitting up these lands that came between them?—Yes. I am not a tenant on that property, but some of my neighbours are. They appointed me to represent them here at this Commission.

29047. CHAIRMAN.—Is there anything else you would like to tell us?—No, except that there is a farm lying derelict—the Garryduff farm, of about eighty acres. No man will bid for it. The people round that farm say it should be sold for the purpose of improving their uneconomic holdings.

29048. Whom does that belong to?—Mr. Beatty, of Inniscrone. Close beside it are about forty small holdings under £5 valuation.

29049. What do you mean by derelict?—Without being utilised in any way. There are no cattle or anything on it. It is lying there growing wild grass.

29050. Are there any houses on it?—There is a herd's house, a labourer's cottage, a schoolhouse, and an old house that was a mansion-house about 200 years ago.

29051. Is that inhabited?—Not for the last thirty years.

29052. Why is this left derelict?—Because he cannot get a buyer for it. The people won't send their cattle to graze on it.

29053. Mose Rev. Dr. O'DONNELL.—Did this gentleman try to sell this land?—He tried to sell it by public auction. The people of the district were opposed to this sale, inasmuch as they expected it to be carried through to the Congested Districts Board or the Estates Commissioners, in accordance with Mr. Wyndham's Act.

29054. Do I understand from you that the small occupiers on the verge of this property were opposed to its passing into the hands of private individuals?—They were, and gave public expression to their indignation. They thought it should be sold to the

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Congested Districts Board or the Estates Commissioners, and then they would derive a benefit. Before that it was a sort of accommodation farm to the tenants in the line of grazing. The grazing is not paying them. Some poor men suffered by the transaction, inasmuch as they have no place for their cows, and they had to sell their cows. Still they don't mind for the general benefit of the country.

29055. Most Rev. Dr. O'Donnell.—Do they send their cattle still to graze?—No. None will touch it.

29056. Sir Francis Mowatt.—How long ago was this?—Almost two years.

29057. Most Rev. Dr. O'Donnell.—Up to twelve months ago the small occupiers on the margin of this grass land were in the habit of sending the cattle to the land to graze—is that so?—Yes.

29058. They used to pay so much a head?—Yes.

29059. Who conducted the management of the farm?—They had a herd, who took in the cattle, and received the grazing money, as they called it, or the rent.

29060. Was the land usually stocked up to its carrying capacity?—It was sometimes overstocked.

29061. That all went on until it was proposed to sell?—Yes. Then they proposed to sell the two divisions in two plots, and, of course, then the people would be excluded.

29062. Was the proposed sale by auction?—Yes; but the sale was abortive. It fell through.

29063. Did they divide it into two lots before it went to auction?—Yes.

29064. Then in place of the surrounding men having this land it would have permanently passed into other hands?—Yes.

29065. And the possibility would disappear of having the holdings enlarged?—Yes.

29066. That was the cause of their displeasure?—Yes.

29067. They intervened in time?—Yes; they assembled, and appointed men to speak to Mr. Beatty.

29068. There was opposition to the auction?—Yes. Strangers would be afraid to come in there, inasmuch as the people would make things awkward for them, as far as they possibly could.

29069. They made it plain that people coming in there would not be comfortable there?—Yes.

29070. The owner, seeing that the auction fell through, did not press the sale to the surrounding people?—No; but the Estates Commissioners since sent down a man to examine the land, and see what the land would be worth, but I cannot say what arrangement was come to.

29071. How long ago was that?—About a month ago.

29072. No one can know yet what the result has been?—No.

29073. If the Estates Commissioners bought from Mr. Beatty they would make the land available?—Yes. The people would be satisfied.

29074. Then we don't know whether a sale will take place?—Not yet.

29075. During this period of uncertainty the surrounding men have left it severely alone?—Yes; and they are determined.

29076. They have not sent their cattle there?—Yes.

29077. Mr. Kavanagh.—It is not being used now?—No. There are no cattle, only the herds. Mr. Beatty is deriving no profit from it.

29078. Most Rev. Dr. O'Donnell.—Is he the owner of tenanted land in the neighbourhood?—No; but four or five miles away he has a small property. We heard a lot about Ballygrenagh, but very little about all the grazing ranches in Tireragh. Passing from Sligo to Ballina you can classify the whole barony of Tireragh as one grazing ranch.

29079. Chairman.—Have you anything more to say?—There are 1,100 acres in Ballygrenagh, if you include the rough sides of the mountain, whereas I heard it stated here there are only 300 acres. The blue book gives a return of 300 acres. There is none of it tenanted land. There is one portion claimed, but the man won't go into court. That proves that there is no proper tenant.

29080. Most Rev. Dr. O'Donnell.—You say there are more than 300 acres of untenanted land at Ballygrenagh?—Yes; there are 600 acres of good land, prime land.

29081. Your way of accounting for the fact that only 300 acres are given is that some sort of tenant has another 300 acres?—Yes.

29082. In addition, you seem to indicate that there is a lot of rough land?—Yes; rough pasture land. Very suitable for small farmers along the mountain side.

29083. It would be a useful outlet for them?—Yes. Of course, every farmer in the district has part of his land under grass and part of it under tillage. Some of the lands would not be suitable for tillage, making a horse do the work, but that land would come in very handy for the people of southern Templeboy district, and it was not tenanted at the time the Wyndham Act passed.

29084. Chairman.—Some tenant has got a right over that rough grazing land?—One tenant has a sort of a right. An attempt was made to have a fair rent fixed, which did not work. If he were a tenant he would be entitled to get a fair rent fixed.

Mr. J. O'Neill examined.

Mr. J. O'Neill.

29085. Chairman.—Where do you live?—In Camcuil, in the electoral division of Buncrowey, about a mile from here, on the Ballina side.

29086. Are you a farmer?—Yes. I am the son of a widow, who has a farm. My landlord at present is Mr. Cuffe. Before 1902 it was Mrs. Grace Niddrie. Then Messrs. Fenton and Lyons began to act as agents. Immediately after an auction was held of the house furniture and farm implements, and in May, 1902, Mr. James L. Cuffe, of Aclare, came in, and took the place for grazing purposes. Mrs. Neddrie died in October, 1902, and Messrs. Fenton and Lyons continued to act as agents for her grandson, Lieutenant Beamish, who did not visit this place since nor for years before. In the beginning of 1904 the agents wrote to the tenants offereing them terms of sale of their own holdings. The tenants said that they would not accept these terms, as the grass lands were being reserved. Finally the agents wrote to the tenants stating that they had offered to sell the whole property to the Congested Districts Board, and that negotiations were in progress for its purchase. In January, 1905, the Board's inspector came to inspect the estate, and on that occasion expressed surprise that some of the tenants were able to live on the miserable little patches of bog he found them in possession of. All went well until some time in 1905, when the tenants received the following communication from the agents:—"We beg to inform you that Mr. William Robert Delacour Beamish, grandson of Mrs. Grace Niddrie, who, since the death of the latter, has been the owner of Camcuil and Cuskernagh, has sold the entire property to Mr. James L. Cuffe, of Aclare, and he is now your landlord. All rents accruing due from the 29th September last now belong to Mr. Cuffe, and on his behalf we enclose you a form, which you will please sign in the presence of a witness, and return to us without delay. By this form you admit that Mr. Cuffe is your landlord, and unless we receive it back, signed by you, we must take it that you refuse to acknowledge Mr. Cuffe as your landlord, and it will thus become necessary to take legal proceedings against you for the purpose of compelling you to do so." The tenants did not sign the form referred to. There are thirteen tenants, and of these nine have land the total valuation of which is less than £11, and on these nine holdings there are forty-five people living.

29087. Most Rev. Dr. O'Donnell.—The reason they did not sign was that they wished, instead of a sale direct to them, a sale that would enable the holdings to be enlarged?—Yes. The reason they did not buy direct from the landlord was that they wished to get an addition to their holdings. A man with a holding of a valuation of 5*s.* did not see his way to buy. It made no matter to him. Mr. Cuffe swore at Easkey Sessions that he got his conveyance of the estate on 23rd August, 1905, while in September, 1905, the Board wrote to the tenants saying that they had not yet completed the terms for the purchase of the Camcuil estate, the owner being abroad. From these facts it can be inferred that the agents negotiated a private sale of the estate to Mr. Cuffe, without notifying the Congested Districts Board of their

intention to do so; and the tenants were kept in total ignorance of the sale to Mr. Cuffe until the bargain, which has deprived them of the benefits of the Land Act of 1903, was completed.

29088. CHAIRMAN.—Apparently there was a good deal of grass land about there which did belong to Mrs. Niddrie?—Yes.

29089. Has Mr. Cuffe bought that grass land too?—Yes.

29090. There is a mansion-house there too?—It is used as a police hut at present.

29091. Mr. Cuffe does not live there?—He does not. He has more grass lands down here. He holds as a yearly tenant three extensive grass farms in this neighbourhood, the total valuations of which amount to about £200, and also a very large grazing farm in Mayo, near Ballina.

29092. Does he farm these grass lands himself?—He has cattle there belonging to himself.

29093. He does not take them from surrounding people?—No.

29094. Have you tried to buy from Mr. Cuffe?—I don't see what use it would be. What difference would it make to a man with a 5*s.* valuation? It would be better to be in the workhouse than to buy it.

29095. The tenants would be willing to buy their holdings so long as they got some of the grass land as well?—Yes. That is what they are really in need of.

29096. You said something about refusing to sign a form recognising Mr. Cuffe as your landlord?—Yes. They did not know the law. They did not think the law would allow a man to come in and purchase on such a small estate over the heads of the tenants whose valuations are from five shillings upwards.

29097. What has been the result of that refusal?—He decreed them for rent.

29097A. Is not that a thing apart altogether from this form?—Yes, but he did not ask them to sign this form before purchasing.

29098. It does not become necessary then?—Seemingly according to law.

29099. Most Rev. Dr. O'DONNELL.—Could the mansion-house be used for any useful purpose in that locality except as a police barrack?—Yes. Twelve months ago the resident doctor of this place applied for a loan of £800 to get a mansion-house built. I think it would be a very suitable place for a doctor or some such person to reside in.

29100. In the case of intervention by a public board it would be important if you had any means of disposing of the mansion-house. That would at once take away a good deal of the purchase money and the instalments on the tenant purchasers could be met more easily?—Yes. I believe that could be done.

Mr. PATRICK MARLEY examined.

29101. CHAIRMAN.—Where do you live?—I live in Tembleboy.

29102. Are you a farmer?—Yes. I farm 15 acres Irish. My father bought it from the landlord.

29103. When was it bought?—About 1847.

29104. He bought the tenant right?—Yes. He got into it then.

29105. Who is the landlord?—Sir Malby Crofton.

29106. What have you got to tell us?—It is very hard to live on a small spot of land like that. Poor men are paying very dear for it.

29107. What do you do on your 15 acres—graze or till?—I do both. I keep a few cows and I till part of it.

29108. What do you get out of your tillage?—Oats, roots, meadow, potatoes, turnips, mangolds; a little of each.

29109. How much of it is under tillage?—About 3 acres.

29110. You graze the rest?—I graze the rest.

29111. How many cattle have you got?—I keep 2 two-year-olds, 2 cows, and a couple of calves, and a horse. That is as much as I can feed on it.

29112. Upon 12 acres of grazing do you mean to say you can only keep two head of cattle?—Two milch cows.

29113. The land would bear more if you could put it on?—Yes, but then I have to take meadow off it.

29114. Most Rev. Dr. O'DONNELL.—You have a horse and some young stock?—Yes, I have.

29115. CHAIRMAN.—Have you any sons at home?—The first I had to send away for want of employment at the age of 18.

29116. How many sons are with you at home?—Three are with me at present, and one is abroad. There are two daughters away in America and two at home.

29117. Most Rev. Dr. O'DONNELL.—I suppose America is a good friend of yours?—Only for it I would not be where I am. We all could not live on a poor patch like that.

29118. CHAIRMAN.—Do they send you money from America?—Yes.

29119. Do all the three sons at home help you?—There is only one able to help me on the farm. The other two are young and are not able to do much work as yet.

29120. So one son really does the farm?—Yes.

29121. Can he manage the farm himself?—He can by assistance, and by paying labourers on it. We have to get in workmen according as we want to do the work.

29122. If you got an enlarged holding how could you manage?—The young lads will grow up. They are going to school. Then I would keep them at home to help me to manage. Of course when they come to any sense or perfection and see they cannot live at home they go away.

29123 How old are the two young sons?—One is 16 and the other, I guess, is about 13.

29124. They are at school?—Yes. The two girls are younger than that again, so then, of course, the family is weak.

29125. Is there any particular point that you wish to tell us about?—No, except that if there is anything going in the line of these ranches we should get a division.

29126. Why should you?—To keep my sons at home and stop emigration—what is required in Ireland.

29127. Which do you think would have the best claim on grass lands: your sons or somebody whose holding wanted enlarging?—They would want to get an enlarged farm before they could live on it.

29128. If another man had a small patch there, a holding that needed enlargement, don't you think he would have a greater claim than your sons?—I cannot say. The man who has no land, would not he be more in need of it?

29129. Than you?—Than the man who has a patch.

29130. If there was a man with a holding much smaller and trying to make a living out of it: suppose he was the head of a family and the only way he could make a living was to have a bit of land tacked on to his holding, do you think he or one of your sons ought to get it?—Surely the man with a family and having a small lot would be more entitled than my son so long as he was youthful and able to go abroad.

Mr. RICHARD ST. GEORGE ROBINSON examined.

29131. CHAIRMAN.—I understand that you live at Seamount, Sligo?—Yes. I am a member of the firm of R. G. & J. D. Robinson, Land Agents, whose business was established about 1820. I succeeded my father as a partner in 1869. We manage estates in every county in Connaught, and also in Donegal. I have been a Grand Juror and Magistrate for County Sligo for about thirty years, and I farm about 300 acres. In the County Sligo, if suitable land were being divided for enlarging small holdings, each such occupier (including the land already held by him) should have in all sufficient to rear three or four cows and their calves till year-olds, with sufficient meadow and tillage, which a man could work with his own family. The area of the land required for such would, to a great extent, depend on the quality, say, one valued at £12 or over.

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Mr. Richard St. George Robinson,

29132. That is your definition of an economic holding?—Yes. Of course the more they get the better.

20133. Why should they keep their young stock only until they are a year old?—The year-olds sell at such a high price in the country that the sooner a man sells them the more money he makes, in addition to which a farm of this size would be unable to carry them for a longer period.

29134. Don't you agree that the more he can fatten the more his profit?—Very few small farmers fatten at all. Men up to 20 and 30 acres don't try to fatten.

29135. They could if they knew how?—If they went in for tillage they might.

29136. If the sort of holding you refer to, valued at £12 and over, were tilled, is there any reason, supposing they knew how to do it, that they should not be able to fatten their calves a great deal more than they can now?—Tillage does not pay in my opinion.

29137. Does not it pay in connection either with dairying or fattening cattle?—It might pay with dairying, but you could not fatten cattle unless you had fattening land without tillage. You must have tillage or artificial feeding.

29138. There is no reason why it could not be done?—There is not.

29139. Is it true there is very little profit in selling young stores?—The profit chiefly is selling year-olds.

29140. Is there more profit proportionately in selling year-olds than two-year-olds?—Yes.

29141. Taking beef that comes over to England, perhaps from Canada or the Argentine, what age is that beef when it is killed?—Probably four years old I should think, from what I have heard. I have only heard that. I never tried to eat any of that beef.

29142. There must be a great deal of beef of first-class quality sold in the English market which is a good deal younger?—Yes. They are put as 1½-year olds into stalls in England and Scotland and they come out as 2-year-olds fat. Argentine beef is altogether grass-fed.

29143. Is that the reason why you think they would be old from the Argentine?—I always heard they were from the shippers. Some of them told me that the cattle very often were never less than four years old.

29144. Suppose a man was able to keep a beast until it was two years old—I am not talking of a small farming man, but a man who has got sufficient land to do it in a scientific manner—and fatten it and then sell it as prime beef, surely that would be more profitable than selling it as a yearling?—The prices of year-olds are much greater in proportion than those of two-year-olds. I have paid up to £8 2*s.* 6*d.* for year-olds this month. I have bought two-year-olds very good for £11. That is a difference of only £3 for another year's keep.

29145. Sir Francis Mowatt.—Was that an exceptional price or an average price?—From £7 to £8 is about an average price for good year-olds.

29146. What is the average price of good two-year-olds?—I have bought some up to £12, but I never did it before. They are about £1 5*s.* dearer this year than they have been for some years past.

29147. Mr. Kavanagh.—What is the keep of a yearling for a year?—They get a good portion of the cow's milk

29148. You say there is only £3 difference in price between yearlings and two-year-olds?—Yes.

29149. What would you consider the cost of keeping the two-year-old for the twelve months?—You would want to get £4 at least to pay you, and you would not make much profit out of it at that.

29150. But it would be proportionately as good a price as selling a yearling?—No, because they get £7 or £8 for a year's keep in the one case, and only £4 in the other.

29151. What is the difference he should get for a two-year-old to make up for the cost of keeping?—You ought to get as near £12 as you could get. That is to give you a fair profit. So far not many new lettings have been made in this County by the Congested Districts Board, I believe none by the Estates Commissioners. If the new occupiers had not sufficient capital to stock their farms, they would be driven to sub-letting, meadowing, and conacre.

29152. Chairman.—That might be only temporary?—Yes, if he has not sufficient capital.

29153. That has been done, I believe?—Yes. I believe the introduction of strangers from a distance would be strongly resented by the occupiers in the neighbourhood. When discussing with the tenants on different estates, the question of sale to them, where grazing farms existed, and their division was referred to by them, I have said to them that even if the owner consented, and could dispose of the grass lands to the Estates Commissioners, he could give no guarantee how such grass lands would be divided, that strangers might be brought from a distance for the whole or a portion of them. I have invariably been met with the retort—"You can leave that to us, as we shall take good care no strangers are let take them."

29154. Most Rev. Dr. O'Donnell.—What class of people are these?—Tenants on that estate.

29155. Are these small uneconomic holdings?—Some of them no doubt.

29156. Did you point out that these uneconomic holdings would be first enlarged?—No, because the grass lands in most cases were not in the hands of the owner. They were in the hands of judicial tenants.

29157. Is not it a very delicate matter dealing with a question of that kind?—It is very easy to get the people on edge over it.

29158. Hence, don't you think it would be necessary to put the matter to them as palatably as possible?—Certainly.

29159. Would not you say in those cases the right way for the public authority to intervene would be first to enlarge the uneconomic holdings in the neighbourhood?—That would be the best way.

29160. If put in that way would the same objection arise?—I think it would. The people on the estates want to get the grass lands for themselves.

29161. Do not you think the way you put it would be calculated to set them against it?—What I wanted to make clear to them was that even if an owner had power to sell grass lands he could not guarantee what the Estates Commissioners would do with these grass lands, because they wanted to bind me down that the land would be given to them.

29162. In this particular case I gather from you it was not conveyed to them that the Estates Commissioners were likely to enlarge the small holdings around?—No. The claim was that the land should be given to the tenants on the estate. They wanted to bind me down that on a sale no one but themselves would get this land, and of course, I could not give any such guarantee.

29163. You would not consider it unnatural on the part of these small holders on the margin of this property to take all precautions they could that strangers should not be introduced until they had their holdings enlarged?—No, I would not; but, of course, an owner could not give any such guarantee.

29164. If they had got that assurance about enlargement would they object to the introduction of congests?—I think they would.

29165 That is your opinion. There is nothing in the history of the case to prove that?—No. Take, as an example, the tenants on portion of a County Galway estate (numbering 129) over which our firm are agents, on which there is a large demesne, and two large farms which the occupiers use for grazing purposes, with whom we have arranged terms of sales through the Estates Commissioners. The tenants would not have agreed to buy had we included the seventy-three tenants on three congested townlands on the same estate, situated about seven miles off. I do not think occupiers of small holdings in a congested district would be willing to migrate to new holdings at any distance off. See Mr. Doran's answer (No. 2097), where he states the Congested Districts Board have been unable to re-let some of their lands. A migrant would, of course, require a house and offices built for him, farm fenced, and, in 70 per cent. of the cases, capital to stock farm, as there would be no use in planting a man on a farm without means. The buildings, fencing, and stocking would cost at least £300. I should think about 20 per cent. or so of them would have sufficient agricultural knowledge to work their new farms, if land was about the same quality. Migrants should not be allowed to sell their interest until they had been in occupation, say, five years. Sufficient land can easily be obtained by voluntary purchase if a fair price is given; more than can be dealt with in the next quarter of a century.

29166. Chairman.—Why do you put the money required so high as £300?—That includes the house.

29167. That is given him?—I was not aware it was.

CHAIRMAN.—The Congested Districts Board build the house, and add the cost of it to the annuity.

29168. Most Rev. Dr. O'DONNELL.—Yes, though not the whole sum, and the homesteads that have been provided up to this time have not cost up to the standard of £300?—For a fair house for a man and his family to live in, and for out-offices to keep two cows and a horse it might.

29169. CHAIRMAN.—They are up to that standard?—You won't build that under £200.

29170. For £120?—There would be a very poor house built for £120.

29171. Most Rev. Dr. O'DONNELL.—The average expenditure has been something like £120 on the house and £30 on the out-offices, but there is something left for the incoming tenant to do in the way of additions?—That may be.

29172. CHAIRMAN.—If £150 is spent by the Board on the house and out-houses, and also on the fences, surely a very large sum would not be required by the tenant?—No; but I contend that £150 will not build the out-offices and fence the farm.

29173. It has been done under £200 in all cases. They are very good, with three rooms and little dairy places?—Only £50 remains.

29174. You say that migrants should not be allowed to sell their interest until they have been, say, five years in occupation?—They get a very valuable interest. If you put a man on to twelve or fourteen acres, with a house, and giving him the tenant-right free, there is nothing to prevent that man selling his interest, and going anywhere he likes, and getting a good profit for it.

29175. Most Rev. Dr. O'DONNELL.—It seems to be necessary to suggest some provision of that kind?—Yes.

29176. At the same time in the cases with which the Congested Districts Board have dealt they have not given the tenant-right in that way. They think the land of Ireland is not sufficiently ample to give people presents like that. They have always put on something for the tenant-right. They have required a migrant to surrender the holding that he has left for the enlargement of adjacent holdings. That is his first payment for tenant-right. They have also occasionally added something to the annuity?—They have done very little in this county so far, so that I cannot speak from knowledge.

29177. You say sufficient land can easily be obtained if a fair price is given?—Within the next few months we are offering estates with 2,400 acres of good arable land in hands. It only remains with the Estates Commissioners to give a fair price for it. If they do they will get it. If they don't they won't. It is all good land. I have excluded bog-lands and rough land from that area.

29178. How many acres are offered?—It is not offered yet. We are about offering it. These lands represent about 2,400 statute acres.

29179. That is in the County Sligo?—Nearly all in the County Sligo, except 700 acres.

29180. That is practically all grass land?—It is all grass land.

29181. CHAIRMAN.—Is your idea of a fair price based on what we have heard of—one and one-third times the valuation?—Yes, with the option to the owner to have an appeal. In some cases it is very fair. In other cases it does not cover the value of the land, especially very good land. Compulsory powers are quite unnecessary. If granted, there should be an independent Court of Appeal, composed of three judges of the High Court. In no instance should the fixing of the price be left in the hands of either the Estates Commissioners or the Congested Districts Board. You might just as well say a man going to a fair to buy stock could fix the price he was to pay for them. As it is, the Estates Commissioners unfairly use a great deal of, so to speak, "backstairs compulsion."

29182. Most Rev. Dr. O'DONNELL.—That seems strong?—I can back it up. I can read one of their letters. I need not mention the name of the estate.

29183. CHAIRMAN.—If you read that I don't think it would be quite fair not to say the name of the estate?—Very well. It is a letter of theirs.

29184. If you will give me privately the name of the estate then you can read it?—Very well. "I am also to suggest that if the evicted tenant is reinstated it may facilitate in arranging terms for the sale of the rest of the estate to the tenants."

29185. Most Rev. Dr. O'DONNELL.—Is not that fair?—No.

29186. Mr. KAVANAGH.—It is merely a suggestion?—It is a very disgraceful suggestion to come from a Government quarter.

29187. Most Rev. Dr. O'DONNELL.—Are not they charged with the restoration of the evicted tenants?—They hold that out as a threat—if we don't restore the evicted tenants they will block the sale of the rest of the estate. As a matter of fact, these lands referred to are demesne lands, and never came within the ambit of the Land Acts at all. Notwithstanding this threat on their part we have offered to sell them this demesne if they will give us our net income on what the tenant formerly paid, not what we are making ourselves, because we make a great deal more.

29188. Would not you consider that a public authority charged with the restoration of the evicted tenants should try to further that programme as much as they can on occasions of this kind?—Certainly.

29189. Why would not they allude to it in the correspondence?—I do not think they have a right to use that paragraph.

29190. It seems to me that it does not refer to price directly?—No. I wrote then in reply to that telling what we would sell for.

29191. It is on the question of price apparently you say they use backstairs compulsion?—Yes.

29192. I suggest to you that that phrase can scarcely stand on the evidence?—I think it does, with due respect.

29193. It is a question of price?—I don't object to anything about the price, but that paragraph should not be put in a letter coming from a Government body.

29194. Let me read you your own paragraph. You say:—"In no instance should the fixing of the price be left in the hands of either the Estates Commissioners or the Congested Districts Board. You might just as well say a man going to a fair to buy stock could fix the price he was to pay for them. As it is, the Estates Commissioners unfairly use a great deal of, so to speak, backstairs compulsion." That is "backstairs compulsion" in connection with price?—No, but in connection with sale. We are quite willing to sell without that paragraph at all if they give us our fair price.

29195. It seems to me, without referring at all to the propriety or impropriety of that letter, that the letter scarcely supports this sentence?—I am sorry to differ from you, but in my opinion it does. If, instead of accepting one-and-a-third times the valuation, the vendor elects to prove that a higher basis should be taken, his evidence should be heard by three arbitrators appointed not by the Government or any Government Department, but by the judges of the High Court, with an appeal from them to the three judges. Further, if compulsory powers are granted, it would lead to renewal of boycotting and agitation. The mere mention of compulsory sale has already done so in portion of this and an adjoining county. I can quote three cases which took place after Mr. Bryce's speech announcing that the present Royal Commission would be appointed.

29196. Sir FRANCIS MOWATT.—Those are cases of boycotting and agitation?—Yes. If negotiations for a sale of an estate to the tenants were proceeding the compulsory taking of grass lands and introduction of strangers would stop the sale, even if negotiations had commenced on an estate. Where grass lands existed, the compulsory taking of them for migrants would seriously interfere with the sale of such an estate.

29197. Most Rev. Dr. O'DONNELL.—You say you can quote three cases which took place after Mr. Bryce's speech announcing the appointment of the Royal Commission; but what connection would there be between them and the appointment of this Royal Commission?—They told me in plain English they were going to get the land by compulsion, and going to force our hands.

29198. Did Mr. Bryce say that this Commission was going to have compulsory powers?—He mentioned the word compulsory powers in his speech introducing it—not this Commission, but that it would lead up to compulsory powers.

29199. Do you think Mr. Bryce foreshadowed what the report of the Commission would be?—He certainly referred to compulsory powers in introducing this Commission.

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29200. I suppose there were cases of intimidation before Mr. Bryce's speech?—Yes, but not in the district I refer to. It was one of the quietest districts in the whole country up to then, but now it is very much disturbed.

29201. But considering the whole country, is not it very much quieter than it was before?—I am only referring to this district. This county has always been a very quiet county, except a very small portion of it.

29202. You would not think that any one spot in the country should be affected by Mr. Bryce's speech more than any other portion?—I certainly think that portion was.

29203 Is there any reason why you should take one spot more than another unless there was a particular allusion to that spot?—Rightly or wrongly, they got it into their heads that this Commission is going to lead up to compulsion, and they want to force our hands.

29204. You yourself would not feel insecure under compulsory powers if there was a proper court of appeal?—No; I would submit to it, though I would not like to part with my lands. I have been connected with the management of estates and the buying and selling of cattle for over thirty five years, and I look upon the grazing farmers as the mainstay of the cattle trade. In my opinion, the breaking up of all grass lands would be disastrous to it. If the grazing lands are divided and cut up the competition amongst local graziers will disappear, and consequently there would be a fall in price. I do not agree with Mr. Doran that the small farmers would feed their cattle to be two and a half-year olds or over, or with Mr. Finucane, who goes to Belgium to prove his case. In the first place the area of their holdings would be too limited to properly mature such stores, and they would have to resort to artificial feeding, which they could not afford to buy, and which would also be unprofitable. On the contrary, I believe the tendency would be to raise more young cattle, and dispose of them at the age of from one to one and a half years. The existence of creameries in the country will also foster this practice, in addition to which the profits on young stock up to one or one and a half years old are much more in proportion than from the ages of one and a half to two and a half years and upwards. The average price of year-olds in this county is from £7 to £8, and these may sell a year later at from £10 10*s.* to £11. Very good year-olds often fetch as much as £9 or £9 5*s.* You will see from this, it would be absurd to think that a small farmer will keep his stock to the age of two years or over. Take the case of twenty-two graziers in County Sligo, who feed annually between 3,500 and 4,000 head of cattle and over 3,300 sheep, which stock is practically all bought in the local fairs. If you banish men such as these from the county, where will the market for the young stock be? The absence of even three or four of them from a fair makes a considerable difference, and a like remark will apply to the other counties in Ireland. Of course there are more than twenty-two graziers in County Sligo. I only give the business of the principal ones, who personally gave me the numbers of the cattle and sheep they feed. As an example of the extent of the cattle trade in this county, take the four leading fairs in the village of Collooney, seven miles from the town of Sligo—23rd March, 3rd May, 17th September, and 31st October—and I find that last year two banks paid out a sum of over £62,400; this, of course, was chiefly to dealers, and would not represent anything like the total amount which changed hands, as many of the smaller dealers carry their cash with them.

29205. Chairman.—Do you mean to say that this £62,000 was paid out immediately after these fair days?—On fair days to pay for cattle that were bought.

29206. On these four days the amount paid out was that?—Yes; I got that from the bankers. The bankers are advised by dealers coming from a distance. The small local men bring the money in their pockets. I believe tenants, no matter what quantity of additional land they acquire, will not be inclined to increase the quantity of tillage, as the tendency amongst small farmers now-a-days is to till as little as possible.

29207. As to that, did you hear one witness who told us this morning that he did not believe the small farmer could exist unless he tilled?—We will come to the figures later on.

29208. You say, "In my opinion the breaking up of all grass lands would be disastrous to it;" and then you say, "On the contrary I believe the tendency would be to raise more young cattle and dispose of them at the age of from 1 to 1½ years"?—Yes.

29209. Won't that encourage competition of the graziers?—If the graziers are gone where is the competition to be?

29210. Why will they go if the new men sell more cattle at the young age?—If the grass farms are taken from them?

29211. Sir Francis Mowatt.—You mean for grazing. I thought you meant for selling afterwards.

29212. Mr. Kavanagh.—There are some other markets as well as these?—Yes.

29213. Is not that what the graziers buy, from 1½ to 2-year olds?—They buy year-olds and 1½ and 2 year olds. I believe there are thousands of acres of fattening land in County Sligo, which is used for finishing beef and producing forward stores for the Scotch market. Another class of store cattle should be taken into account, that is, the small cattle reared along the mountain districts, which can seldom be sold under the age of 2½ to 3 years, and are exclusively bought by graziers for their land. As the possible importation of Canadian and other foreign cattle has been much talked of I wish to say that I think it should be strongly opposed, mainly owing to the risk of the importation of disease, which would entail great losses on all classes of cattle owners in Ireland, and secondarily because it might lower the market value of both young stock and finished cattle. It should be added, however, that it would increase the demand for, and therefore the letting value of grass land, and this fact should be kept in view in estimating the fair price of such land if its present owners are asked to sell it. With the exception of one barony in this County, the small farmers do not go in for breeding sheep, so that the cutting up of grazing farms would mean a considerable reduction in the number and price of sheep. Tillage does not pay as well as grass farming, so I do not think the giving of additional land would be any inducement to small farmers to increase the area under tillage. As an example of how the production of oats has fallen off in this district, I submit the following figures kindly supplied to me by a leading firm of corn merchants and millers. They purchased in Sligo and Ballysodare during the seasons:—1883-4, 5,098 tons of oats; 1884-5, 3,927 tons, and 1885-6, 3,148 tons. The supply has gone on decreasing year by year until last season (1905-6), when they purchased only 365 tons. The exports of oats from Sligo by sea during the last twenty years or so tell the same tale. The following figures are taken from the books of the Sligo Steam Navigation Company:—1884, 10,157 tons——

29214. Sir Francis Mowatt.—Is this the export altogether or by that particular company?—The export altogether. The other years are:—1885, 7,522½ tons; 1886, 7,886 tons. The returns for from 1887 to 1898 not available. The returns for recent years are: 1899, 605 tons; 1900, 40 tons; 1901, 308 tons; 1902, 187¾ tons; 1903, 45 tons; 1904, 60 tons; 1905, 56½ tons, and 1906, 18 tons. To estimate a fair price for untenanted land the minimum income from it should be taken to be the Poor Law valuation with one-third added (that is, the basis on which the Government assess the income tax, viz., Schedule A on the fee, and Schedule B on the occupation), but with an option to the owner to produce evidence to prove that his net income was higher. The owner then should get a capital sum which, if invested in 3½ per cent. securities, would yield him the net income as above. In many instances, when an owner farms his own lands, the net receipts would not be a fair basis for calculating the selling value. He often employs more labour than is necessary, for the sake of giving employment, in making permanent improvements. Or, he may not have sufficient capital to keep the lands fully stocked. Or, the grazing stock may be scarce in the neighbourhood, and, therefore, only obtainable at reduced rates. Lastly, but not least, many such lands are wholly or partially boycotted.

29215. Mr. O'Kelly.—You say, "Lastly, but not least, many such lands are wholly or partially boycotted." Have you any cases in your mind?—Yes.

29216. Would you mind mentioning them?—I do not care to do so.

29217. Are they in the County Sligo?—I would rather you did not press that question.

29218. Are they on properties over which you are agent?—Yes. Mr. Commissioner Finucane contends that lower prices should be paid for tenanted lands if the rents are mostly small, because he assumes that the landlord's income from such rents is precarious. He must know very little, and have made no inquiries on the subject. Every landlord and land agent knows that these small rents are well paid, except here and there where political agitators try to get the tenants to refuse to pay their rents.

29219. What do you mean by political agitators?—There is only one meaning as far as I know.

29220. Have you any cases in your mind?—Yes, I have.

29221. Are they on properties over which you are agent?—Yes, and others too.

29222. Mr. Sutherland.—Is it general all over Ireland?—No.

29223. Mr. O'Kelly.—Would there be many cases?—In some places it is very bad.

29224. Are there many cases altogether?—It goes in rings. There are more estates than those I am connected with.

29225. Have you exact knowledge of the fact?—I have.

29226. How many altogether are there in the County Sligo?—I don't say what county it is in.

29227. Can you really say there is a single estate in the West of Ireland at the present moment where, in your felicitous terms, political agitators tried to get the tenants to refuse to pay their rents?—Tenants have refused to pay their rents.

29228. Have they refused because of the work of political agitators?—I believe so.

29229. That is the case in the West of Ireland at the present moment?—In parts of it.

29230. What has been the result of that?—No result.

29231. Ejectment processes?—Not as far as we are concerned. We hope that the tenants will have sense.

29232. You would not like to say that political agitators have tried to get tenants on properties with which you are concerned not to pay their rents?—Yes. It has happened this year on one property.

29233. The consequence was?—We did not get the rent.

29234. You are proceeding against them?—Not yet. We hope to get the rents.

29235. Are they long due?—They are usually paid in November. The tenants are quite willing to pay, but are afraid to do so.

29236. Are the tenants anxious to enter into an arrangement for the purchase of the property?—We showed them we were quite anxious to sell to them.

29237. What prevents you?—The chief reason was they wanted to fix their own price.

29238. My reason for asking this is if there were a a number of properties on which the people revolted against paying rents we should hear of it in the newspapers?—I think you have heard a great deal of it in the newspapers.

29239. When you say they refused to pay rents do you mean to say there was anything like the Plan of Campaign resorted to?—I refer to only one district.

29240. Does your knowledge extend outside County Sligo?—It does.

29241. Does this particular ring extend outside Sligo?—I would rather you did not ask me to name the district.

29242. You have made a statement which will go on the records of this Commission. I want to ask you before that goes on the record can you give us any cases in which this thing occurred. I am in blank ignorance of it, and I know the province of Connaught very well?—It has occurred in four estates which adjoin.

29243. In Sligo?—I had rather you did not ask me in what county. It is in Connaught.

29244. Sir Francis Mowatt.—Are those four estates in your hands?—Only one of the four.

29245. Mr. O'Kelly.—But you speak with knowledge of the other three?—Yes.

29246. Could you enlighten us as to the causes which operated? This is an important statement to go on the record of the Commission. Could you tell us any reason why the people on these estates refused to pay their rents? What was the *modus operandi* of the political agitator?—As far as I know they were told not to buy unless they got the land at a certain price.

29247. Told by the political agitators?—Yes.

29248. I suppose you were equally insistent that you would not sell unless you got your price?—We offered them very liberal terms.

29249. It so happens there was a difference of opinion?—I believe the tenants would have dealt with us straight off, because they are very decent poor chaps, not very well off. They are small tenants.

29250. Mr. Kavanagh.—Your opinion is that a small holding is a better security to the State for purchase than a large holding?—I would say equally good.

29251. It is not worse at all events?—It is not worse. I have particulars of prices on some of the estates of which I am agent.

29252. The Chairman.—You mean to say that the security is as good on a poor estate as on a rich estate?—I say that generally the rents are well paid in the West of Ireland.

29253. The money comes from America. It does not come out of the land?—No doubt some of it comes from America.

29254. Take a place like Inishmurray?—They pay no rent at all there or taxes either or rates. They pay nothing at all but they use the county institutions.

29255. We were told yesterday that there were twelve years arrears in Inishmurray. You would not say that the security of land in Inishmurray was extremely good?—I believe there are 100 years of arrears there. They never paid rent. I don't call that an estate.

29256. Sir Francis Mowatt.—Would you call them large or small holdings?—They have very small holdings. The chief industry is making poteen.

29257. Mr. Sutherland.—Why does the law allow that?—It is seven miles away from the mainland, and they can see anybody coming.

29258. Are not the magistrates responsible for the enforcement of the law?—You must catch them first. The magistrates will try any cases brought before them. You must first catch your hare before you make your soup.

29259. Most Rev. Dr. O'Donnell.—Would not it be difficult for the fishermen to live off the land?—Yes. It is very light bad land.

29260. On the other hand, you have not a good harbour on the island for fishing work?—No harbour at all, as far as I know. You might be able to land and you might have to stop there a week. You could not get off.

29261. However much we may deplore illicit distillation, it looks as if they must live on their wits in some way?—Yes. I believe it would be a grievous blunder in public policy to abolish the Congested Districts Board. They have done, and are doing, much excellent work, and no Government department would or could do the same kind of work as well. The income and powers of the Congested Districts Board should rather be largely increased, and their system of parish committees should be improved, extended, and assisted as much as possible. I think they should be asked to take charge of the drainage system throughout Connaught, as the new proprietors are unlikely to strike a maintenance rate. They refused to do so in the Dunmoran district in this county in 1903.

29262. Chairman.—The local authorities?—The landlords had, up to the passing of the Land Purchase Acts, to bear the cost of maintenance of schemes of arterial drainage. When the new landed proprietors came in the old landlords wanted them to join them in striking a maintenance rate and they would not do so, and the works are now lying derelict.

29263. Before the Land Purchase Acts who maintained the drains?—The landlords.

29264. How was it managed?—The work I refer to was done I should think in the later forties or early

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fifties. About 1,000 acres were drained. Since that work has been done whenever any damage occurred in the drainage system there was always a drainage board which entrusted a contractor with the work of repairing the damage, and struck a rate to pay for the cost of the repairs.

29265. The rate was struck by the drainage board?—Who consisted of landed proprietors.

29266. Were they constituted by Act of Parliament or voluntarily?—Under Act of Parliament.

29267. The powers to levy a rate were given them by Act of Parliament?—Yes.

29268. After the purchase Acts did these drainage boards still continue?—I happen to be honorary secretary to this Dunmoran district. The Board of Works wrote letters to me to call meetings of the proprietors. I did. I happen to act for a great many of the old landlords and for some of the landlords who had sold; but the new owners, the tenants who purchased, refuse point blank to have anything to say to it. Now the whole system is derelict. I believe the County Councils can be called on to take over these drainage systems, but that would be out of the frying pan into the fire.

29269. When you suggest that the Congested Districts Board would take over this they would have to do it out of their pockets?—I would give them compulsory powers if necessary to strike a rate.

29270. Why not give it to a local body?—I believe the County Councils have power, but I think that the Congested Districts Board would carry out the work much better.

29271. That is putting the Congested Districts Board in a very invidious and unpopular position to saddle them with a work with which they have nothing to do?—It is a very necessary work.

29272. You say the Congested Districts Board is not a department, and is able to do its work successfully because it is not a department?—I have not said that.

29273. "They have done and are doing much excellent work, and no Government department would or could do the same kind of work as well." Does not that amount to that?—It practically does.

29274. They derive their popularity to a great extent from the fact that they are not a Government department?—They are a very competent department.

29275. Some of their success must depend on the popularity?—No doubt, but they are a very competent Board.

29276. Don't you think very often in the difficult work that the Congested Districts Board have to do, restriping land and generally undertaking work requiring the good will of the people of the locality, their success is due to a great extent to the general popularity of the skilled officers who carry it out?—I have no doubt it is.

29277. If that is so would not it handicap them to a great extent to saddle them with work which they know beforehand is going to be unpopular?—I don't know about that, because it is absolutely necessary for the people's own protection to maintain these drainage works.

29278. Is not the proper body to do it the local authority that represents the district?—That is the County Council. They have quite enough to do to keep the roads in order if they would.

29279. Mr. Sutherland.—Do you mean that the Congested Districts Board should do it at their own expense?—No. I mean that they should be empowered to strike a rate to do it.

29280. They are not a rating authority. You have a rating authority and it is most desirable that that authority should be used if you are going to levy a rate?—The reason I suggest them is that they are a very competent board and have very good men under them and they would do it far better than anybody else.

29281. Mr. Doran, for instance?—Yes. They have an excellent staff.

29282. Mr. O'Kelly.—Do you mean to suggest that the Congested Districts Board would have power to compel the County Council to strike a rate for drainage purposes and then hand it over to the Congested Districts Board?—That seems a better way than I suggest, because they would see that the work was properly done.

29283. Sir John Colomb.—In speaking about the necessity of some authority to maintain drainage you meant somebody to take the place of the owners of property who have parted with their property?—Quite so.

29284. Take the cases subsidiary to arterial drainage, where portion of a drain went through various lands, was it a common arrangement with the tenants that each tenant should maintain his own portion?—That was so.

29285. Did you find after the Act of 1881 the same power did not remain to the landlords to make the tenants maintain what they had agreed to maintain?—That is so.

29286. Therefore you think that being so, now that the land is passing into the hands of individual proprietors, it is very important from the State point of view in the interests of the people that there should be some authority who would do what used to be done, that is, to see that the tenants discharge their obligation in reference to arterial drainage?—I think so.

29287. With regard to what you said in a previous paragraph, may I take it that all you meant was to pay a tribute to the natural honesty of the tenants of the West in discharging their rent obligations?—Yes.

29288. But at the same time you felt it your duty to point out that there were exceptions in exceptional circumstances where they departed from it?—Yes.

29289. But your general purpose was to explain that in your opinion, with your knowledge of the tenants in the West of Ireland, they were anxious to discharge the obligation of paying their rents?—Yes. Rents are well paid and paid without any trouble.

29290. Mr. O'Kelly.—You say it would be a grievous blunder in public policy to abolish the Congested Districts Board. In what would the blunder consist?—I do not see what you are going to put in place of them. They are a most excellent board and have done very good work.

29291. I suppose you have heard of the restrictions put upon their expenditure by the Treasury?—I would not be surprised at what the Treasury did.

29292. Have you come to any judgment as to whether it would not be wiser to commit the counties of Connaught entirely to the Congested Districts Board, leaving out the Estates Commissioners altogether?—Personally I would rather deal with the Congested Districts Board. I am only expressing my own opinion.

29293. Have you thought the matter over?—We have sold one estate to the Congested Districts Board and we have sold thirteen estates to the Estates Commissioners, or at least sold them direct. Four or five are, I think, in process of sale, and we are about offering three more. Of the above, only three have been inspected, and only portion of one conveyed, and that to the Congested Districts Board.

29294. But do you see any inconvenience in having two bodies doing the same work in the one province?—There is plenty of room for both—

29295. Do they ever compete?—Not to my knowledge. The Congested Districts Board is not doing very much in this county.

29296. Did you ever consider the matter whether it would not be as well to hand over the work of the Congested Districts Board to the Estates Commissioners because they are a Congested Districts Board now for certain purposes?—I never did consider it. I would not like to give an answer straight off.

29297. Again you say that no Government department could or would do the same class of work as well. What had you in your mind when you came to that opinion?—One reason is that the Congested Districts Board have a much more competent staff, as far as my knowledge goes, than the Estates Commissioners have.

29298. Are you acquainted with the staff of the Commissioners?—I have seen some of their valuators.

29299. Is it easier to come to terms with the Congested Districts Board?—It is much easier to come to terms with the man who knows his business than the man who does not.

29300. Would you suggest that the Estates Commissioners don't know their business?—I think a good

many of their officials do not. That is merely my opinion.

29301. That opinion is based on actual contact with them?—With the prices they offer.

29302. Is your prejudice against them entirely on account of the difficulty of getting them to agree to a price that they consider extravagant?—There is no danger of their being too extravagant.

29303. You find a difficulty in agreeing with them as to price?—Other people have more than we have.

29304. You say that no Government department can do the same work as the Congested Districts Board. In comparing that body and the Estates Commissioners, have you in mind any estate purchased by the Estates Commissioners?—No, but I have heard the prices offered for estates.

29305. But prices and the doing of work like that of the Congested Districts Board are two different things altogether?—The Estates Commissioners have practically done very little.

29306. Therefore is it just to make a comparison between their methods: have you in your mind's eye at the present moment any estate purchased by the Estates Commissioners?—No, I have not, except what I have heard from others.

29307. You have in your mind's eye estates purchased by the Congested Districts Board and improved?—I have.

29308. When you have no knowledge of the work done by the Estates Commissioners how are you in a position to make a comparison?—I make the comparison from what I have heard from land agents and landlords. It is merely an opinion and may be worth nothing.

29309. You base your opinion on hearsay evidence?—Really a great deal of the evidence one gives in a matter of this kind must be hearsay evidence.

29310. You say the income and powers of the Congested Districts Board should be largely increased. On that we are all agreed. What power would you give them?—I would increase their income.

29311. Would you give them a larger income and no power to expend it?—If they buy estates outside the congested districts at present they can only deal with the grass lands in hand, they cannot give it to the tenants adjoining. I think they should have power to give it to the tenants if they cannot migrate people. At present if they cannot get migrants they cannot deal with the land.

29312. Would not the difficulty be more in getting the land than in getting the migrants?—The difficulty is in dealing with the migrants too.

29313. Congestion is a great evil?—Yes.

29314. You would like to see it removed?—As far as it can be done fairly and squarely.

29315. Let me take a property where you have a good area of congestion and contiguous to it you have large grazing ranches. Would you agree with the view often expressed at public meetings, parties, boards and in Parliament that powers of compulsion to acquire any of the grazing land should be given to such a body as the Congested Districts Board or the Estates Commissioners?—No; I do not think compulsion should be given at all.

29316. Your view is although you admit congestion is a great evil, the application of compulsion would be a greater evil?—Yes.

29317. Why do you say that?—You can get plenty of land if you pay a fair price for it.

29318. They try that first under the voluntary system, but suppose you have a property in which there is a good area of grazing land and the landlord refuses to sell it, and that persuasion failed and everything else failed, would you feel it would be a greater evil to apply compulsion than to continue congestion?—Yes I say that the property belongs to the landlord and he has a perfect right to do what he likes with it.

29319. Therefore the public interest must be subordinated to the private interests of the landlord: is that it?—That is it, if you like to put it that way.

29320. In asking for compulsory powers for the acquisition of land we are not asking for anything new, there are precedents for it?—I am not aware.

29321. You have a railway from Claremorris to Sligo?—That is a different thing. The men from whom the lands for that railway were taken were well paid for them.

29322. Is it not more desirable that people should live than that they should travel fast?—They would like to do both.

29323. Which is the more important of the two?—To live, no doubt.

29324. If you have a large area of congestion which should be removed, and if the landlord is unwilling to yield, would you not apply compulsion?—No; if the landlord wants the land for himself he has just as good a right to keep it as anybody else.

29325. Take the case of a railway?—I don't think the two fall into line at all.

29326. Would you explain the difference between them?—I may leave that to you to do.

29327. Sir John Colomb.—I wanted to ask you, did you agree with evidence we had to-day—I don't know whether you heard it or not—that accepted this position, that if compulsion was to be applied to owners it must inevitably be applied to the farmers and shopkeepers who had grazing land?—I agree with that. Mr. Finucane describes at page 360 of the Appendix to the Third Report of the Commission how the Estates Commissioners value untenanted land. The Congested Districts Board value it as a final thing and add so many years purchase for the occupation, while the Estates Commissioners value it at so many years purchase, allowing nothing for the occupation. Suppose a tenant-farmer purchases the good-will of a farm, and then purchases the same farm under the Land Act, afterwards the Estates Commissioners have power to take it by compulsion—according to Mr. Finucane they would put a value on it, and the man would have to go out and get nothing for his occupation interest therein.

29328. You say a man has a perfect right to do what he likes with his own property?—Yes.

29329. Do I understand you to mean by that that in carrying out a national policy the landlord is not the man to suffer, and must be fully compensated?—Yes.

29330. That is what you meant?—That is what I meant.

29331. Chairman.—I think you went a great deal further than that. Did not you mean to say that in your view the State had no right to compel a man to sell his land if he did not wish it?—That is my view, that the landlord owns the land, and has a right to hold on to it; if he requires it for his own use I don't see why he should not.

29332. Mr. O'Kelly.—There was a Labourers Act passed last year?—Yes.

29333. The element of compulsion is there?—Yes; we don't know how it will work yet.

29334. That is another precedent?—Yes, I admit that.

29335. Of course we have many more precedents. In the Australian States the Government are resuming possession of large tracts of land that were given formerly to settlers, for the purpose of promoting closer settlement?—I have not heard.

29336. You may take it from me that it is a fact; and I think they are making similar proposals in New Zealand. What is morally right in New Zealand ought not to be morally wrong in Ireland. Geography has no effect on morals?—Distance might have. In confirmation of my general views I wish to read the following memorandum, which was sent to me on the 9th of this month by a small farmer in the Sligo district. It will be seen that his views correspond with my own in a remarkable degree, but they reached me after the outlines of my own evidence had been sent forward. He says:—"Some facts which may be worth bringing under the notice of the Royal Commission on Congestion.—An agricultural farm to keep a family going at all must be at least about twenty acres (Irish) of fairly good land of mixed quality, suitable to the production of the different crops required for a small farmer's housekeeping—to carry about five cows and their calves, summer and winter, giving about three acres to tillage. Many occupiers of holdings of twenty and thirty acres, Griffiths' valuation, £15 to £20, but only useful in one line, would find it most difficult to get on if not assisted by the produce of some of the large farms close by, while the holders of

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much smaller farms of general quality could make a good living. The most uneconomic of all farms is that of thirty to fifty acres of hilly stiff clay soil, difficult of access, requiring much labour, depending on favourable weather, with poor return, cattle never fit for the market, dairy cattle producing little, while rents and rates are more than proportionally heavy on such land. Many holders of poor wet farms, as well as thrifty occupiers of small farms, who could badly go on if confined to such farms alone, added much to their income by availing themselves of facilities for grazing on the larger grass farms in the neighbourhood, thereby keeping in hands their young stock until they become full value, sometimes some extra dairy cows, which through the creameries paid even better. Grazing rates being regulated by the market price of stock. This system by the winter feeding added much to the value and production of the Home Farm, while it inculcated thrift and industry to the members of the family. Most owners of moderately large grass farms are most anxious to let grazing and at reasonable rates, because such a system involves less risk and capital. For this reason occasional grass farms are very necessary and useful to the very many small holders in the West of Ireland. Where large grass farms (not required for grazing) are stocked by the owners themselves, they cause a sharp local demand for the young stock of the neighbourhood, not yet fit for shipping for the English or Scotch markets. Without such local demand producers of young stores should suffer. There is no use of talking of home fattening on poor small farms. Where the division of large farms has to be resorted to, to relieve congestion, care should be taken only to take farms for that purpose where a large area of country is under grass lands, because the occasional grass farms is going far to help to relieve congestion already—its produce helping those around. There are many large dry grass farms in the West of Ireland, used mostly as sheep walks, which would never do for striping out to small farmers—they won't produce hay and are useless for tillage. Twenty-acre farms of such land would only beget still greater poverty. It is a doubtful problem if a peasantry of uniform small landholders, or nearly so, with the resources of this country could be prosperous. The best attempts made to relieve congestion in its present state must only go to create it elsewhere in a few years, and very likely a relapse to the old condition in the old places. Large grass farms at present paying a high rent—30*s.* to £2 an acre—if bought up for distribution on the basis of present rent, could never be made to repay such amount when in the hands of small holders, the land very shortly becoming deteriorated. Should migration from thickly inhabited districts do something to stay emigration for the present, it must only increase it the more after a short time. With a promise of a better education, and the commercial prospects in all newly-colonised countries, no young Irishman of any ability will settle down to the husbandry of a few acres of land here while he has reason to hope for a better condition abroad. In a word, more real service could be done to the people of our country by some aid and encouragement to the industrious ones; leave the idle and lazy to learn from their example; but, on the contrary, the State is every day making provision for those who put their backs to the wall and do nothing, thereby driving whatever capital and energy there is in the country out of it. Ireland cannot stand all who are playing on it from within and without.

29337. Most Rev. Dr. O'Donnell.—Are you aware it is the law at present that when the Congested Districts Board buy a property it may expropriate the holder of a present tenancy for the relief of congestion?—Do you mean judicial tenancy?

29338. Yes?—I was not aware of that.

29339. As a matter of fact, the State has already conferred on the Congested Districts Board the right on one of its own properties of expropriating a present tenant for the relief of congestion. That being so, would it modify the view you have expressed with reference to compulsion, if land is required for the relief of congestion and the landlord is given a sufficient price, that compulsion should not be applied?—I am afraid I stick to my opinion.

29340. Mr. Sutherland.—Your position is perfectly explicit. You say the right of the proprietor is superior to the right of the State?—The right of the man who owns the land is to be taken into consideration.

29340A. Sir John Colomb.—You don't claim for the landlord more protection than you claim for the occupying tenant?—No.

29341. Most Rev. Dr. O'Donnell.—At present the occupying tenant may be compulsorily expropriated?—You will find he will be very well paid for it.

29342. On the question of price, if there is compulsion you say it should be referred to a judicial tribunal?—Yes, exclusive of the Land Commission or the Estates Commissioners.

29343. That is the reason I asked would the fact that there are compulsory powers for the tenant modify your view to the extent that in certain circumstances there might be compulsion for the landlord?—I wish to read a letter I have received from Major O'Hara, Lieutenant of the County. He says:—"In former times on my property there was a staff of men and an estate steward who made and kept up roads and fences on the tenants' holdings, and the steward used to advise as to the best use to be made of the farms. I do not think there is any tenant on the property who has not a road to his house which was made by the landlord, and I still keep up many of the roads on my property. Planting, &c., of course, one always did. Orchards were planted in many cases on the property along the foot of the mountain, portions of which remain in a neglected state still, as is seen on the road from Ballina. Money was borrowed for drainage and roads which I am still paying, and I think that should not be allowed to pass unstated. Also in many cases houses were built for tenants. Another point which may be of use is that on some parts of the property where holdings were not large a field has been kept for the accommodation of the surrounding tenants, so that they could send their cows and young stock to graze there. Recently when there was talk of the property being sold, I was requested by the tenants in one instance to keep the land in my own hands for their use as at present."

29344. Mr. O'Kelly.—Major O'Hara did all this work?—Chiefly his grand-uncle and father.

29345. Have all the landlords in County Sligo followed his example?—Not so much. Lord Harlech did enough. But a great many landlords spent money making roads and drains.

29346. What percentage of landlords did that apply to?—I can only refer to those for whom my firm acts.

29347. Chairman.—Does your firm manage Lord Harlech's estate?—No, but I know it well. I did not look into this question. I never thought of it until I got this letter yesterday morning. Looking into the applications of the Board of Works I find we pay them £520 a year for different estates.

29348. Most Rev. Dr. O'Donnell.—Would the expenditure be repayable?—Not on Major O'Hara's estate. Of course if we expend money on making roads into bogs or on drains that does to a certain extent repay the landlord.

29349. It comes up when the rents are being fixed?—When there is an accommodation road for a farm it is worth more than when there is no accommodation, but most of the money I speak of is not returned.

The Commission adjourned.

SIXTY-FOURTH PUBLIC SITTING.

FRIDAY, 19TH APRIL, 1907,

AT 11.0 O'CLOCK, A.M.,

At the Courthouse, Tubbercurry.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (Chairman); The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; Most Rev. Dr. O'DONNELL; CONOR O'KELLY, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.; ANGUS SUTHERLAND Esq.;

and WALTER CALLAN, Esq., Secretary.

Mr. JOHN M'LOUGHLIN examined.

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Mr. John M'Loughlin.

29350. CHAIRMAN.—You are nominated by the Sligo County Council?—Yes.

29351. You represent Tobercurry upon the County Council?—Yes, I represent South Sligo, portion of South Sligo, and the county division of Kilmacowen—nominated by the County Council to be one of the two.

29352. I think you made out a scheme of your evidence?—The population of Sligo in 1841 was 180,886, and in 1901 it was 84,083. Area of the County Sligo, 452,356 acres; under tillage, 74,508 acres; pasture, 237,536 acres; plantations, 76,078 acres; waste, 120,819 acres; and under water, 11,815 acres. The number of agricultural holdings in County Sligo, 13,491, and the mean valuation of holdings, £13. In 1906 the total rateable valuation was £214,216. The emigrants from County Sligo from May 1st, 1851, to December 31st, 1905, was 79,829. In 1905 the number of emigrants was 792 and in 1900 the number of emigrants was 1,544.

29353. Is there any particular reason why in 1900 the number of emigrants should be so large—were there any special circumstances in that year which made the figure so large?—Well, yes; I believe the depression of the times forced more in 1900 than since.

29354. Was 1899 a very bad year?—Yes, and 1900 was the year depression pressed most on them, and at that time the population dwindled down so much on that account. In 1905 the migratory agricultural labourers were 169 landholders and 725 not landholders; 899 went to England and Scotland, and 17 to other parts of Ireland. The estates sold from 1st November, 1903, to 31st March, 1906, in County Sligo were 19, of which 8 were in Congested Districts.

29355. Can you tell us at all the number of estates that were sold in County Sligo during, say, the five years before 1903?—That would be under the Ashbourne Act?

29356. Yes?—No, but I could look it up.

29357. I see from returns prepared for the Commission that prior to the Act of 1903 twelve hundred holdings were sold under the various Acts, and since 1903 eight hundred holdings have been sold under the Act of 1903?—The estates sold from 1st November, 1903, to the 31st March, 1906, in the County Sligo were 19, of which 8 were in congested districts. The number of purchasers was 536, and the number of holdings on those 19 estates amounted to 800, including 278 in the congested districts.

29358. That is practically eight hundred purchasers under the Act of 1903, and there were twelve hundred purchasers under previous Acts. Should you say under those conditions that the Act of 1903 has been a failure in the County Sligo?—Well, I would not say it is encouraging.

29359. Although during the three years you got very nearly as many sales—at least you got two-thirds of the sales that have taken place under all the previous Acts?—I know that 99 per cent. of the tenant-farmers were all anxious to buy if they could purchase at a reasonable price.

29360. Do you realise what those figures mean—that in fifteen years under the various Purchase Acts that have been passed twelve hundred purchasers buy their holdings, and in three years under the Wyndham Act of 1903 eight hundred purchasers buy their holdings—two-thirds of the number that have bought in the whole of the fifteen years before. Can anybody say under those circumstances that the Act of 1903 has been a failure in County Sligo?—I do not say it is a failure, but I say it is not as encouraging as it should be, because the tenant farmers, 99 per cent. of them, were prepared to buy at a reasonable price.

29361. At any rate purchase operations have been from those figures very much accelerated in the County Sligo by the passage of the Act of 1903?—Oh, yes. In County Sligo the total number of agricultural holdings is 13,491. £4 and under, 3,511; £4 to £10, 5,606; £10 to £15, 1,817; £15 to £20, 860; £20 to £30, 704; £30 to £50, 472; £50 to £100, 320; over £100, 201. In 1905 holdings of land in Sligo County not exceeding one acre were 896; 1 to 5 acres, 1,422; 5 to 15 acres, 5,492; 15 to 30 acres, 4,495; 30 to 50 acres, 1,574; 500 to 100 acres, 782; 100 to 200 acres, 302; 200 to 500 acres, 123; above 500 acres, 37. Expenditure on poor relief, year ending, September, 1905—Sligo Union, 1*s.* 7¾*d.* in the £; Tobercurry Union, 1*s.* 10½*d.* in the £. Average number of persons in workhouse, 1905, Sligo, 448; Tobercurry, 103. There is a great deal of untenanted land in the district with which I am acquainted. Ballintogher East Electoral Division—In this electoral division in the townland of Killerry there are 1,252 acres; owner, William J. Griffith; valuation, £135. The population of Killerry fell from 241 in 1881 to 183 in 1901. It is in Sligo Union.

29362. This district you are speaking of is close to Collooney?—No, it is on the borders of the County Leitrim, near Dromahair, just south of Lough Gill. In the same electoral division, townland of Sleshwood, Mr. Owen Wynne owns 374 acres untenanted, valuation of the untenanted portion £25 10*s.* Mr. Wynne owns many grazing farms in County Sligo, and the Estates Commissioners have advanced him £15,000 for the sale of his demesne at Hazlewood.

29363. Sir JOHN COLOMB.—You give the fact that Mr. Wynne was advanced £15,000 for the sale of the demesne, but what was the total advanced for the whole property, because he could get only a certain proportion for the demesne in relation to the total advanced, do you know the total advance?—Mr. Wynne has not sold his whole property. He has a number of grazing farms.

29364. Never mind whether he sold his whole property or not. As you are able to tell us what he got advanced for his demesne, I want to know can you tell what is the total amount advanced for the tenants on other lands outside the demesne altogether?—Of course I did not look up your price by what he got in the other portions. Ballintogher West Electoral Division includes 1,913 acres of untenanted land, exclusive of Castledargan mansion house and demesne, occupied by Mr. Hosie. Only a small portion of those lands are as fit for grazing as for tillage.

29365. CHAIRMAN.—I can only find in the townland of Castledargan in the occupation of Mr. Hosie 194 acres?——

29366. Sir JOHN COLOMB.—Do you mean that in the Ballintogher West Electoral Division there are 1,913 acres of untenanted land exclusive of the 194 acres?—Yes.

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19367. You do not mean that 1,913 acres was in the hands of Mr. Hosie?—No.

19368. The gross total is exclusive of the demesne occupied by Mr. Hosie, which amounts to 194 acres?—Yes. Ballinakill Electoral Division—This electoral division contains 522 acres of untenanted land, valuation £211. The population of this electoral division fell from 5,712 in 1881 to 4,359 in 1901.

19369. CHAIRMAN.—Do you exclude in that the demesne occupied by Mr. Stack?—Oh, yes. I did not include the mansion house or demesne of Castle Neno, which is in the electoral division of Ballinakill. Ballisodare East Electoral Division—This division contains 377 acres of untenanted land, valuation £266. All this land is of the richest quality, and is exclusively used for grazing. The population in 1881 was 888. In 1901 it had sunk to 667. Electoral Division of Ballisodare West—This division contains 694 acres of untenanted land, most of it in the occupation of Mr. Charles Keene O'Hara, a large landowner in the district. The valuation of this untenanted land is £172. One hundred acres of good land is held in the townland of Streamstown by Mr. Alexander Sim, a wealthy and enterprising merchant and manufacturer, and I have been informed that he would be ready to sell to the Estates Commissioners at a reasonable price.

29370. What reasonable price?—At a fair value between both parties.

29371. Is that estimated by you or the landlord?—To give justice between man and man.

29372. How do you know it would be a price satisfactory to both parties?—I would say justice between man and man would be a reasonable price.

29373. Do you know what is the price he has offered to sell at?—I am informed on reliable authority he would be prepared to sell at a reasonable price.

29374. If you don't know what the price is, how do you know it is reasonable?—Of course it takes a long judgment, because it is very hard to arrange to satisfy the landlord and the tenant in a case like that.

CHAIRMAN.—That is why I was surprised to hear you say what you said just now.

29375. Most Rev. Dr. O'DONNELL.—Did you hear he was not likely to demand an exorbitant price?—Yes, I heard he was prepared to sell at a reasonable price.

29376. Sir JOHN COLOMB.—Did you hear it from himself or other parties?—It was other parties.

29377. That is a rumour?—A strong rumour. The population of this electoral division (Ballisodare West) dwindled from 850 in 1881 to 712 in 1901. Electoral Division of Bricklieve—In this division there are 411 acres of untenanted land, valuation £323. Owners, Sir Josslyn Gore-Booth and Mr. Crichton. The land is of exceptionally fine quality.

29378. CHAIRMAN.—With regard to that—is that land which Sir Josslyn Gore-Booth considers to be his demesne or not?—Oh, no; he lives in North Sligo.

29379. This is away from where he lives?—Twenty miles.

29380. Is that the land which he told us had been already offered to the Estates Commissioners?—Perhaps so; I am not sure.

29381. Has any land there been sold by Sir Josslyn?—Well, I am not sure. I could not say. The population of this electoral division (Bricklieve) fell from 668 in 1881 to 499 in 1901. Electoral division of Collooney—In this electoral division, excluding Markree demesne and the mansion house, there are in the occupation of Mr. Cooper 2,505 acres of untenanted land, the valuation of which is £927. A considerable portion of these lands are occupied by game preserves.

29382. What do you mean, "are occupied by game preserves"?—Game preserves.

29383. Yes, but land is not given up to hares and rabbits?—No; portion of it is in game preserves; pheasants and all classes of game. It is given over to game preserves.

29384. I suppose that is a general thing. Is there anything special about that land?—You don't know how all things stand, and just to give you information of how the property stands—portion is given over to game preserves.

29385. What do you mean by "given over"? Do you mean to say nothing is on it except game?—Well, of course, he may use it for other things, but the public is excluded from touching it. There may be cattle and other things, but game preserves is the principal thing I say on it.

29386. Cattle preserves, too?—There may be, and what is very rare there is deer to be found on it. There is a deerpark, and there are deer to be found on portion of it.

29387. Outside the demesne?—I could not say is it included in the demesne.

29388. Do you mean to say there are deer outside the demesne?—They have their own park.

29389. That is the demesne?—There are 2,505 acres of untenanted land exclusive of the demesne.

29390. And on this land you can find deer?—I do not say that.

29391. Where are these deer?—I believe the deerpark belongs to the demesne.

29392. Most Rev. Dr. O'DONNELL.—You say the demesne comprises 497 acres?—Yes, and the valuation is £400; that is apart from the 2,505 acres.

29393. Sir JOHN COLOMB.—What sort of game is to be found besides deer?—There are hares, rabbits, pheasants, partridge, and numbers of others. I suppose if we had the gamekeepers here they would give us more information. The population of Collooney Electoral Division fell from 2,018 in 1881 to 1,287 in 1901.

29394. Is that in any way due to the rise of the game or not?—It is a misfortune to the country to lose such game as the population.

29395. The two things are not joined in any way?—The population fell from 2,018 in 1881 to 1,287 in 1901.

29396. Most Rev. Dr. O'DONNELL.—Do you think when the population was at a higher figure was there so much untenanted land as 2,505 acres in that electoral division?—There was a large portion of it, but I would not say there were evictions on that particular estate since that; but the population having no prospect before them to better themselves, they went to the four quarters of the world.

29397. CHAIRMAN.—When the population was at this high figure in 1881 of 2,018 people living there were those game preserves then there or not?—Yes, of course they were there.

29398. And game was preserved?—It was directly after the bad harvest of 1879. The people did the best they could for a year or two, and when there was no prospect before them I believe they had to emigrate to better their condition. I believe that is all owing to the persecution of the distress of the harvest of 1879 and no room for the poor to make a livelihood at home—no change in the land laws that would benefit them and root them in the soil.

29399. No change to benefit them?—There was no prospect before them that they could make a livelihood after 1879, and they emigrated to different parts of the world.

29400. Most Rev. Dr. O'DONNELL.—Were the holdings small holdings?—Yes.

29401. The people had no prospect of being able to live from their small holdings?—I believe the population by dwindling down enabled the people on the small holdings to hold their own there, but what reduced the population was the stalwart young sons and daughters of those poor struggling farmers going to foreign countries to make a livelihood. I have known in my own district struggling poor farmers to rear from four to six sons, and five had to emigrate although being reared up as expert farmers; if they were rooted in the soil they could live in the country. The most stalwart and able and the most intelligent went to foreign countries to fight the battle of life, leaving the weak and the aged.

29402. What class of farms had they?—Small farms—from £20 valuation to £1, I would say.

29403. Sir JOHN COLOMB.—You are now dealing with Collooney?—Yes.

29404. Are you aware that the overwhelming majority of the farmers in that district are over £10 in valuation? Is that so?—We do not take into consideration what I call the poor man, the labouring man who helped to build the population—they had to emigrate.

29405. Are you aware that the number of small holdings in Collooney is very small compared to other parts of Ireland, and if you take £10 as the economic valuation, the overwhelming number are over that?—I would ask you——

29406. I merely ask you are you aware of it?—I am not aware, but I know it is the poor labouring man's family that emigrates most.

29407. Most Rev. Dr. O'Donnell.—From the return I have here before me, I think your general description must be pretty correct. In that electoral division there are forty-five holdings under £4 in valuation, and forty-three under £10 valuation.

29408. Sir John Colomb.—Eighty-eight out of a total of 170.

29409. Most Rev. Dr. O'Donnell.—So that if we exclude the holdings above £10 there would be over half the holdings not economic, that is, there would be eighty-eight holdings from which the tenants or the sons and daughters probably emigrated?—Yes.

29410. Sir Francis Mowatt.—The holdings that were vacated by the emigrants, what became of them?—I would not say they were vacated. Of course the old people are there.

29411. Do you know what happened the holdings that were vacated by the emigration—did other people take them up or were they divided?—I did not say there were any holdings vacated like that. Of course in this electoral division it did not come under my notice, but I know that the bone and sinew of the youth had to go to foreign countries, and it was the labour of those that had to pay the rent in many cases. It was never taken from the land. Electoral Division of Drumfin—In this electoral division there are 385 acres of untenanted land. The population of this electoral division fell from 937 in 1881 to 792 in 1901, from similar causes, I suppose.

29412. Mr. Kavanagh.—You do not give the valuation—are they mountain lands?—No.

29413. You gave the valuation in every other case?—I have not taken it here. Electoral Division of Kilmackowen—In this electoral division there are 365 acres of untenanted land, valuation £371. The population in 1881 was 1709, and in 1901 it had fallen to 1,363. Electoral Division of Knocknarea—Excluding the demesne and mansion house of Mr. J. F. Walker, this electoral division contains 953 acres of untenanted land, valuation £738. The population was 1,207 in 1881 and in 1901 it had fallen to 978. Lisconny Electoral Division—In this electoral division there are four large farms of excellent quality untenanted. In the townland of Doorly there is a farm of 271 acres, valuation £189, belonging to Miss Cooper, and in the townland of Lisconny there is an untenanted farm belonging to the same lady containing 226 acres, valuation £171. In the townland of Lisruntagh there is an untenanted farm owned by Dr. Tweedy of 128 acres, valuation £84. In the townland of Spotfield there is an untenanted farm owned by Mr. R. A. Dilke containing 289 acres, valuation £129. Electoral Division of Riverstown—In this electoral division there is an untenanted farm at Ardcumber owned by Mr. Phibbs containing 161 acres, valuation £100. In my opinion the whole of Connaught should be scheduled as congested.

29414. Chairman.—What is the object of that?—To relieve congestion on the mountain slopes and in the bogs I would believe the entire province should be "congested" for the migration of the poor and overcrowded districts, and to make room for the stalwart farmers' sons that they could support. The Congested Districts Board or the Land Commission or the State should take over all those waste lands.

29415. You say it should be scheduled altogether in order to relieve congestion from the mountain slopes?—And the bogs where the people are overcrowded.

29416. What do you mean by relieving congestion?—I would say where a number of poor peasants are crowded in holdings of under £4 that some two should be taken up and removed out to the waste lands, and leave one in possession of what three occupy to-day to make an economic holding.

29417. Yes, but that can be done without scheduling the whole of Connaught—that could be done now?—I believe it would be the readiest method.

29418. But without scheduling the whole of Connaught you can do that now?—Every county and almost every district has its own poverty-stricken corner, and I do believe that if the entire province was "congested" that we would be on the right road to success.

29419. What do you gain that you have not now by scheduling the whole of the province? I suppose those places you speak of where poor people are crowded such as you describe are scheduled?—Oh, no; that is my point.

29420. Do you mean to say——?—Where I live is not scheduled, and poverty is extreme in it.

29421. What you mean to say is that there are places in County Sligo where there is considerable poverty and those people cannot be helped because they are not in the scheduled area?—That is my point.

29422. Most Rev. Dr. O'Donnell.—How many electoral divisions in Sligo are scheduled, do you know?—Not one I believe of all I have read out.

29423. You know that in these electoral divisions that are not scheduled there are townlands that need remedial treatment very much?—Yes, and poverty exists there as much and perhaps more so than where it is scheduled.

29424. How is the valuation put up above the limit for scheduling in those electoral divisions? Is it owing to the existence of large grazing farms?—Yes.

29425. Chairman.—Why do you say "Yes"—what does that mean?—The valuation of the large grazing farm is high. The valuation of the poor is small, but the grazing farms are high as the land is of superior quality.

29426. That puts up the valuation of the district?—The valuation per head goes up.

29427. In the good farms the valuation is high, and where people are crowded on the mountain sides and on the bogs, but where the valuation of the electoral divisions is high owing to the grazing farms, they are not scheduled?—That is my opinion.

29428. Sir John Colomb.—Per head of population. You mean the small holding is rated at such a small valuation that the land with a high valuation raised unduly from your point of view the valuation per head of the population, is that what you mean?—Yes.

Mr. O'Kelly.—It brings it above the thirty shillings standard.

29430. Mr. Sutherland.—About the scheduling of the whole of Connaught, what was your object in recommending the scheduling of the Province of Connaught?—My object in having the entire province scheduled is that if the existing law cannot deal with congestion in those districts, where will you migrate the people to except you have it congested.

29431. That is my difficulty, and I am asking you this question—Would you confine the people of Connaught to Connaught itself?—No, I would not. I believe there are counties outside that are in as bad a condition.

29432. Do you think there is sufficient accommodation for the people of Connaught to live all over the province?—I do not think there is.

29433. You would not shut it out from participating in the good lands in other parts of Ireland?—No. It would be a step in the right direction. It would be bringing the people from poverty to prosperity.

29434. I wish to know clearly how it would be, because we have recommendations to make. It does not involve that the present population of the country should still remain in the county?—No.

29435. Mr. Kavanagh.—Are you aware the income of the Congested Districts Board is limited, and that consequently if you enlarge the area of congestion you take money away from perhaps poorer parts—do you know Mayo and Galway?—I believe the Congested Districts Board should get larger powers.

29436. Would you compare your county with Mayo and Galway in condition of poverty?—Unfortunately there are parishes to be found in County Sligo as bad as any other parts of Ireland.

29437. Are you acquainted with Mayo and Galway?—Well, not directly, only from hearsay.

29438. If you were told they were worse?—Well, if they are worse, I say God help them.

29439. Sir John Colomb.—You said just now you were anxious to get the small holders from the mountain sides. Well, now, if you take the case of Collooney, I see that there is only forty-five out of 170 holdings not exceeding £4. Now, is there not at Collooney more or less of a town?—Yes, a country town.

29440. And some of those around the town have a plot of land and are included in that forty-five?—The land in the hands of the townspeople is very small.

29441. It will probably be included in this forty-five?—I would not say it could. I do not believe so.

29442. Holdings on the skirts of the town with a couple of acres would they not be included in the forty-five holdings under £4?—I would say that a few of the large shopkeepers there would own this land, but not the general working people or the poor.

29443. But I mean all small holdings?—I do not believe there are any in the hands of the town.

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29444. You mean to say that in Collooney there are not cottages with small potato gardens attached to them?—I believe they are very few.

29445. Can you throw any light on this? You have given very striking figures, and I must compliment you on the information you gave. Can you tell when you point to the decline of the population of Collooney how much of that was emigration from the town of Collooney—young men and women from the town who were not on the lands outside?—I would not say it is from the town. It is from the electoral division of Collooney.

29446. That includes the town. What I want to know is whether in the towns such as Collooney there is an equal restlessness and desire of the young and strong to emigrate as there is, unhappily, in the country? From your knowledge of the country, because we come here to get information from gentlemen like yourself who know the locality and what they are speaking about—can you tell me that?—The circumference of the country round Collooney parish is mountainous to a great extent.

29447. I am not limiting myself to Collooney, but as a type of the country town I want to know if there is the same desire amongst the young men and women in the town to emigrate as there is, I say, unhappily, in the country?—Well, I believe the young people are more prosperous in the town than in the country round it.

29448. Am I to draw from that the inference that the young men and women in Ireland do not leave the towns or small villages as much as people in the country?—No; they do not.

29449. That is your opinion?—Rural districts suffer most.

29450. They suffer any way?—There is some little encouragement in the village. In Collooney there is Mr. Sims. He is a very enterprising gentleman. It is a little manufacturing town.

29451. Does not that industry give employment not only to the people in the town but draw the young men and women from the parish towards the town?—Yes, if it was larger.

29452. It does do it?—Yes, they come in from the country.

29453. And therefore the development of industries does tend to stop emigration from the rural districts, because it finds employment for people who have no employment in the country and go to the town?—Oh, certainly it would be most beneficial if you could establish industries. In my opinion the whole of Connaught should be scheduled——

29454. CHAIRMAN.—Would it not satisfy you if those places you describe as very poor were scheduled? You told us there are places in the county that are not at present scheduled and where great poverty exists. Under the present law you cannot deal with those places because they are not scheduled. As a remedy to that you want to schedule the whole of Connaught. Why not schedule merely those parts? Why do you want to schedule the whole lot?—My opinion is that if you were to schedule the spots most required, the most deserving portion might be left out in the cold. By taking in the entire province you meet with it. Congestion is so visible in the different electoral divisions that except you include them all you will not hit on the real road to create prosperity.

29455. Would it not satisfy you if you had the cases scheduled where poverty could be shown to exist?—Where would you remove them to?

29456. Where you remove them to does not matter. You could do that now if the place where the poverty exists is scheduled. It is not necessary that the land you are going to remove them to should be scheduled?—It exists very strongly in each electoral division, and where will you make the selection?

29457. Simply wherever it exists. There may be a great many districts in the county where there is no poverty, and where, on the other hand, there is prosperity. Why do you want to schedule those places merely for the sake of dealing with a particular number of poverty-stricken spots?—I do believe that you would not have any room for the landless people and the farmers' sons of the County Sligo, and perhaps some of the more congested counties out of their own bounds without having the entire province scheduled as congested. It would save them from emigration.

29458. I think there is a little confusion in your mind. Perhaps you think that you could only carry out migration if the whole of the province is scheduled. That is not so. If those places that you speak of were scheduled now—those poor places—you can now under the existing law remove those people to grass lands in any part of Ireland that might be bought by the Congested Districts Board or the Estates Commissioners. The Congested Districts Board are not limited to purchasing land within the scheduled area. They can purchase outside for the purpose of people inside the scheduled areas, and can move the people from scheduled to non-scheduled areas?—If it is voluntarily given to them. We want some little compulsory powers.

29459. It has nothing to do with that?—The powers of the Congested Districts Board would become more powerful.

29460. Mr. SUTHERLAND.—We were afraid you were wanting to limit it by what you were proposing.

Witness.—All non-residential grazing lands should be taken over by the State and used for enlargement of uneconomic holdings and for creation of new holdings.

29461. CHAIRMAN.—That is a very important point. What do you call non-residential grazing farms?—Non-residential grazing farms are those that are given over to the use of bullocks and sheep, nobody living there. I have known some gentlemen to have six to eight or ten of those. They might live on one, and have five to six more under the eleven months' system.

29462. How do you define the difference between residential and non-residential?—The residential farm the gentleman lives on, and the non-residential farm he does not live on.

29463. Supposing you were to say that non-residential holdings were liable to be taken over by the State and supposing that gentleman promptly built a house and put his son into it, would you call that non-residential or residential?—It would be residential.

29464. Would not the whole of what you want to do be frustrated by the erection of a small house?—There are many of those big men who have no sons.

29465. I suppose some of them may have?—It is the poor unfortunate peasant on the mountain side who has them by the half-dozen.

29466. Suppose the case of one or two who are fortunate enough to have sons. What is to prevent a man of that kind from building a house upon his non-residential holding and putting his son to live there. How are you going to meet that case?—Naturally we could not touch it. It belonged to himself and his son. I say non-residential farms.

29467. My point is, how are you going to prevent a non-residential holding being turned into a residential holding in a few weeks by the erection of a very small house which could be rapidly built. Would not that make it a residential holding, and then you could not touch it?—You will be sure of the gentleman who has no son to put into it. We want you to do the best you can for the struggling poor.

29468. Most Rev. Dr. O'DONNELL.—Would not something depend on whether the son was going to remain *bona fide* or not? Suppose the son went in there only for the show of residence, would you consider that should constitute him a residential occupier? Are there not two ways by which land of that class might be dealt with? The son might go in there and become a real *bona fide* occupier of the holding; that is one way. The other way would be to go in for a week or two. Would not some test apply?—Yes.

CHAIRMAN.—Supposing he does go in as a *bona-fide* resident, is it not likely that the man who had a non-residential holding would be much more willing to put in his son than to allow it to go out of his possession.

29470. Most Rev. Dr. O'DONNELL.—Don't you think if it went out of his possession he would be paid for it sufficiently. In some cases he might be disposed to put in his son, but in many cases he would not? That is your point?—Yes. My point is these non-residential holdings should be taken over by the State, that is, to relieve congestion, and, of course, where the gentleman had a son for one of his additional farms there was no question. I would not dispute it.

29471. Unless it was a very large farm, and if

he were grazing it, would you, under any circumstances, ask him to surrender?—Certainly?—I believe God made the land for the people, and not for any gentleman

29472. CHAIRMAN.—You have to draw a line. You told us that where a man puts in his son you would not disturb it, but now you say you would if it is of a certain size. How are you going to draw the line?—Of course it is not easy to draw the line in a case of that kind; if we draw the line for the prosperity of our country it should be tilled.

29473. Do you suggest the Congested Districts Board should act without any fixed principles?—I would give him thirty acres at least.

29474. Then do you mean to say you would not allow anybody to have more than thirty acres?—No; I say that the stalwart farmer's son that would make a practical farmer would be very happy to get thirty acres, and I know 80 per cent. of the people would become good trusted subjects here. It would create peace and prosperity if they were rooted in the soil. They would be thankful to get thirty acres of this land, and the gentleman's son who would not be able to use a spade would not be thankful for fifty or a hundred.

29475. We are probably all agreed on that, but that is not the point. How do you propose to do this? You want to bring the man down and give him thirty acres. You have bought up the whole of the untenanted land and put people on it, and now you have got to supplement the untenanted land by taking non-residential holdings. In the first place how are you going to get over the difficulty of dealing with a place of that kind if there is a *bona fide* occupier on it in the shape of a son of the owner, and if his presence is not to prevent you, how much of his land are you going to take—are you going to take all or leave some portion?—If he is a *bona fide* occupier on the land I would not touch him, but if he is bogus——

29476. If he is the *bona fide* owner—that is to say, if his father puts him in a house on the land, are you going to touch him or leave him?—If he is *bona fide* he should be left there.

29477. You would leave him there?—Yes.

29478. No matter what the size of his holding?—Except it was to deceive the Act. If he was put there for a bogus purpose I should say the question would be different.

29479. Well, you come to a different question, and that is of having to decide why he was there. You know perfectly well there are such things as *bona fide* travellers. They are not always genuine, and you might have the same difficulty with *bona fide* occupiers?—If it was clearly proved he was *bona fide* it was all right.

29480. What do you call a genuine occupier—would you call the son of a man put in there to occupy a house a *bona fide* occupier?—If the son occupies one of the farms belonging to his father, why should not he be there? My evidence is, these non-residential farms being so numerous in the district, and our population dwindling down, and our country driving to decay from an agricultural point of view——

29481. I think you would find them less numerous if you proposed anything like that?—I say this, that instead of the stalwart sons of the farmers going to use their hands and brains to build up the prosperity of other countries, every attempt should be made to keep them on the land. Their labour would enrich the country by making the land pay. There are a lot of those big farms going back to prairie condition. The water is not drained, and the land is not tilled. It is splendid crop land if it was put into the hands of young farmer's sons that would be willing and able to make it pay.

29482. Why is it not tilled now if it would be so much better under tillage?—By the labour of these poor people they are striving to rear large families on the mountain side. They are struggling an uphill battle until they become men, able to fit them to go to foreign countries to make a livelihood. All those lands are in the hands of non-residential graziers.

29483. Why does not that gentleman till it—if a man has a hundred acres of grass, and if that holding would pay very much better under tillage, why does he continue to carry on a system of agriculture that is not as profitable?—We have two classes. There is the industrious, hard-working class, and the idle and unproductive class. One works, and the other won't.

29484. The people who graze are unproductive?—Yes.

29485. Sir JOHN COLOMB.—You are anxious to redistribute what you call the untenanted land among the smaller tenants?—Yes, and the landless people and the young farmers' sons.

29486. Are you thinking of the sons of occupiers, or are you thinking of the small occupiers themselves?—I am thinking more of their family, their growing sons.

29487. You think it more important to get those grass lands for the sake of the farmers' sons than for the sake of the small holders in the bog?—I would say I would get it for the sake of both where congestion would be very visible. I would give three small holdings to one.

29488. You have spoken of the desire to place stalwart farmers' industrious sons on the land, and I want to know in your idea of acquiring untenanted lands whether you mean for the purpose of fixing farmers' sons upon them?—Principally.

29489. Well, now, in those lands you are anxious to get hold of for the purpose of settling farmers' sons upon them, I suppose whoever uses the untenanted land ought, in your opinion, to be purchased out or disposed of?—Yes.

29490. Supposing that the grazing farm is in the hands of a man who has a tillage farm and who has acquired by the sweat of tillage and industry money and buys up the grazing farm in order to keep up his grazing land—would you take it away from the farmer?—I would compensate him.

29491. I understand that the man should be paid, but my point is, would you interfere with what that farmer did, taking away the holding which he acquired in order to increase his means of making money as a necessary addition to his tillage land?—I believe one farm was sufficient for him. I think that power should be in the hands of the State.

29492. Then your policy of acquiring by the State untenanted land or grazing land would hit farmers as well as owners?—Yes.

29493. Take the case of a shopkeeper who by his own industry and toil and by his energy and brains has built up property and money, and who sees a grazing farm and a good application for his money, and buys that grazing farm—are you going to go to him and say, "You must give it up. We will compensate you?" Is that your opinion?—Yes.

29494. Therefore your policy of compulsion as applied to grazing farms is to take them away, not merely from the owners, but from the farmers adjoining who have bought them, and the shopkeepers—in fact, from anybody in the world who would make money and put it into grazing farms as a matter of business?—No, I would not say that. As you make a remark about the shopkeeper, he has the custom of the poor all around and making a general profit on the poor man, and is not the class of man who should starve him from the land. He is building himself up on the struggling farmers around him. I say the shopkeeper and gentleman farmer is a dangerous thing in the country.

29495. In order to improve the country you consider the shopkeeper and trader on which the country relies as a dangerous thing?—The poor man cannot touch land so long as the shopkeeper is a bidder in the field.

29496. You would deprive him of the opportunity of acquiring land?—I would give him a portion of land but not the face of a country for miles around. One or five farms won't do some shopkeepers.

29497. Are you a farmer yourself?—Yes.

29498. What is the size of your holding?—About thirty acres.

29499. How much of that do you till?—I till a large portion of it.

29500. How much?—Six or eight acres, or may be twelve acres, and meadow portion of it.

29501. The Chairman asked you some very crucial and pointed questions, and one of them was why it is if tillage pays better than grass everybody does not go in for tillage instead of grazing, and I ask you what proportion of your farm is tilled?—Tillage pays twice over.

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29502. I want to get information from your own instance as a practical farmer, and I ask you, out of thirty acres how much do you take for rotation crops?—Six to eight, sometimes ten acres.

29503. Therefore you have got two-thirds at the least under grass?—Yes.

29504. Taking your experience, two-thirds of the acreage of the holdings must as a rule be under grass?—I believe there is more; there is generally more. I believe one-half the lands of Ireland should be tilled.

29505. I am taking you as an example?—I say if we could create prosperity half the land of Ireland should be under tillage.

29506. Why don't you put half your land under tillage?—The labour is gone out of the country, and there is no encouragement to the agricultural labourer who would make a practical labourer.

29507. Do you mean you cannot get labour?—Even at any money.

29508. Mr. SUTHERLAND.—Is there one-third of the area of farms in tillage?—There is not that much. There is not one-sixth.

29509. Can we see large farms on which there is no tillage at all?—Where there is no tillage whatsoever.

29510. You do not contemplate cultivating altogether?—I say one-third should be.

29511. Most Rev. Dr. O'DONNELL.—Let us look at that for a moment. If those lands were put into tillage you would not contemplate the tillage farmer every year tilling the whole of the holding?—No.

29512. Good farming would require a very considerable portion of it to be under grass?—Yes.

29513. A mixed system of farming is what you advocate?—Yes.

29514. Even from the point of view of good tillage the land should be let out in grass occasionally?—Yes.

29515. In addition to that grass, I daresay there would be a good deal of rough pasture attached to those farms?—Yes.

29516. In these two ways in a good system of tillage there would be a considerable portion of land under grass?—Yes.

29517. What you said about the advantage of keeping land in tillage seems to be very interesting. In answer to Lord Dudley and Sir John Colomb you said the young men were gone. Supposing there were some inducement to the young men to stay in the country would it not serve to encourage tillage on the farms?—Yes.

29518. If they were not flocking to America, as they are, you would find it much more convenient to get hands for your farm when you required them?—Yes.

29519. Do you think, as a practical farmer, that enough is being done to instruct the people in the best form of agriculture?—There is not enough done.

29520. If practical agriculture of the best kind were brought under the notice of the people in a suitable way don't you think that of itself would constitute an inducement to till more?—What little information they have got is inducing them to till more.

29521. CHAIRMAN.—I want you to give me your best opinion on one question. I want to ask you, and just take time to answer, what, in your opinion, is the real reason why so much land about here is in grass—is it because there is really a difficulty in getting labour to till it, or is it because, in your opinion, as you said just now, the people who graze the land are idle and prefer the idle method of agriculture?—The large farms are in possession of those who will not work nor till the land, nor let the people who are anxious to do so work or till the land. They prefer to live on the grazing system—an idle life.

29522. Is that because they are idle, and because they prefer to carry on farming in an idle way, or that they cannot get labour?—I would not say it is because they are all idle.

29523. Do you mean to tell us seriously that the reason why there is so much land in grass is because these people cannot get labour to till it?—The labourers are not to be had, but still they don't want to till it. The land is not in the occupation of the poor farmers who would till it.

29524. They could get labour to till it?—They are men of money, and they could have horses, but they are allowing the country to drift to decay, and our population to fly.

29525. Am I right in supposing the chief reason why this land is in grass is not because there is an insufficiency of labour, but because those people do not choose for reasons of their own to till it?—That is my real opinion.

29526. Will you tell me why you think that if you broke up those holdings into smaller holdings of forty or thirty acres that you would be sure to get this land tilled?—I am certain that would be done.

29527. Why—how can you be sure that if you did that they would not be merely smaller grazing farms?—Because it is so much more profitable to till the land. It pays so much more by tillage than grass, the young farmers' sons or struggling tenant farmers on the mountain sides or bogs, if they got into good lands it would be such prosperity to get from poverty to start in prosperity, I believe they would make it pay double.

29528. If there was such a very great difference in the value of the two systems, do you think you would find the present people so determined to keep the land in grass?—I am certain they would work unceasingly for it, being the new created tenants.

29529. But why is it that those present people prefer, according to you, to throw away all the advantages of getting more money out of their holding by tilling it?—As I said, there are two classes. It came from father to son on the mountain slope to work hard, whereas it came down from father to son for the grazier to be idle.

29530. But, then, according to you, the grazier is not only idle, but an idiot absolutely to refuse to conduct his holding in the most profitable way?—Well, that may be as I have known.

29531. Does it not strike you?—What I look to in a well-governed country is that the State—

29532. Does it not strike you as being very extraordinary that an enormous class, as the grazing class is, occupying in many counties great tracts of land, people should be so idiotic that they absolutely insist upon conducting their holdings in the most unprofitable way that can be found, instead of having more profit—is it not very extraordinary?—Yes, but so long as they see the poorer class on the mountain side they are contented.

29533. As long as they are much better off?—Yes; they are better off and not working, and the poor man must be the slave.

29534. Mr. SUTHERLAND.—On what tenure is the grazing farm generally held—is it on the eleven months' system?—The property owner gives them to many on the eleven months' system, and then they are used for grazing purposes to take in the milch cow and dry stock.

29535. Is it on the eleven months?—More are.

29536. Are the majority?—Well, the majority are.

29537. I daresay you would hold in that case that a man who has only an eleven months' take would not be likely to settle down or to invest his money in buying implements and horses to cultivate—is that one of the reasons?—The eleven months' man has no right to till, but there is what I call large farms.

29538. Is that one of the reasons why these eleven months' grass men cannot cultivate?—Oh, no. The eleven months' system is worked principally between the landlord and the middleman grazier, where the poor man has no look in at all.

29539. Who really occupies the land—the third man?—The middleman, and let the poor men come forward with their cattle and pay the highest grazing.

29540. The middleman has the land?—He has set it back.

29541. So it arises more out of the system of tenure than the economic question?—That is doing a deal of the harm. If this did not exist, the real tiller of the soil would get at the soil. The eleven months' system is the only block between the farmer and the land.

29542. Most Rev. Dr. O'DONNELL.—Take the general case, as put by Lord Dudley, and let us see how it works out. You have a grazing farmer who has two hundred acres in grass. Now, it is one thing to turn that into tillage and work it himself, and is it quite another thing to have it split up into small farms, and a number of occupiers brought on the farms. I call your attention to this.

Might not agriculture on a large scale be unprofitable when agriculture on a small holding would be very profitable?—Quite right.

29543. Suppose a man takes to agriculture on a farm of two hundred acres, would he not have to employ all the labour?—Yes.

29544. If he had a great many employed hands what would he turn them to on a wet day? He would have a difficulty in employing them?—Yes.

29545. Take that land split up into thirty-acre holdings. Would the tillage on those holdings be largely done by the farmers themselves?—Yes.

29546. Would he have to employ a man or two?—It would be on a small scale.

29547. No matter what the weather might be, would it not be possible for that farmer to find for his sons or himself useful indoor employment?—Yes.

29548. In other words, from the circumstances of the case and climate it looks as if it would be possible to have remunerative agriculture on small holdings where it might be very dubious on large holdings?—Yes.

29549. When you propose that there should be a general turn to agriculture, is it agriculture in the latter sense that you mean. Do you mean that the land should be divided into comparatively small holdings, so that the farmer and his sons could do most of the work?—Yes.

29550. That is the class of agriculture which you consider takes most out of the land?—Yes.

29551. You do not undertake to say that in this climate agriculture on a very large scale would be equally remunerative. Does that distinction commend itself to you?—Yes. I do not believe in the large holdings, they never pay. Furthermore, on the small holdings there is a lot of profit from the poultry industry and pig feeding and other small industries which the large holding cannot reach. If a man gets twenty-five to thirty acres you will have a little hive of industry in each house which would bring in their own different profits and each will create a general prosperity for the country.

29552. Mr. KAVANAGH.—You have said that tillage pays better than grazing?—It does, twice over, when done by the farmer who would be able to cover the labour.

29553. You say tillage pays better in a small holding but does not in the very large holding?—If labour has to be paid generally by the owner, of course it could not. The farmer and his family would cover expenditure on the small holding.

29554. Mr. O'KELLY.—Would you agree with the view that tillage is decreasing owing to the objection of the people to till?—No, I would not say that, though there should be some class of the community not satisfied to labour, but then from a general point of view the mass of the people are anxious to till the soil and make it pay.

29555. CHAIRMAN.—You told his lordship, the Bishop, that in your opinion there was a great difference between the profits to be expected from tilling a farm, say, of two hundred acres and the profits to be expected from tilling a holding, say, of fifty or forty acres. His lordship put you a series of questions with regard to the method in which large farmers farming two hundred acres would deal or would find employment for his labourers when the weather was bad. From those questions you left me under the impression that you thought that whereas a holding of fifty acres might be profitably tilled, a holding of two hundred acres could not be profitably tilled?—Yes.

29556. You know the district pretty well, and do you know of any case here now at present of a farmer, a grazing farmer, with, say, fifty acres of land living in this district?—Yes, plenty with fifty acres.

29557. Grazing farmers?—Yes, and round where I live myself.

29558. If it is possible, therefore, to make these profits by tilling fifty acres of land, why don't those grazing men who own those fifty acres till?—He is just living an idle man, and he knows the poor man on the mountain side requires the grazing of a cow, and the poor man must come in there and pay whatever that idle man's demand is.

29559. In other words, his system of farming is to take in the grazing beasts of the poor man on the mountain to grass?—Yes.

29560. It is what is called accommodation land?—Yes.

29561. Therefore, in his opinion, it is better for him to carry on his holding by using it as accommodation land than by tilling it, so that the question of size does not arise, for two hundred acre farms may be used for the same purpose?—Yes.

29562. What reason have you to suppose that if you were to create more fifty-acre holdings they would not be conducted in exactly the same way?—I would create holdings from twenty-five to thirty acres.

29563. What security have you that they would not be carried on like that?—I do not believe they would. We would remove some of the unfortunate people from the mountain sides who would be anxious to make it pay.

29564. How are the people on the mountain then going to rear their calves unless somebody is going to have accommodation land to take in the calves?—If one of those people on the mountain sides had the land which three occupied to-day they could do well without the accommodation land.

29565. They would not have to send them down to the accommodation land?—No.

29566. Mr. O'KELLY.—They would not need accommodation land?—They would have their own little accommodation.

29567. CHAIRMAN.—You relieve congestion in the district, and you have got, perhaps, three farms, each of ten acres?—Perhaps not five.

29568. Say five acres, so that you have three of five acres, making fifteen acres in all. Those three men have got two head of cattle each?—Sometimes one.

29569. So they have got a calf apiece?—Yes.

29570. At present those three men have not got sufficient to graze one calf on their holdings, and they have to send their calves to the accommodation land?—They make a little tillage on the mountain side and send the calf away grazing.

29571. If you amalgamated the holdings you would have one of fifteen acres, and then, in your opinion, the result would be that five acres would be tilled and ten acres remain in pasture?—Some for pasture and some for winter feeding.

29572. The three calves would be grazed on the ten acres of rough grass?—Yes, and they would not require the grazing farm. The grazing farm could be used more profitably if it was used in the hands of expert farmers.

29573. The fifty-acre man down in the valley, having no longer any calves to take in, no young beasts to take in upon his accommodation land, would be forced to till it himself?—Till it or take the compensation, and let him have it who would till it and be anxious to till it.

29574. Sir JOHN COLOMB.—Could the ordinary holders of thirty acres in this county, in your district, which you know so well, do without an outlet where they could get grazing for their cattle?—That depends on the locality they are in.

29575. I am asking now of your district. Supposing that the lands used as accommodation lands on which they grazed their cattle, all ceased to be available for their use, what would happen to them?—They have to either till it themselves or take the compensation.

29576. I am talking of the cattle. Does the thirty acre man take grazing every year?—Very few of them in my district. It is generally on the thirty acre farm he keeps his milch cows, as he can profitably supply the town and also the creamery.

29577. Well, he parts with the young stock?—Yes.

29578. Who buys the young stock?—There are always the fairs—local fairs, and fine demand.

29579. Who are the buyers at those fairs?—They come from many places. They come from the North of Ireland.

29580. Are they graziers?—Well, even the farmers themselves buy.

29581. Are they graziers—that is people who have grass lands and buy and make a market for the holders who have to part with the young stock?—Yes, and the farmers themselves buy.

29582. Are they bought in the locality at the fairs by the graziers and people who have grass farms?—Yes, and even the farmers buy them, too.

29583. Big farmers?—Yes, and small farmers, as their means allow them.

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29584. Do you think if you broke up all the grazing farms that there would be the same demand for the young stock? Take the existing holders, now. What would happen to them if there were no graziers or any persons having grass lands that live by buying stock and keeping it on the land?—I believe we would have a mixed system of stock and tillage, and it would pay better.

29585. You mean that would be compensated by the existing holding adopting a different system of agriculture?—Yes, a different system.

29586. You acknowledge otherwise there would be great danger to the ordinary occupiers of land, small holders in this country, if the market went from them for the young stock?—No, I would not say that at all. There is no fear of the market going except if the importation of foreign cattle came about.

29587. Supposing a man were to go out to a grazing farm of two hundred acres and find certain cattle on it, I want to know, would those be cattle bred by the small holders?—No, I believe the price would rise for them. The more you till the less cattle could be raised, and I believe the price would rise.

29588. Supposing a man was to go on to one of those grazing farms you have been describing, would a large proportion of those cattle on it be cattle that were bought and obtained from and had been produced by the smaller holders of the district?—Yes.

29589. If you take that particular farm you are speaking of, you would find on that farm the younger cattle that the smaller holders had been obliged to part with because they could not keep them on their own land?—I do not believe it would reduce the price.

29590. You would find largely the younger cattle that had been bred by the smaller farmer?—The smaller farmer when restored to the land would rear those cattle on his own little holding apart from sending them away.

29591. Do they do it now?—They are not in possession. On the land you would restore them to they would have a mixed system of cattle and tillage.

29592. Mr. O'Kelly.—The small farmer would finish the store himself?—I believe so.

29593. In that way he would do away with the profits of the middleman?—Yes.

29594. So you do not think the grazier is an economic necessity in the country?—No, I believe he is a real ruin.

29595. And that the profits he makes on that system would go to the small man?—They would rise with the start he would get.

29596. Would he need any capital to assist him over the interregnum?—He would require something of a capital.

29597. Chairman.—Just tell us about the sea fisheries?—Steps should be taken to develop sea-fishing at Coney Island and Ballisodare Bay.

29598. What could be done?—If there was something of a small pier built that would be suitable to the people. It is in a very poor condition.

29599. Is there any pier in Ballisodare Bay?—It is a very poor one. It is in a poor condition. I may say all the fishermen say they are in a deplorable condition. Coney Island is in a very deplorable condition.

29600. Do people live on Coney Island?—Yes, and cannot get off from the mainland except when the tide is out.

29601. Have the Congested Districts Board done anything with regard to the fishermen at Coney Island?—No, it is not scheduled. That is my point. Many poor places are left out in the cold.

29602. Have the Department of Agriculture done anything? Oh, yes, their intentions are very good, but their services cannot reach the people who most need them. They did nothing in Coney Island up to the present. Even the prize competitions and everything of that kind are captured by moneyed parties.

29603. I am talking of fishing?—They have done no improvement for them there. The drainage of the Owenmore is a necessary work.

Chairman.—You need not go into that.

Mr. Charles Phibbs examined.

Mr. Charles Phibbs.

29604. Chairman.—You appear on behalf of the Landowners' Convention?—Yes.

29605. You are a landowner in this district?—Yes.

29606. You have been for more than thirty years?—Yes.

29607. You have been a magistrate for about the same time?—Yes.

29608. Will you read us your memorandum?—I am a resident landowner in the Tobercurry district for about thirty years, and have been a magistrate of the county for about the same period. I purchased the Doobeg estate, on which I reside, in the Landed Estates Court in 1877. It comprised the whole townland of Doobeg, 742 acres, 2 roods, 7 perches statute. Of this 476 acres are in my own hands, including about 176 acres of bog. There were twenty tenants in 1877, and I created one new small tenant. The rental was then £190, which was very low, and it was raised to £224 on a valuation made by a valuer nominated by the tenants themselves.

29609. Sir Francis Mowatt.—At what date was that raised?—In 1878. Two tenants, whose rents were £6 each, sold their interests to me some years afterwards, one to go to America, and the other wished to confine himself to a farm which he got on Lord Harlech's estate. I paid them their own prices. A third tenant, whose rent was £12, got into difficulties, and I bought his interest from him for £130. I gave him back a small portion at a rent of £1 10*s.* and helped him to build a house on it, in which he still lives. Most of the remaining tenants afterwards got judicial rents fixed, and, of course, got the usual reductions, and the rental is now £156.

29610. You bought a tenant's interest for £130, and still he remained there?—I gave him back a small portion of the holding.

29611. What year was that?—About ten years ago.

29612. He is now a future tenant?—Yes, a future tenant. I paid £11,000 for the estate, which represented about twenty-three years' purchase of the court valuation, and thirty-two years' purchase of the poor-law valuation, and I bought subject to tithe rent charges of about £23 per year. The estate belonged to an absentee, and was in a deplorable condition. Eighty acres had been let by the agent to conacre tenants who had been allowed to burn the soil. In addition to the Doobeg estate, I own the townland of Mullane Phibbs, near Clonacool, which is set to tenants, the rental being about £120. Until recently I had also six other townlands, now sold to the tenants under the Act of 1903, namely, two near Ballymote, rental about £70; two near Collooney, rental about £150; and two near Tobercurry, rental about £220.

29613. Rental about £220—were they pretty large tenants?—No, small tenants, all. That is the rental of the townland. I regard the graziers as the backbone of the West of Ireland, and if any policy is adopted which would greatly diminish their numbers or their trade, the Government will create greater difficulties than they have ever yet had to face in that part of the country. The gigantic and widespread schemes of migration and enlargement of holdings which have been propounded by witnesses like Mr. Henry Doran and Mr. Commissioner Finucane seem to me to be both impracticable and mischievous. They would involve, as Mr. Finucane has proved, State advances to an amount equal to, or exceeding, the total advances made under all the Land Purchase Acts up to the present time. A very large proportion of these small purchasers would not have sufficient capital to till or stock their enlarged holdings. They would therefore have to meadow, or conacre, or sub-let most of the land. The land would soon become deteriorated or exhausted by such methods, and the purchasers would then declare themselves unable to pay their purchase annuities. Their last state would become worse than their first. The Government and the taxpayers would lose enormous sums by their default. Their bad example would tempt many other tenant purchasers to invent excuses for not paying their annuities also, and in a few years the whole policy of purchase, which has hitherto been working well, would get into great difficulties and discredit, and become the cause of a new agrarian agitation.

29614. "Gigantic and widespread schemes of migration . . . seem to me to be both impracticable and mischievous." There have been, as you know, 284 people migrated under the Congested Districts Board, and there has been no case of failure?—I am only speaking about my own neighbourhood. They have only recently been placed on those lands.

29615. If 284 men can succeed why should you say that a scheme of migration is impracticable?—That is wholesale. The evidence was very voluminous, and I have only glanced at it. That is my impression on reading it.

29616. Am I to understand that you think migration on a small scale might be carried out successfully and on a large scale it would not succeed?—On a wholesale scale.

29617. What is there that would bring about this break down?—It would necessitate in the first instance the taking of all the land that is under grass.

29618. Sir JOHN COLOMB.—Is your meaning this, Mr. Phibbs, that you wish to convey your view, that a scheme must be cautiously and gradually carried out, and that a great sweeping bold scheme suddenly carried out would be dangerous?—Yes, that is my idea.

29619. You wish to rather impress the mind with your view that any scheme like that must be cautiously and carefully carried out, and that a great sweeping reform suddenly imposed would, in your mind, be unsuccessful and disastrous?—I believe so.

29620. CHAIRMAN.—Might I ask you are you in favour of migration or not?—Oh, yes, just gradually, if the land could be got, and if the people would agree to it.

29621. If they will migrate you are in favour of it as a policy?—Oh, I believe so.

29622. Then your doubts about it are as regard to the pace it should be carried on at?—Yes, very much that.

29623. What would you call a reasonable pace?—I think if the land could be acquired by degrees.

29624. Could you give me any idea of the pace you would be prepared to see migration carried on?—I am afraid I could not.

29625. Do you think if you delayed this too long all the land that might be available now would be bought up and sold?—How do you mean bought up?

29626. I mean this; is it not the fact that a great amount of grass lands is changing hands, and the tenants are buying their lands and becoming purchasers?—I do not think there are many changes in the ownership of grass lands.

29627. I think there are. A great deal has been already bought up?—Bought up under the Act of 1903?

29628. Bought up under the Act of 1903?—Where they can get it they will buy it as a matter of course.

29629. Does it not strike you that if you proceeded very slowly with this scheme of migration, that land which you might want is every year more and more being bought up by men from whom it is difficult to get it?—Yes.

29630. Has it struck you that the Estates Commissioners are buying as much grass land as they can get for the purpose of creating new tenancies and for the purpose of putting back the evicted tenants—you know that is so?—Yes.

29631. If that goes on, how would you suggest these migrations should be carried out. You will have a lot of new tenancies created in the persons of sons of tenants, and evicted tenants; and those people who are now in the congested districts, living upon uneconomic holdings, will be debarred from relief which at present exists?—There are two properties quite close to me which have been purchased by the Congested Districts Board, and the land has been already, or most of it, striped.

29632. Would you agree or disagree that if a scheme of migration were carried out too slowly that the difficulties of it would be very much increased?—I think it would be more likely to succeed.

29633. If it is done very slowly?—Slowly.

29634. How are you going to retain a call upon the grass land—how are you going to feel that in ten years or fifteen years you will be able to get grass land if you do not buy it soon?—I believe there are a great many ready to sell who do not occupy the land themselves and let it for eleven months.

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29635. Owners?—Landowners.

29636. They are willing to sell?—Yes.

29637. What objection is there that the State should buy the land?—I see no objection to that at all.

29638. Am I to take it this is what you mean—that you are prepared to see migration carried out immediately to the extent of the land that the landowners are willing to sell?—Quite so.

29639. Well, when you say go slowly, you only mean you are not prepared to go faster if it means clearing men out by anything else than voluntary means?—By anything else.

29640. The line you draw is voluntary sale?—I think so. The other seems extravagant and expensive, the wholesale purchasing of millions.

29641. There is not much danger in carrying out migration rapidly so long as the land is bought by voluntary purchase?—No.

29642. There is a considerable danger the moment you go to clear it out by wholesale means?—I think that is so.

29643. Sir JOHN COLOMB.—The land cannot run away, and the difference, with reference to Lord Dudley's question, would be, it is the owners selling their land now to persons that become occupiers of that land—the land does not run away, it remains, doesn't it?—Yes.

Mr. SUTHERLAND.—But the price may rise.

29644. CHAIRMAN.—You say, "A very large proportion of these small purchasers would not have sufficient capital to till or stock their enlarged holdings. They would, therefore, have to meadow or conacre or sub-let most of the land." Surely that would be rather a temporary process?—If you reduce land by every crop without manure or in any way reduce it by grazing without feeding, you reduce the value of the land very much.

29645. I suppose there is a good deal of the land could be described in that way now?—The older the skin is the more valuable it is.

29646. Does not grass land deteriorate if you continually graze it year after year?—It does, as grass land, unless you feed on it.

29647. Is there very much feeding on those grass lands round here?—Not in the country generally.

29648 Then the grass land is deteriorating?—Some of it has, and is.

29649. That would be remedied by tilling?—Yes, proper tillage or feeding on it.

29650. Then there is no reason to suppose that a temporary sub-letting either in conacre or meadow would be more disadvantageous than the present system?—I think it would. Of the two it would be worse.

29651. What difference would there be?—As I have seen it, and see it every day, at the end of three or four years it would grow nothing at all.

29652. The small holder is brought from a poor district to a grass country, and he is put into a holding of, say, forty acres. He has not got sufficient capital or labour to immediately till as much of that or to stock as much of that as he would like to do. He, therefore, to use it up, is forced for a year or two to sub-let portion of his holding in conacre or meadow until he can accumulate sufficient capital to put stock upon it, or until he has got time to till a larger portion of it. What difference is there in the process he would carry on and what goes on now?—Your lordship understands in that kind of work all the crops are taken off the land. There is no feeding of the land of any kind. Under the landlord and tenant system they consume the produce off the land. There is great difference in land. There is land and land—very different land. You talk of any forty acres.

29653. Forty acres of fair land with a man who cannot stock it all, and who has not got time to till it all. For the first year or two what has he got to do with the balance? He is bound to sub-let it in some way?—I suppose he is if he cannot use it himself.

29654. And he will probably either meadow it or take in cattle. What is there in that process which would be more injurious to the land than what goes on now?—Your lordship would see that if you worked land—a crop of potatoes and a crop of oats and one

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or two crops of rye-grass meadow taken off the land and it is left there. It is worthless then.

29655. He does not till. The man has got a forty-acre holding, and he has only got enough stock to stock the half of it?—I thought your lordship meant no stock at all.

29656. I suppose he has a certain amount of stock to bring down, or from the proceeds of it he has a sufficient amount to stock half of it?—That is a very much improved situation.

29657. But still even then he is not able to take full advantage of his forty-acre holding. The other twenty acres which are in grass he sub-lets for a year or two, or he takes in cattle, or meadows them. What difference is there between that and what is going on now?—Although it might be deteriorating a little, it is safer under the grass and more valuable than it would be after being tilled.

29658. Sir JOHN COLOMB.—Is that on your assumption he won't have the manure?—Yes. There will be no manure.

29659. Sir JOHN COLOMB.—The reason you give Lord Dudley is that you do not see where he is to get the manure necessary for the tillage to put into the land, so that the tillage would be an impoverishment instead of a benefit.

29660. CHAIRMAN.—I am not talking of the part he has tilled at all. You say the very fact of sub-letting it for meadowing or grazing will lead to all these deplorable results, but what is the difference between the process that he will adopt and the process that is now adopted by the large man?—The large man does not adopt that process now.

29661. He puts his own cattle on it, and the smaller man will put other people's cattle?—I do not object to that.

29662. If he sub-lets it and takes in cattle as he has not got the stock himself for a few years?—I understood you meant conacre. There is no exception to that.

CHAIRMAN.—I assume this remains in grass.

29663. Mr. SUTHERLAND.—Why should it be a fault in the case of the tenant and a benefit in the case of the large grazier which you yourself recommend?

CHAIRMAN.—Do you understand my point?

Mr. SUTHERLAND.—I put exactly what Lord Dudley put.

CHAIRMAN.—You have given forty acres to a man and the tenant can only till, say, twenty for the first few years, and he has not got sufficient stock or capital to buy more stock or time to till. Therefore he tills and uses for himself half his holding, namely, twenty acres. And the other twenty acres is left on his hands. He wants to make some use of it, and so he takes in cattle of other people and makes it accommodation land or else he meadows it. Is there any greater deterioration of that land by that process carried on by the small man in that way than there would be if that land was part of a large farm of one hundred and fifty acres and grazed by a man by his own cattle?—None whatever.

29664. Therefore, so long as the tenant has not got sufficient capital and deals with his land judiciously there is no reason to suppose the land will deteriorate any faster than now?—Not in that case as you put it.

29665. Most Rev. Dr. O'DONNELL.—What examples of deterioration have come under your notice?—A great many.

29666. On the estates purchased by the Congested Districts Board?—There is not time.

29667. There have been 289 migrants?—Not in Sligo.

29668. Seeing that you have penned this paragraph, would it not have been advisable to see what the experience has been with those migrants?—There is not time.

29669. Mr. SUTHERLAND.—You came to a conclusion?—I heard of people letting in conacre.

29670. Most Rev. Dr. O'DONNELL.—"Their last state would become worse than their first." Don't you think that is a prophecy?—Just so; that is all it is.

29671. At all events, you have not any experience to go upon in the migration process of the Congested Districts Board to sustain this?—No.

29672. What has been done on the estates of the Congested Districts Board within your observation?—The lands have been striped and mud fences put up.

29673. The men have been moved on to them?—Yes, on the Doocastle property and the Chaffpool property, both near here.

29674. How long are the migrants in the holdings?—Very recently on the Chaffpool property and Doocastle last year, which is just on my dividing wall.

29675. The holdings on which those men are planted are divided grass lands?—They are all grass lands they have been put on. They are all the tenants of two different properties. I know of one exception.

29676. They have all migrated?—Only one.

29677. The others have got enlargements?—They have been migrated on the same property, giving up the old holding.

29678. Sir JOHN COLOMB.—District tenants have given up their holdings and got them enlarged or were brought from another. No migrants were brought in?—I know of one who migrated.

29679. Mr. O'KELLY.—In the beginning of the paragraph you say that if any policy is adopted which would greatly diminish the numbers of the graziers the Government will be creating greater difficulties than they have ever yet had to face. What are the difficulties you have in mind?—Oh, I think generally upsetting everything.

29680. Upsetting what?—The cattle trade in particular.

29681. How would it upset it?—The graziers are the largest purchasers I think in this country of one and a half year olds.

29682. You do not agree with the views expressed by Mr. M'Loughlin a while ago?—Not altogether.

29683. You do not agree with what he said, that the grazier was not a necessity?—No, I do not agree with that.

29684. Why?—I think he is a necessity.

29685. Upon what grounds?—A source of sale to the small farmers.

29686. If you had a mixed system don't you think the small farmer would be able to finish his stores and get the profits that the grazier now secures?—He won't do that. He has not done that.

29687. If he had the land might he do it?—He might, but I do not believe he would myself, or that they will ever fatten cattle.

29688. In any case it is quite possible?—Of course it is.

29689. CHAIRMAN.—There is just one more question as to this statement. At the end of it you say the result of this deterioration of the land would mean that the purchasers would probably be unable to pay their annuities?—Oh, yes. That is only my poor opinion.

29690. You say that the security for the annuities would become very doubtful owing to the deterioration of the land. That rather assumes, in your view, the security for the State in the matter of the collection of the annuities depends a great deal upon whether the land is good or bad?—I think the annuities are small. Of course it depends upon the prosperity of the country.

29691. And the excellence of the land. Does not the whole of your argument, and the latter part of that paragraph mean that so long as the land is good and is kept in good condition, and does not deteriorate, the annuities are well secured?—The people will be well off and willing to pay.

29692. And, therefore, the security of the State will be good, because they will be able to pay?—Yes.

29693. If the land deteriorates they will not be able to pay, and the security of the State is not so good—it becomes doubtful?—Possibly.

29694. That is the argument running through this paragraph?—Yes.

29695. Does not that mean, then, that where land starts with being bad, the security of the State as regards the annuity may be very doubtful?—Not the present annuities, five shillings below the second term rents.

29696. How much will those lands have to deteriorate in order to make the payment of the annuity insecure?—I could not say.

29697. Up to the point they would cease to be good lands, and when they would become bad lands?—There is such a thing as worn-out land.

29698. Don't you know there are many lands which could be described even now as worn out?—They are all worn out almost.

29699. And are passing from landlord to tenant under the Act of 1903?—Yes.

29700. And you say with regard to those worn out lands that the security of the State with regard to the annuities is very doubtful?—I am perfectly certain it is not.

29701. That is the security in regard to those tenanted lands is secure and as regards the untenanted lands insecure?—You have a basis in one case and none in the other. You are starting on no basis.

29702. It is only relative. If the land is bad land. no matter how it gets to be bad land, it is a doubtful security for the payment of the annuity?—If the annuity is very low it is not.

29703. That is if the annuity is low even on bad land the State is secure. Does it mean this, that if the land is bad it obviously can only be security up to a very limited extent?—Perhaps so.

29704. That is your opinion?—Yes.

29705. Where land can be proved and shown to be bad land do you believe the State ought to be very careful as to the annuity that it allows to be fixed on that land?—Do you mean land in the hands of the tenant?

29706. Yes?—It has been already twice overvalued, reduced twice over, and the purchase annuities are a further reduction.

29707. You think no matter how bad the land is so long as it is tenanted it can be regarded as perfectly good security for payment?—For payment of an annuity.

29708. And an annuity which is fixed without any inspection as to the value of land?—Have there not been two inspections?

CHAIRMAN.—There may or may not have been.

Mr. KAVANAGH.—Then it would not be within the zones—a judicial tenancy.

29711. CHAIRMAN.—It could be fixed out of court. It does not follow every judicial tenant has been into court?—It does not, but they are very small.

29712. Those fixed by agreement?—Yes.

29713. They are judicial tenants, and if that estate were sold under the Act of 1903 they are within the zones and there would be no inspection?—No. You will get no estate in which there have not been many rents fixed.

29714. With regard to this, there has been no inspection when the rent is fixed by agreement?—Except the fact that the tenant has agreed to the reduced rent—the landlord and tenant have agreed.

29715. There has been no inspection of the farm?—There may not have been in some cases.

29716. Mr. O'KELLY.—I suppose you will admit that in the last few years prices of land have risen?—Occupation prices have risen tremendously.

29718. And the prices diminished under previous Acts where the farmer was purchasing?—The landlords have given up selling.

29719. Do you think land would be more valuable in 1902 than in 1907?—No.

29720. And I suppose you know the case of a landlord in this district who offered to sell his property in 1902 at twenty years' purchase, but negotiations did not succeed, and in 1904 he wanted twenty-three years' purchase plus the bonus—could you account for the increase in that case?—There are reasons in every case almost.

29721. Mr. O'KELLY.—I suppose you know the landlord, Mr. Phibbs? Was it your own property?—No. There were special circumstances in the case. I was joint owner with another man. I only agreed to sell my own property at twenty years.

29723. What was the property that was being negotiated at that time?—I think I know it. It was joint property. The owner was myself and another.

29724. They agreed to sell it?—I don't know that they agreed to sell it. There was no agreement.

29725. Did you not have some negotiations with the tenants?—Yes; I think there was.

29726. Was there any suggestion as to the price that might be paid?—That was to avoid the cost and expense of partition between the owners which was afterwards carried out.

29727. That has nothing to do with the price of land and we are on the question of securities. Did you and the other make any suggestion as to the price the tenants might pay?—We may have.

29728. Would you mind recalling it?—I believe it is as you say. *Apr.* 19, 1907.

29729. In 1904 you entered into negotiations for the sale of the same property?—Yes. Mr. Charles Phibbs.

29730. And on that occasion you asked twenty-three years' purchase?—That was after the partition. They are not the same owners now.

29731. Partition has nothing to do with the value of the land. Twenty-three years' purchase was asked in 1904. You say land did not enhance in value between 1902 and 1904 when the Act of 1903 was passed plus several bonuses?—There would be no bonus. My estate is solvent and the other is insolvent.

29732. Was that the reason—to make the property solvent—that you raised the price to make the property solvent and consequently you lifted the bonus?—No. The annuity is less.

29733. That has nothing to do with the question of security. Would you not generally conclude, Mr. Phibbs, that three years' purchase is a rather excessive advance in the price of land considering that there has been in the interval no enhancement in the value of land?—You ask me shortly about it. There were a great many circumstances. Every one did not agree to that twenty years' purchase, and there was pending the costs of partition.

29734. Of course the tenants had to pay for the costs of the partition?—I imagine it would take a less price to save a lot of costs. That is no proof that the full value was being paid.

29735. Sir JOHN COLOMB.—This paragraph commences with a reference to the dangers of breaking up the grazing land and ends with a warning of more or less fear about the security of the annuities. I take your whole paragraph to mean first of all that there is the question of interference with the cattle trade as affecting the well-being of existing small holdings?—That is what I mean.

29736. With regard to the question of the treatment of the land, it was this, was it not, that unless those tenants had sufficient capital they would be driven to meadow and conacre which would naturally deteriorate the land; and, therefore, does it not mean this; that you are taking the case of tenants put on to those lands without sufficient chance by reason of capital without resorting to conacre or meadow?—Yes.

29737. It was only that you meant. You did not mean that if those men are put after agreement on a thirty acre holding on a grass farm and care is taken that he can have sufficient capital to work the farm himself, that then there is danger?—Oh, no.

29738. CHAIRMAN.—When the point was raised just now you said there was a very small number of cases that have been settled by agreement of judicial tenancies. As a matter of fact, I find that out of a total of three hundred and sixty thousand which are the number of judicial tenancies created since 1881, one hundred and fifty thousand, or nearly half, have been fixed by agreement?—I don't think that is so in this part of the country; in this district.

29739. Those are the figures?—It surprises me very much.

29740. CHAIRMAN.—So that in the whole of those one hundred and fifty thousand cases there has been no inspection for the fixing of rent or sale.

29741. Sir JOHN COLOMB.—Has not the tendency to settle out of Court diminished very much; it was very prevalent at first and is it not less prevalent now?—I fancy so.

29742. Mr. SUTHERLAND.—Are not nearly all the rents judicially fixed now?—I fancy they are nearly all judicially fixed. I had no idea the agreements were as large as your lordship says. (*Witness resuming memorandum*).—The general breaking up of grass lands would bring down the price of all young stock up to 1½ years old. This would certainly not be a benefit to the small farmer. Even with enlarged holdings small farmers would not keep their young stock longer than one year. Even if they did, such cattle would not thrive like cattle which have larger tracts to run on. It is said that the small farmer should stall feed or in-feed them, but he knows nothing of such a system and would not have sufficient capital to enable him to adopt it. Dealers would not buy immature stores because they would be totally unfit for shipping, and if graziers were abolished there would be very little market for young cattle.

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29743. Mr. SUTHERLAND.—One question on that. We have a great deal of evidence on this point from practical farmers and they assure us that there would be ample provision by these people themselves on the new holdings to do this operation themselves—you do not agree with that?—No. Cattle want a larger range to do well; from year-olds to two and a-half-year-olds. That is one serious reason.

29744. You know how they are done in Scotland; mostly inside?—Oh, yes.

29745. Why should they not do that?—Do you think what is in Scotland would be carried out here.

29746. The conditions are most favourable?—In the month of July I saw the most beautiful stall-fed cattle I ever saw in Glasgow.

29747. Why should not these people do the same?—I do not believe it would suit this country.

29748. Mr. O'KELLY.—Why would it not suit?—They have never done it.

29749. Is there anything in the atmosphere that prevents it?—We are very subject to disease, and if we began to house half-year-olds to year and a half we would soon have anthrax in its intensity. As it is it is over the country.

29750. Sir FRANCIS MOWATT.—Do you attribute that in part or a large part to in-feeding?—If you attempt to force young beasts there is danger.

Sir FRANCIS MOWATT.—No danger in other countries.

29751. CHAIRMAN.—Why should there be more danger?—Want of skill amongst the rest.

29752. Is there any reason why they should not learn skill?—Quite so.

29753. If they knew how to do it is there anything in the climate or conditions which would make what is successful in Scotland impossible here?—No, I suppose not.

29754. Sir JOHN COLOMB.—Is there not this on the farms in Scotland—very considerable housing accommodation, and would not a change by which stall-feeding was to be generally carried out in Ireland involve an enormous outlay to provide for shedding and accommodation and all that which is essential to stall-feeding which cannot be carried on without it?—It is not only shedding we want, but capital for all the other heavy outlay.

29755. If you take stall-fed cattle, must they not have not merely a cow-house but they must have a roofed-in considerable space to move about in, and you cannot stall-feed unless you have great accommodation for the cattle, and therefore is that not one of the reasons of the difference—that that is not the case in Ireland—the tenant has not that enormous housing accommodation necessary for stall-feeding?—That is so.

29756. Mr. KAVANAGH.—What we want to get at is the six months in which the beast goes to the grazier before he goes to the fattening lands. Is it not possible for small farmers with thirty acres to get their stores without actually stall-feeding them?—Through the summer.

29757. Through the winter?—Stock are never put in here in winter at all.

29758. Mr. SUTHERLAND.—Is that not a great advantage over Scotland. In Scotland the climate necessitates them going in?—We have a better climate for that work.

29759. Therefore it is more easily done in Ireland?—Our climate is superior—much milder.

29760. Mr. KAVANAGH.—In our climate they can live out where they could not live out in Scotland—have we not an advantage in that way?—We have an advantage in that way.

29761. Sir JOHN COLOMB.—You agree possibly that the reason the system is different in Scotland is that the climate forces the agriculturists in Scotland to put up the buildings, but the Irish climate is so genial it does not force them, and it is not necessary?—Yes, quite so.

29762. Mr. KAVANAGH.—Therefore we can keep them six months easier than the Scotchman, who has to stall-feed them?—It has been said that small farmers would, or should, till most of their enlarged holdings, and this seems to be the expectation of witnesses like Mr. Doran. But everyone who lives in the country knows that the people are growing more and more averse to tillage. and are more and more anxious to get all or almost all their holdings into grass. Apart from the fact that this kind of farming involves less work and less personal exertion, grass farming in one form or another is more profitable and more suitable to the climate, especially in the West of Ireland. The climate generally is too wet, too cold, too uncertain, and there is too little ripening sun for successful tillage, except in small patches. Consequently you rarely see more than three acres tilled on small farms, and usually much less than that. The theories and advice of Mr. Doran and his friends won't induce the small farmers to adopt tillage to any larger extent.

29763. Mr. O'KELLY.—What is Mr. Doran's theory?—Mr. Doran's theory is for tillage, as I understand.

29764. You differ from Mr. Doran's theory in that connection?—I do, in that as to tillage being a success.

29765. You are aware Mr. Doran is a man of large experience on farming matters?—Is a man of very large experience.

29766. Is a practical farmer himself?—I don't know as to that.

29767. I think I can tell you that he is. His view is founded on experience?—He has had very large experience.

CHAIRMAN.—And large experience of small holders in many parts of Ireland.

29768. Mr. O'KELLY.—And is a farmer himself?—I think so.

29769. You say the country people are growing more averse to tillage—is that so in this part of the country?—Yes.

29770. You would not agree with the view expressed by the former witness that the contrary is the fact?—I know for a fact—I can state for a fact—they are reducing their tillage.

29771. Will you tell us what is the reduction. Take the ordinary farmer of ten or fifteen or twenty acres?—I do not know the figures at all, but there is a gradual reduction of tillage.

29772. How do you arrive at that conclusion?—Simply from seeing it.

29773. Observation?—Observation and seeing it with my own eyes.

29774. Do you base your view on any of the reports from the Department of Agriculture?—Not a bit on the public reports.

29775. But simply observation?—My own observation, for a fact, I can state so.

29776. Can you give us any concrete case. Run your mind's eye over the country you are familiar with?—It is before you. Three acres is as near as I could go to the average of the tillage.

29777. Has it in recent years diminished?—It has been gradually going into grass year after year.

29778. You say we have three acres of tillage on a ten-acre farm?—Yes, something like that.

29779. How many would you have five years ago?—Oh, I suppose, perhaps, double that. That is, five years ago there might have been.

29780. Twenty years ago?—Double, I should say.

29781. Six acres?—I would say so.

29782. You would not agree with Mr. M'Loughlin that the people are not getting averse to tillage?—They are getting averse to tillage, I believe.

29783. He expressed a different view, but you maintain yours?—Yes.

29784. Mr. KAVANAGH.—Are there any creameries in this district?—Yes.

29785. Do you find the presence of the creamery reduces tillage?—I think it does.

29786. We had evidence yesterday on this. Do you think it does?—It is more a matter of money. The people sell the milk to the creamery.

29787. Don't you think more tillage would have produced more milk?—If they tilled differently, but there are no turnips or mangolds grown—practically none.

29788. Tillage would really do better for the rearing of dairy cattle?—It would give more milk in the early spring, for instance.

29789. Do you approve of creameries as a rule?—I do not think they are good for the country.

29790. Do you think they deteriorate the calves?—Yes, decidedly; that is a most serious thing. That is not the fault of the creamery, but is the fault of the farmer, who sends too much milk to it, and does

not reserve enough for the calves. The calves cannot be reared without milk up to a certain age, and the longer you can keep them on milk the better.

29791. CHAIRMAN.—Did you go to the Cork Exhibition four or five years ago?—No.

29792. Do you remember the experiments that were made at that time with regard to adding cod liver oil to the skim milk for feeding calves?—I do not remember, though I have been continually reading the Live Stock Journal.

29793. Do you believe in that?—I believe nothing can properly rear a calf or calves but milk.

29794. Natural milk. You don't think by adding——?—I limit it to a month or six weeks or two months. I say a couple of months for milk, and then begin to add other things. I now find oatmeal is the best to add, and the milk is reduced by degrees.

29795. Sir JOHN COLOMB.—As a matter of fact, is it not the case that a calf on separated milk properly treated by restoring the fatty matter for the first six weeks gets on extremely well?—I have never tried it.

29796. That is my experience?—If you separate yourself. In the creamery it goes through processes we don't know anything about, and we get back stuff hardly fit for using.

29797. Sir FRANCIS MOWATT.—You say they grow no mangel-wurzel in the country. Is that because they never have been here or have grown them?—It has been grown; I have grown seventy-five tons to the acre.

29798. It is gradually shrinking?—Oh, there is no mangel grown.

29799. Sir JOHN COLOMB.—Have you found from your experience in this district that mangels do extraordinarily well?—Yes.

29800. Mr. O'KELLY.—Do you know what the effect of this creamery system has been on calves?—I have heard very bad. I used to buy Limerick calves before the creameries, but not since.

29801. That is because they are fed on separated milk?—So I am told. There is no calf like the calf reared on milk. The chief industry in this Tobercurry district is the production of milk and butter and young store cattle and pigs. To keep this industry intact or to develop it it is absolutely necessary that the grass lands in the district should be kept intact—(1) To provide a home market for the stores produced. (2) To enable small farmers who have capital enough to send out for the summer's grass their surplus young cattle and milch cows, on which, at the present prices of grazing they make very substantial profits. The moist, mild climate of this district suits cattle well, and where the land is in heart the grass is always growing. It was growing here so fast in last January and February that I stopped hay to a large lot of out-liers, leaving them on the grass alone. But my land is in heart, and in that respect differs from all the land that I know of in this part of the country.

29802. Mr. SUTHERLAND.—What put it in heart?—Cake-feeding for thirty years.

29803. I noticed elsewhere you said you cultivated the land, and put it in heart?—Not all—only fifty or sixty acres.

29804. Of course, we all know land that has been lying fallow cultivation for a year will put it in heart?—Yes.

29805. So that the land that is a long time lying fallow loses heart?—You call fallow grass. It cannot support cattle without help without deteriorating. It is the idea in this country it grows richer every year. Put feeding stuff on the land, and even sheep on the land, feeding them, and you will have the benefit of it. If you even put a few handfulls of the cake on the grass you will see the benefit of it. Cotton cake is the best, and I have used all sorts of cakes. Cake is the most fertilising.

29806. Mr. SUTHERLAND.—On page 4 of your memorandum you say—"When I first purchased the Doobeg property I had to break up and till a good deal of it partly to level the surface, and also to get it into good heart." You got it into good heart by tilling it?—It was in useless ridges.

29807. In one case you put it in heart by leaving it untilled, and the other by tilling it?—By tilling it. Portion I tilled had been burned. When I first purchased the Doobeg property I had to break up and till a good deal of it, partly to level the surface, and also to get it into good heart; but for the last twenty years I have had no tillage, because I have found that land pays better in grass than in tillage, and of course all the small farmers in the district have found the same. In my own immediate district they broke it into con-acre. Much of the land in this district could be improved by suitable reclamation, and I would suggest that employment might be provided in this way for the poorer agricultural population for many years to come if the Congested Districts Board were able to adopt this practice. Great employment and great benefit to the land of the district would also result from large drainage schemes, especially lowering portions of the Owenmore River and some of its tributaries. If the Royal Commissioners could find time to visit Wellmount (Mr. Robinson's place) and Old Rock (Major Charles Boyle's place) they would see good examples of judicious reclamation.

29808. Mr. KAVANAGH.—Can you explain what you mean by burning it?—By burning the skin off it.

29809. Sir JOHN COLOMB.—To make the land burn?—Yes, the best part is burned.

29810. Sir FRANCIS MOWATT.—Why do they take the skin off it?—To force the crops.

29811. Most Rev. Dr. O'DONNELL.—The ashes are supposed to be manure?—Yes.

29812. Sir FRANCIS MOWATT.—Would you mind explaining a little more what you mean exactly by burning—do they burn the grass?—There are fires lit, and the skin is burned into ashes, and that ashes is spread——

29813. Do they spread it over the surface of the ground?—Yes.

29814. Sir JOHN COLOMB.—They collect it in heaps first?—Yes.

29815. Most Rev. Dr. O'DONNELL.—Is it clay soil?—I am talking of clay soil.

29816. Is clay soil burned in that way?—Not so much lately. It is gone out of fashion.

29817. Will clay burn?—It will burn into beautiful red ashes. I have seen it in heaps to the height of this room.

29818. Mr. KAVANAGH.—Do they top-dress?—Yes.

29819. With the ashes?—Yes.

29820. That deteriorates the land?—Oh, tremendously. The best agriculturists state that it could not be recovered for fifty years.

29821. Mr. SUTHERLAND.—What damages it?—The surface is damaged.

Sir JOHN COLOMB.—The surface is removed for the purpose of tilling and scattering the ashes on what was the full surface, and turns the land valueless.

Sir FRANCIS MOWATT.—It forces one crop and practically leaves the soil barren.

29822. Mr. KAVANAGH.—Would you get a very good crop in that way?—Sometimes tremendous.

29823. Sir FRANCIS MOWATT.—You described how you got seventy-five tons of mangels—would it do that by burning?—That was with a forced crop of manure. I stall fed at that time.

29824. Sir JOHN COLOMB.—You would not expect to be able to get much crop from land that was burned for a couple of generations?—No. I know it is a ruinous system.

29825. How does this land happen to be burned?—It was let by the agent in this country of an absentee landlord for con-acre.

29826. CHAIRMAN.—It is burned first and then is it ploughed after that?—It is used for oats, sometimes for potatoes, chiefly oat crop.

29827. How long after the burning is it sown?—Immediately.

29828. Then you put the ashes on the top of where you sow?—Yes. I have never burned land, but I have seen it done often. It has gone out of fashion.

29829. Sir JOHN COLOMB.—It is rather a good thing it has gone out of fashion?—Oh, yes; the most ruinous thing that ever was done to land, I believe.

29830. Sir FRANCIS MOWATT.—You say:—"For the last twenty years I have had no tillage because I have found that land pays better in grass than in tillage, and of course all the small farmers in the district have found the same." As the result of passing from tillage to grass you are enabled to do without a certain amount of labour?—Less labour.

29831. Most Rev. Dr. O'DONNELL.—Has the price of labour gone up very much?—It has.

29832. By how much in the last twenty or thirty years?—By a third.

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29833. Mr. SUTHERLAND.—When did you see burning last?—I do not think I saw it for the last ten years or twelve years or fifteen years.

29834. CHAIRMAN.—When you talk about land paying better in grass than tillage had you in your mind the same kind of produce in both—do you mean to say that when you started cattle rearing with tillage that you found it paid better to rear cattle without tillage?—I finish cattle.

29835. Did you in both cases? Did you till as a factor in your cattle trade or till merely for cereals?—As a factor in the cattle finishing.

29836. The cattle in both cases were your produce?—I never sold a shilling's worth of produce.

29837. So that when you talked of tillage you did not mean tillage in the sense we understand it in England—tillage for the purpose of selling?—No.

29838. It was tillage merely to grow things, particularly green crops, for feeding cattle?—Yes.

29839. You found that did not pay as well as feeding the cattle on the grass?—Yes, with the help of cake, dried grains, and all sorts of feeding stuffs.

Sir JOHN COLOMB.—You surface treat the grass land in order to keep it in heart.

29840. CHAIRMAN.—You have made an outlay in the shape of cake of different kinds, because if you did not put it into the land you would not get much out of it?—No. The land would not rear cattle otherwise without deteriorating it.

29841. That is not a common practice in this country?—Very uncommon.

29842. Sir FRANCIS MOWATT.—When you say you were tilling for the purpose of feeding cattle, that means, I suppose, stall-feeding or in-feeding them?—Stall-feeding them mostly.

29843. Do you keep them and stall-feed them, fattening until ready for market?—Yes.

29844. Did you sell them in England?—Yes, in Glasgow and Liverpool, and in Edinburgh.

29845. You fatten them straight up to the time they are ready for market?—Yes.

29846. CHAIRMAN.—They do not pay you as well as stores you now don't fatten?—Some of them I fatten for Dublin and other markets.

29847. Can you fatten without tilling?—Oh, lots. Yes, on the grass.

29848. With cake?—Yes.

29849. Do you find they take longer to fatten now than they used? Do you sell them earlier nowadays?—One system is from November to May, which is in-feeding, stall-feeding.

29850. Do you still have those heavy beasts selling in this season?—I sold two-year-olds without a broad tooth in Liverpool before now. I bought them in July as yearlings and sold them the following April.

29851. Sir FRANCIS MOWATT.—Do you say that never paid you?—The best that ever paid me. I sold them double the size and weight I bought them at, and three times the price.

29852. CHAIRMAN.—What sort of price?—Five pounds ten for a yearling, and I got nineteen pounds for them in Liverpool as two-year-olds without a broad tooth.

29853. What can you do in these days of cake with grass?—I have very good prices this last summer.

29854. Two-year-olds?—Generally. I now fatten barren cows after rearing a calf. I sold yearlings in Dublin cattle market this year.

29855. Could you sell two-year-olds in the month of April now which had been fattened on grass lands with cake?—You would not have them fit here at all in April.

29856. So that you would have to wait until the following September?—No, July.

29857. Do you take four or five months longer than you did?—You have them for a different time and season. If you were fattening in winter you would have them in April.

29858. If you bought a yearling in October what would you do with him now?—If he is a good beast I would feed him highly and send him as a forward store to England in September or October following.

29859. You would not do the same with him as in the other days?—With some of them. I sold them in Dublin market last August and September.

29860. What age?—About a year and fourteen months.

29861. Fit to kill?—Were killed, sir, sold by weight. The great bulk of them were small ones and fattened rapidly. They were not growers.

29862. Is it more profitable to sell fast or slow?—The earlier you can sell them the better. There is always a demand for young stock within three years old.

29863. What sort of price have you got as yearlings?—About eleven pounds ten. I brought over forty to Wellington in October, and they went from eleven pounds ten to eleven pounds five.

29864. Sir FRANCIS MOWATT.—A yearling is about fifteen months?—Some of them fifteen, some of them eighteen—stirks.

29865. Mr. KAVANAGH.—You must have done them very well?—They were.

29866. Sir JOHN COLOMB.—And you say you got eleven pounds ten for them in the Wellington market?—That is the case.

29867. May I ask you with regard to these stores, were they cross bred or Polled Angus?—Those were all by a Hereford bull, some out of Angus and mongrels from Connemara.

29868. CHAIRMAN.—If it is possible to sell animals at a year old and obtain such a price as you seem to get, why then should there be such disasters, and why could not the small people do it also?—Those cattle were all reared on the dams to begin with for eight or nine months.

29869. You bred them yourself?—Bred them all myself.

29870. Is there any reason why the small man would not do that?—They would not stand beside those cattle.

29871. How?—They would not compare with the cattle I sell at the price.

29872. I am sure pride of ownership must be great, but will you tell me why?—I only want to tell your Lordship the exact plain facts.

29873. Sir JOHN COLOMB.—You have a good range for the cattle and the small holder has not?—That is so.

29874. Is not that a very material factor in the whole thing?—Yes.

29875. To bring cattle to maturity they require a large range?—Yes.

29876. CHAIRMAN.—You breed them on your property; then you say it stands by the dam for nine months; then you proceed to feed it with cake and other things until it is fifteen months, when you obtain a very large price?—I got better prices than last year.

29877. I mean £11 10*s.* or whatever it is. Now, why could not the small man do that? He has a cow, and there is no reason particularly I can see that the calf could not stand by the dam?—It would be very hard to explain. These calves of mine are out of small Connemara dams. I bought their dams for five or six or seven pounds (sterling).

29878. Is not that all the more reason why the small man could do it?—He would not have such cows at all.

29879. The breed of the cow would be worse?—No. If they were out of their big cows I would get more, but the big cows would not suit my work. They would be too delicate.

29880. In your opinion, in order to let the small man do what you have been able to do he would have to change the breed of his cow?—No.

29881. Just explain exactly?—He has not the area, the room. He would not be able to cake feed them. He has not change of grass and room to run on.

29882. How much grass is wanted for each cow and calf? What do you call a fair allowance of grass for a cow and calf?—It depends on the grass.

29883. Take your own grass?—Oh, my land; an acre will feed more than a cow and a calf.

29884. Is there any reason if a smaller man was in possession of a similar amount he should not feed a cow and calf?—No, he could not.

29885. Why not?—He has not enough of grass together, and he does not feed his land as I do.

29886. Sir JOHN COLOMB.—You could not keep it on that acre?—I am talking in a general way. The calf is weaned, and then there is the fresh farm clean for the calf.

29887. A different area with a large range of land for the calf?—Yes. It is a very difficult thing breeding, from the keeping of bulls to the calf and stirk and every other thing.

29888. Mr. SUTHERLAND.—A certain amount of area for the cow and calf to promenade in, I suppose?—Yes.

29889. Sir JOHN COLOMB.—Especially for the calf after it is weaned?—Yes, fresh grass.

29890. Is it not rather also a question of capital. The small man is obliged to make a profit from day to day on the milk, and therefore he cannot rear on the dam?—That is in it too, want of capital.

29891. The small man must make from day to day what he can. Therefore he sells the produce, milk and butter, to keep going. He could not afford the profit on a small holding?—No.

29892. CHAIRMAN.—Have you ever seen a small man attempt to do what you have done?—No.

29893. Sir JOHN COLOMB.—Is it not rather the conditions of the holding?—Yes, the cows pay very largely.

29894. The small man has to sell his milk to the creamery. He could not afford to use his milk on a calf which might die?—No, and if she had two calves it might not suit him.

29895. Sir FRANCIS MOWATT.—Assuming that a certain treatment of the cow and calf enables him to make a larger profit at the end of the eighteen months than he could make by selling his milk and subsequently selling an indifferent calf, would he not do that which paid him best?—I think so.

20896. Assuming he made a pound more by fattening his eighteen months' calf than by selling his milk and only having an indifferent calf?—The milk and calf pay the small man best.

29897. Do you mean to say he makes even more by his milk and bad calf?—They mainly rear good calves.

29898. That is the advantage?—They are not like the calves reared naturally.

29899. Mr. O'KELLY.—You got nineteen pounds for cattle in Liverpool?—I got as much as thirty-three.

29900. Was that due to forcing the animal into condition?—I don't know what you mean. They were yearlings, for instance.

29901. What produces black quarter?—It is very mysterious, and they have never yet made it out. Anything that suddenly forces any animal into flesh may cause it.

29902. Does forcing produce black quarter?—Yes. Injudicious forcing.

29903. You took the risk?—Yes, but I never had a case of that kind in stall-feds. Another thing is if you feed a calf from the very first all along the line he is not as subject to it as the late well-fed calf. I see it very much in yearlings. The one that suddenly begins to do well gets struck. In fact, they are struck on the grass without any extra feeding at all, and in the sheds. In the month of January I had to put them out on a new farm. Much of the land in this district could be much improved by suitable reclamation, and I would suggest that employment might be provided in this way for the poorer agricultural population for many years to come if the Congested Districts Board were able to adopt this practice. Great employment and great benefit to the land of the district would also result from large drainage schemes, especially lowering portions of the Owenmore River and some of its tributaries. If the Royal Commissioners could find time to visit Wellmount (Mr. Robinson's place), and Old Rock (Major Chas. Boyle's place), they would see good examples of judicious reclamation. My own property at Doobeg is also an example of the benefits arising from treating land well. My Landed Estates Court conveyance purported to give me an indefeasible Parliamentary title, and relying on this I proceeded to fence, drain, reclaim, and improve the estate generally. I also made suitable roads for my own and the tenants' use (one being through a deep bog), and built a substantial dwellinghouse, out-offices, and gate-lodge. In a few years I spent over £6,000 in these ways, of which more than two-thirds was for land improvements, which gave large employment when it was much wanted. Since I came to reside there I have also been a buyer from the country round of their produce in hay, oats, cattle, etc.

29904. Mr. O'KELLY.—You say your Landed Estates Court conveyance gave you an indefeasible Parliamentary title; do you mean by that that you felt secure that no compulsion would be ever applied to you to give up any of the land?—I never thought of such a thing as that, but a Landed Estates Court title is a very good one. It is for cash down.

29905. Assuming that in your district there was a good deal of congestion contiguous to grass lands in your possession, would you think your Parliamentary title would prevent those lands from being taken from you?—All I spent since on them on the faith of that title.

29906. Do you mean that your indefeasible Parliamentary title would exempt you from the operation of compulsion?—No; it is the spending of money on them, and the labouring on them.

29907. You also say you made suitable roads for your tenants' use. Was that money expended out of your own capital?—Out of my own pocket.

29907A. Or borrowed from the Board of Works?—Not a shilling of it.

29908. Was this a free gift to your tenants?—The same road was for my own use as well as theirs. There was no way of getting on the townland at all.

29909. You could not get into the house before this road was built?—No. It did not bring me to my house at all.

29910. Where did it bring you to?—Right through my own property.

29911. It was built for your own convenience as well as for your tenants?—Quite so.

29912. Were you recouped by the tenants for your expenditure in any way?—I was not.

29913. Sir JOHN COLOMB.—I understand you gave £11,000 for the estate, and in a few years you spent £6,000?—Yes.

29914. Out of your own pocket?—Yes.

29915. The money went into the pockets of labour?—Labour all around me. There was no cart or horse on the townland when I purchased it. There is not one without a donkey-cart now at least.

29916. All you want to say is, having, on your Parliamentary title, spent all this money, you consider that if for any State purpose you are to be purchased, all these matters should be taken into consideration, and you cannot be expected to lose a penny over the transaction?—Yes. From this outlay and employment the land in my hands has trebled in value in the last thirty years, and can now carry three times the number of stock in good condition it was able to keep alive in 1877. It keeps improving still under my present system of feeding sheep and cattle with cakes and other foods, and with hay and oats purchased here, and cakes and other concentrated foods. I also work a hill farm of eighty-five statute acres, a couple of miles from Doobeg. It is wholly unsuitable for tillage, but is excellent pasture. I use it as a stock farm, for a bull, with cows and heifers. The profits, and therefore the circumstances of the small farmers would be much improved if they could be induced to breed their stock from better animals, or could be prevented from breeding from inferior ones. I have kept, at various times, Aberdeen Angus, Shorthorn, Hereford, and Galloway bulls which were always at their service for a nominal fee of 2*s.* 6*d.*, but they made little use of them. I have heard that in some Continental countries a farmer is forbidden by law from keeping any animals for service unless they are certificated by a Government Department. Some such system might be advantageously introduced here. In some districts a stud farm under Government control and expert officials, would be valuable. Under local control it would be worthless. Good boars are also essential. Good pure-bred bulls in the congested areas would produce cattle that would be acceptable in the English and Scotch markets.

29917. Mr. O'KELLY.—Has the Department of Agriculture a County Committee in Sligo?—Yes.

29918. Has the Department done anything in the County Sligo?—Not in my district, except that there are premium bulls.

29919. Would not you think a work of this kind would fall naturally on the Department of Agriculture?—I presume so.

29920. Because that is what the Department of Agriculture is for; is not that so?—Yes.

29921. And so far as your knowledge goes the Department of Agriculture has done nothing in this direction?—I think there are premium bulls and sires—a few thoroughbred horses.

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29922. You speak about a stud farm under Government control, and say that under local control it would be worthless. What reasons have you for advancing that view?—Many reasons. There is not skill enough.

29923. What local control have you in your mind? There is not skill enough in the county for the selection of sires.

29924. When you speak of local control have you in your mind some local body?—No. Any local body that would be formed for the purpose would not be the best.

29925. Why would Government control be better?—Because there would be skilled managers.

29926. Don't you think a local body would have those skilled managers also?—Perhaps so, but I don't think it would be the same as a Government body.

29927. You have a Committee of Agriculture in this county. That Committee of Agriculture might be entrusted with the work. That Committee of Agriculture will get its grants from the Government, and will employ skilled assistance?—Perhaps so.

29928. Would not that obviate your objections to local control?—I suppose it would.

29929. In any event don't you think the advice and assistance of local men such as those selected under the Local Government Act would be of considerable assistance to those who would have knowledge of the technique of the work?—Perhaps they would.

29930. That being so you have no objection to local control?—Not if proper men were employed.

29931. Let me assume that the men the Government employ are the same as the local body would employ?—If that were so——

29932. If that were so you would have no objection to local control. But you see some advantage in having the co-operation and advice of local men well versed in farming matters?—There are some very skilful cattle men in the county, but as a rule they are not so.

29933 You mean to suggest that they don't know their own business?—They are not skilled in breeding.

29934. I would like to find out what great advantages you have in having Government control, and what great objections there are to local control?—Want of knowledge and training of those who would be the local controllers. They have not themselves the skilled knowledge and training.

29935. And the Government have?—The Government system is by examination.

29936. Sir JOHN COLOMB.—Is this your meaning: you were not so much concerned as to using the word Government as you were in the establishment of a staff and that the whole carrying on of the business should be done by experts?—Yes.

29937. Mr. O'KELLY.—I heard a witness state yesterday that from his experience that a number of the officials of the Estates Commission did not know their business?—The oats and potatoes grown in this district are the worst in quality I have ever seen or used. I impute this to bad cultivation and also to the climate being unsuitable for tillage; also to want of occasional change of seed. As regards migration schemes, I think they will be difficult to carry out successfully or at all. Most farmers dislike leaving the neighbourhood in which, and the relatives and friends amongst whom, they have always lived. Again, if they get a better holding elsewhere, and the land is materially different in quality and character from that which they have left, they would require to be instructed how to work it, and would often require to be provided with some capital also. Further, there is the serious fact that they will probably be regarded as intruders in their new neighbourhood, and be treated with hostility by the people there.

29938. Of course no one ever suggested that you could migrate a tenant to a holding without capital, no matter how it was provided for him; whether in the shape of a loan or in what he had himself?—I think I have heard it suggested, but it is ridiculous.

29939. Of course it is. It is absurd?—A shopkeeper would hardly do if you put him into a house, if he had no capital or credit.

29940. I would like to know where it was suggested?—I say the absence of suggestions as to capital being provided.

29941. Further, there is a serious fact that they will probably be regarded as intruders in their new neighbourhood, and be treated with hostility by the people there. Have you any instance in your mind where that is the case?—I know that that is the general feeling.

29942. Do you know the causes that give rise to that feeling?—To get it for themselves. There is a selfish cause under it all.

29943. I suppose you have a certain estate in view where that feeling was given expression to?—I have.

29944. What is the character of the holdings in that particular estate that you have in your mind?—They have been all changed lately. There is a great deal of land added on in the case I am thinking of.

29945. Is it on this particular estate that the intrusion of strangers is resented?—It would have been resented if it had been attempted.

29946. It is purely hypothetical on your part?—They were asked—"Would you go," and they would not go.

29947. Do you think I would be describing the situation if I was to say that the small occupiers on estates of the character you have in your mind would resent the migration of tenants from a distance simply because their position is no better than the position of those whom it is propsed to migrate, and that they would have no objection to the migration of tenants if their own necessities were first provided for, and would have no objection to any surplus land left over being given to migrants?—By no means. They think they have the best right to the land.

29948. Have these people large or small farms?—Medium size.

29949. I might put it in another way. Do you think the settlement of the problem of congestion proceeds on right lines if these were the lines: You have large grazing farms contiguous to a large area of congestion. The tenants on the congested portion feel that they ought to get the land, and that it is a necessity to them. A Board comes along and divides up the grazing farms among people from a distance, stereotyping the congested area. Don't you think that the better way would be to enlarge the holdings in this area of congestion from the untenanted area in the first instance?—If it could be done.

29950. Why could not it be done?—If the land is to be got.

29951. Suppose all the grazing land contiguous to this area of congestion is handed over to migrants, don't you stereotype the congestion of this congested area for all time, and the only hope of relieving the occupiers is to migrate them in turn somewhere else?—It looks like it.

29952. Which of the two systems would you prefer?—You are talking of general places that I know nothing about.

29953. I only want to get your view. There is nothing controversial about it at all?—If there was a good deal of land to be divided on a certain estate, and the tenants on another estate much more congested were asked would they go to that land if some remained that they know nothing about, they would not go—they would not risk it.

29954. Simply because in the view of the people in the neighbourhood they were going to displace them?—I did not consider in the estate where the large lot of land was that there was great congestion.

29955. There was some?—I think there was.

29956. Was there any attempt made to provide for the necessity of the same?—There was a good deal of this land to divide.

29957. Mr. KAVANAGH.—More than was required to relieve congestion?—It would raise them beyond £10, I believe. I am not managing the estates. I am just giving you an outsider's view.

29958. I thought Mr. O'Kelly was asking you a particular case?—It was only what I as an outsider could see.

Most Rev. Dr. O'DONNELL.—The difficulty was no matter how much land there was, there might not have been power to enlarge the uneconomic holdings on the border. If there was no such power these uneconomic holders on the verge would naturally resist the incoming of people from a distance. That I take to be Mr. O'Kelly's point.

29960. Mr. O'KELLY.—Quite so?—As regards a general enlargement of small holdings to the so called "economic" standard of a Poor Law rating of about £10 each (as advocated by Mr. Henry Doran, Mr. Commissioner Finucane, and others),

think that, apart from the disastrous consequences of abolishing the class of large graziers, or greatly diminishing their numbers, it would be an unfortunate thing to reduce the whole country to a sort of dead level of holdings just sufficient to enable their occupants to barely keep their heads above water. So far, however, as such a policy may be carried out the State should provide these small men with loans or grants sufficient to enable them to work their new land; otherwise they will meadow, or con-acre, or sub-let it, and the land in a few years will be run out, and the tenants become unable to pay their purchase annuities. Of course, I think that emigration, State-aided, if it was more popular, might be tried.

29961. Sir JOHN COLOMB.—All you mean by that is that the alternative should be offered to everybody who chose to accept it, of the emigration of a whole family?—Yes.

29962. Mr. O'KELLY.—It would be an unfortunate thing, you say, to reduce the whole country to a sort of dead level of holdings. What would be unfortunate about having economic holdings in the country?—I think you can understand that. Do you want to destroy all competition and level the country. I think it would be very unfortunate for the people themselves. It is only my poor opinion.

29963. I daresay you know it would be impossible in any case?—I suppose it would be possible if the millions were handed out.

29964. Don't you think anything almost would be better than the present condition of a great number of people in the congested area?—That is why I say emigration. I would not advocate it if there was any practical scheme for relieving congestion possible. It should not be forgotten that the sons of small landlords and great numbers of professional people resort to emigration as the best means of getting on in life. Therefore I think that the same means should not be kept from the small farmers. I would not put on any pressure, but if whole families were willing to emigrate the State should give them all assistance to do so.

29965. Sir JOHN COLOMB.—You know of your own knowledge in many countries of the world where families are increasing, and there are not means for all to get on at home, and the sons and daughters have to go to the uttermost parts of the world to try to get a living?—That is what I mean.

29966. Mr. KAVANAGH.—Is not emigration going on fast enough already?—I believe faster. They are rushing literally at present to America.

29967. Would you actually assist to increase it by State money?—There are tracts and tracts of land in Canada and Australia.

29968. We are talking about this country?—But it is the strong people who are going.

29969. Sir JOHN COLOMB.—What you mean is that it is the young and strong who are leaving, and that is disastrous, but that if they were to bring with them the old and weak the State might very properly give aid?—Yes.

29970. But you deplore the young and strong going?—Yes.

29971. And the emigration you mean is where there is a family and sons and daughters in America the State might fairly give assistance to the mothers and fathers to join them if they wished?—Yes.

29972. In no sense to urge them or compel them?—That is what I mean.

29973. Mr. O'KELLY.—You deplore the young and strong going?—Yes.

29974. Would you recommend the old and weak to go?—I speak of whole families—if the whole family wished to emigrate to Canada or the States.

29975. Sir JOHN COLOMB.—As was done in 1883 or 1884?—Yes. There are large areas of untenanted land in the County Sligo which, I believe, would be willingly sold by the owners to either the Estates Commissioners or the Congested Districts Board for purposes of migration or enlargement of holdings or reinstatement of evicted tenants, if the owners were offered a fair price. There is no need to grant compulsory powers to those bodies unless Parliament deliberately wants to force people to sell their property for much less than it is worth. Mr. Doran has recognised in his evidence that if land is wanted a fair price must be paid for it to everyone, whether owner or tenant, who possesses any valuable interest in it. Mr. Finucane contends that if the owner is also the occupier he should be paid nothing for the occupation interest, but in every part of Ireland the owner could split up such lands into suitable holdings, put fair rents on them, and offer the occupation of them for sale subject to those rents, and he would get a large fine or input in addition to the rent. In face of this fact how could owners be expected to think it fair that they should be asked to sell the land without being paid for both the occupation interest and the fee? When a tenant becomes a purchaser under the Purchase Acts he becomes owner and occupier of his holding. Would Mr. Finucane contend that the valuable occupation interest which he had as tenant was thereby wiped out, and would any tenant be willing to be bought out on such an assumption? For example, in 1899 I sold a townland to the tenants, except six statute acres, in my own hands. For the tenanted portion I got twenty-five years' purchase of my then rents. For the six statute acres I got £1,000, there being a valuable limestone quarry on it. What might I expect to get for the land if it was being taken by the Congested Districts Board?

29976. Most Rev. Dr. O'DONNELL.—Would there be some of the amount that you got given for the limestone quarry?—It was given in consideration of the limestone quarry being there.

29977. How would that prove you would not get a fair price under compulsion?—That would never be calculated.

29978. Who knows that?—It is not the rule.

29979. Is it not the fact that land taken compulsorily brings more than land taken voluntarily?—Railways pay more.

29980. Why then should you dread that under a system of compulsion prices would be lower than under a voluntary arrangement?—When taken for railways it is not in the same way. It is taken for a public purpose.

29981. This would be for a great public purpose, too?—Yes, but it is taken from one man to give to another man. In the case of the railways the very man from whom it is taken will probably benefit greatly himself by the railway.

29982. Sir JOHN COLOMB.—In the case of a railway the land is taken compulsorily under an Act of Parliament, but the Act of Parliament does not fix the price. That is done compulsorily by an arbitrator—is not that so?—Yes.

29983. Is your bed-rock of objection this, that under compulsion the two sides are the owner and the State. The State as the purchaser wants to get this land as cheaply as it can, and what you object to is that the buyer should fix the price?—Quite so.

29984. Mr. O'KELLY.—You admit that congestion is a great evil?—Yes.

29985. Parliament admits it also?—Yes.

29986. The policy of the two great parties in the State for years has been to put an end to it?—I suppose so.

29987. Parliament would not come to that decision unless it was convinced in the public interest of the necessity of putting an end to it?—I suppose so.

29988. Admitting that congestion is a great evil, if they found it could not be put an end to without having recourse to compulsion, don't you think it would be unworthy of Parliament not to have recourse to compulsion?—I think nothing can justify even under these circumstances compulsion.

29989. You think nothing can justify compulsion under the circumstances?—No.

29990. We have compulsion already in regard to the railways?—Yes.

29991. Is not it more desirable, as I put it yesterday, that people should live than that they should travel fast?—I cannot see it. I cannot see that I have the right to take any man's land because he has more than I have.

29992. You are aware of the Labourers' Act that passed last year?—Yes.

29993. The element of compulsion was introduced there?—Yes.

29994. You can provide an allotment in England under the Allotments Act by compulsion?—I believe so

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29995. What is morally wrong in compulsion in Ireland whilst we have the English precedent?—Those are all small holdings.

29996. The principle of compulsion is there all the same?—It is in railways, too.

29997. Land can be compulsorily sold by the Land Judge in Dublin?—For debt.

29998. Have not you hosts of precedents for the principle of compulsion; you are aware that in Australia at present some of the States are resuming possession of the land that was granted to settlers?—That is a new country, and no one has got land there without notice that it may be taken from him.

29999. Are not you aware that large grass ranches in Australia are now being compulsorily resumed by many of the States for the purpose of closer settlement and attracting settlers?—Yes. The occupiers were aware of that all along. They did not pay hard cash for them in the Landed Estates Court.

30000. The principle of compulsion is there?—Yes.

30001. What is the bed-rock of your objection to the principle of compulsion—is it that there is no need to grant compulsory powers to those bodies unless Parliament deliberately wants to force people to sell property for much less than what it is worth?—Yes. That is my conclusion.

30002. Can you give us some reasons for arriving at that; why would Parliament want to do that; what was it you had in your mind when you said that Parliament wants to compel you to sell your property for less than it is worth?—I cannot make it any plainer.

30003. Have you any case in your mind to which that remark applies—would it apply to your property?—I believe it would if there was compulsion.

30004. Where compulsion is applied there is generally a higher price given?—I cannot see that.

30005. Did you ever have any dealings with railway companies acquiring land?—Yes, on a small scale.

30006. There was compulsion there?—That was a matter of course.

30007. Did you get a lower price than the land was worth?—They paid me very handsomely for the loss of rent, and they paid up for the occupation value.

30008. You had no reason to complain of compulsion there?—No.

30009. That is a case of taking land?—It is not the same.

30010. With what tribunal had you to deal?—I did not put it past their own arbitrator. I knew the price was fair.

30011. Suppose you had a similar tribunal dealing with land would you have any more cause to apprehend you would be treated badly?—I would.

30012. Why?—Because I know it is impossible for valuers fairly to estimate my loss.

30013. Would not you be able to show them how much you lose. If you represented the actual state of things they would be reasonable?—I cannot answer that any more.

30014. I notice further on you say that in every part of Ireland the owner could split up such lands into suitable holdings, put fair rents on them, and offer the occupation of them for sale. Did you read the last report of the Estates Commissioners?—I think I did—my memory is not very good.

30015. Do you know that where this practice was attempted the Estates Commissioners refused to have anything to do with the properties?—I believe they did in one or two cases.

30016. Do you think it is consistent with the spirit of the Act of 1903 to do a thing of that kind?—I really could not say.

30017. Let us see how this practice would work out. You have a farm of one hundred acres in addition to occupied land. Instead of selling the unoccupied portion to the Estates Commissioners you propose to divide this one hundred acres among your tenants yourself in the first instance. Before you approach the Estates Commissioners you exact fines, say £9 or £10, for each of twenty lots of five acres each?—It is what has been done.

30018. That is what has been attempted. You exact ten years' purchase in the first instance. Then you get the tenants to buy under the Act of 1903 at a valuation of your own, say twenty-three years' purchase. Then you get the bonus of twelve per cent., representing three years' purchase; then you get a year's purchase for gold instead of stock, and then you get a year's purchase for clearing the title. By this device you bring up the price of land to thirty-eight years' purchase. Is that conforming to the spirit of the Act of 1903?—I don't suppose it would.

30019. Mr. KAVANAGH.—I am sure you would like to relieve congestion?—Indeed I would.

30020. You are apparently against migration. Can you suggest any other way of relieving it?—I am not public man at all enough to think of such a thing.

30021. You have it around here—you must have thought of the question. If you are opposed to migration what other scheme have you now?—I don't think there is much real congestion in the County Sligo.

30022. As a matter of fact there is. You would actually apply no relief to congestion rather than migration?—I cannot suggest.

30023. Yet you oppose migration?—I did not oppose it.

30024. I thought you did?—I did not; where the land is voluntarily sold, as I know, many landlords would sell it voluntarily at a fair price.

30025. If the principle of fair price is established you would have no objection to migration or compulsion?—Oh, compulsion I could not agree to.

30026. It is a matter of price?—I object to the principle.

30027. Still if you got the fair price you would waive the principle?—I could not waive the principle. If I have been a blacksmith or a merchant, and have made £500 by hard labour, and have bought land with it, why take that land from me?

30028. Mr. O'KELLY.—You are aware that one of the principal reasons for the passing of the Act of 1903 was to relieve congestion in the West? Was it?—It may have been. I never took that in.

30029. You may take it from me it was the object of the Act—to use Mr. Wyndham's words—to reach the poor people—the small people?—Yes, by making them owners.

30030. Suppose you adopted this proposal of yours to split up lands into suitable holdings, then according to the process described a while ago no one could get in on that one hundred acres except a man who could pay a fine?—Yes.

30031. You are aware that the very small people whom the Act was intended to reach could not afford to pay a fine?—The majority could not.

30032. Therefore if your plan were carried out one of the principal objects of the Act of 1903 would be defeated?—Why do you say my plan?

30033. Your suggestion?—I am only arguing as to the value of the land to the owner, and he has it in his power to do it.

30034. If he chooses to exercise that power he would defeat one of the principal objects of the Act of 1903?—That might be. As to a method of estimating a fair price, I could not agree to its being left to professional valuers. These gentlemen's valuations are mere opinions, which always lean in favour of the party by whom they are employed. Some method or standard should be found as nearly as possible of an automatic character for calculating the fair price. I agree generally with Mr. Boyd's proposal on this point—namely, that the poor law valuation of the land and buildings, *plus* one-third thereof, should be taken as the minimum income of the property, with an option to the owner to prove, by his books or other evidence, before a judicial tribunal that his net income during, say, five years preceding, was more than that minimum. The price should then be the sum which, if invested at 3½ per cent. interest, would produce that net income. It may be said that one and one third times the rating value would occasionally represent more than the net income that the land had yielded on an averarge of years; but I am confident there is very little land in the country which, if divided and sold subject to fair rents, would not produce between the fines and, say, twenty-three or twenty-four years' purchase of the rents a sum which, if invested at 3½ per cent. would not produce an income equal to one-and-one-third times its poor law valuation, no matter how it may have been previously used or worked.

30035. You refer to professional valuers?—Yes.

30036. Surely would not it be the function of such a body as the Estates Commissioners or the Congested Districts Board to make a valuation—would not they

stand impartially between the seller and buyer?—I don't think they could.

30037. Sir JOHN COLOMB.—They would be the buyer?—Yes.

30038. Would not it be like as if the buyer of a cow in the market was to dictate to the seller what should be the price?—Yes. That is what I think.

30039. On whom would you throw the responsibility?—On no one. On the valuation.

30040. Mr. O'KELLY.—With regard to the occupied portion of your land, would you be willing to accept your net income from the tenants on this land?—Yes.

30041. Suppose to-morrow you were negotiating with the tenants for a sale of your property, and said to them—"I am willing to take a sum which if invested at such a figure will give me my net income," would you have any objection to produce your rent books showing what your income and expenditure were over a period of five years?—None whatever.

Very Rev. CANON LOFTUS examined.

30042. Sir JOHN COLOMB.—I think you have been deputed to give evidence by the Bishop of Achonry?—Yes.

30043. Kindly tell the Commissioners what you wish to state?—I have during all my life, with the exception of the last ten or twelve years, been familiar with the Congested Districts. I was born in a congested district, and lived the earlier portion of my missionary career in a congested district, until I came to my present parish. I have been sixteen years in the congested districts of the parish, Killaber, which was exclusively Lord Dillon's property, which has now been sold. I therefore claim that I have some idea of what congestion means and of the necessity of relieving it. There is a general opinion that the entire province of Connaught should be placed under the Congested Districts Board, and the reason why it has been referred to, I think, is that the people in the non-scheduled districts hearing of and seeing the operations of the Congested Districts Board in their vicinity feel very much aggrieved that nothing was done for them, although their condition was very little better than that of the people in the scheduled districts. These people were excluded because certain larger holdings in the electoral division raised the average valuation per head of the population above the statutory limit. That explains why the general opinion is that the whole of Connaught might be brought under the operation of the Congested Districts Board. I have listened to the evidence here, and read a great deal of the evidence given before the Commission since it commenced its sittings, and in general respects I think that the evidence in other places was somewhat similar to that given here. But, in reference to this part of the country, there are two matters that I came here particularly instructed in. One of these is the drainage of the Owenmore River. Portion of the upper reaches is under the Congested Districts Board. Since I came to this part of the country, twelve years ago, I have been particularly interested in the Owenmore. I know it well. It is very fitful, and is subject to periodic fits of overflow, and when it overflows it does a tremendous lot of harm. It is very hard for any man, even the most skilled expert, who has not seen it himself to appreciate the amount of damage done by that river and the terrible scourge it is to the people along its banks. Its evil influence is felt for four or five miles on either side of the river in flood times. The great damage is done during the summer time when the great falls of rain occur and enormous damage is done. I remember about ten years ago we commenced to agitate about the drainage of the Owenmore. Colonel Cooper took a great interest in it, and Mr. Phibbs took an interest in it too, knowing the terrible injury done to the poor by that river. We had a correspondence with the Government and a deputation over to the House of Commons in reference to it. Colonel Cooper and others, including myself, were there. We were received very kindly by the President of the Board of Works at the time, who heard our story. I explained the difficulty of putting the matter under a district drainage board, as the poor people by themselves could not organise such a board or undergo the initial expense. General Sankey was Chairman of the Board of Works. I suggested sending one or two men to examine the place to see the minimum cost at which the drainage might be effected, and you would imagine I offered him a personal affront when I made that suggestion. He talked to me very roughly, and said he had no man to send down there and he would not send down. I thought it extraordinary on the part of an official to make the observations he did. There was a project to drain the Owenmore as a relief work in the bad times, 1847 and 1848, and there were surveys made of the river. These surveys were too elaborate, and the cost was so great that it fell through. Nothing has been done for it, but I have heard several times, from persons who were not professional gentlemen, but had great common sense, and who have examined the river and know its whole history and everything about it, that in their opinion an outlay of about £600 or £700 will be quite sufficient to keep the river at ordinary summer level every day of the year.

30044. Most Rev. Dr. O'DONNELL.—Where does it discharge its waters?—It starts at the foot of the historic Curlew mountains, near Kilfree junction. It is not very old when it commences to make itself felt, and when it comes down to the low waters it is terrible.

30045. What river does it fall into?—Ballysodare Bay.

30046. How many miles of agricultural land does it flood?—I should say about ten or twelve miles.

30047. In its upper reaches it passes through a congested area?—Yes, for a few miles in its upper reaches, near Gorteen. It rises near Kilfree, and is a small stream until it comes down four miles. Then it assumes formidable dimensions, and that is where all the damage is done.

30048. Is it your strong impression that little can be done for flooded land of that kind until the flooding is abated permanently?—It poisons the land, land that otherwise would be good for agricultural purposes, grazing and meadowing. When the flood comes down it is absolutely distressing to see the damage done by this river. On the occasion of great floods the hay is carried away, and the meadows are destroyed by the mud left in the subsoil. Sir Josslyn Gore Booth, as landlord of a great portion of the property, used always make a reduction in the rent on account of the floods on that property.

30049. The drainage of the river would materially improve the condition of the people?—Permanently, and at no great expense.

30050. The riparian owners would not object on the ground of fishery rights?—I don't think they would. The river is so sluggish, and the mud in the bottom is so silted by accumulated vegetable deposits, that very few fish go up there at all. Some do, but they are hardly worth catching.

30051. Did anybody in the locality move in the direction of having a drainage board formed?—They thought at the time that the Government would give a substantial grant for the purpose of draining the river, as they gave in the case of other rivers, and would give it at a reasonable rate of interest repayable over a reasonable term of years.

30052. Is it your suggestion to the Commission that for that long tract of country, part of which is congested, nothing can be done in the way of improvement until a scheme of drainage is promoted to prevent that flooding?—Very little can be done.

30053. Mr. KAVANAGH.—You think about £600 or £800 would do the work?—Yes. Everyone who knows the river knows that there are certain obstacles. Colonel Cooper used to say that the key of the whole situation was at Collooney. There is a rock there near the creamery, two miles up the river, and if there was a channel cut there it would greatly obviate the difficulty. Then there is an old eel weir that has been in disuse for a long time. I have no doubt if some practical steps were taken to carry out the drainage you would have the eel weir people, who never derive any advantage from it, getting up like a Jack-in-the-box and saying they were being damaged. That was done in my experience not long ago where there was an eel weir which never caught an eel, and some person suggested when the work was going to be done that the claim should be revived.

30054. How long has the flooding been going on?—From time immemorial.

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Very Rev. Canon Loftus.

30055. Is it getting worse?—It must be, because each year brings its own deposits. It is very hard to graduate the difficulty in the river, because it is always accumulating. Once it commences it increases every year, and the river gets choked up by accumulated vegetable deposits.

30056. Sir JOHN COLOMB.—The flood comes from the higher ground, where it is a congested district?—Yes.

30057. And it floods the lower district, part of which at all events is not congested?—Yes. The part where it does most damage is not congested.

30058. The waters from the congested districts are turning economic holdings in the non-congested districts into uneconomic holdings owing to damage?—Certainly, as I saw from the very start, even up towards the source, the river commences to show itself, because the waters have not a free flow into the lower reaches of the river, and naturally enough this affects the upper portion of it.

30059. Mr. O'KELLY.—How many miles does it run through a scheduled area?—Two miles, but there are about eight or ten miles of a thickly-populated district on either side.

30060. Sir JOHN COLOMB.—You attribute extreme importance to this question?—Certainly.

30061. How many holdings do you consider might fairly be described as subject to this damage?—Immense damage has been caused in a large portion of the County Sligo through the periodic flooding of the Owenmore River. This river rises in Kilfree, in Boyle (No. 2) Rural District, and flows through the districts of Boyle (No. 2), Tobercurry, and Sligo, and enters the sea at Ballysodare. Several attempts have been made by the people affected by the flooding to have this river drained. About the year 1847, when the Government advanced money for relief works, a drainage district was formed for the purpose of the drainage of this river, and on that occasion complete plans, drawings, and specifications were prepared by Mr. St. Leger, County Surveyor in Sligo. He estimated that about 8,000 acres of land would be benefited, and that the cost of the drainage would be about £7,000. Before the work could be carried out the money advanced for relief works was expended in other parts of Ireland, and so the work was abandoned. About the year 1872 the Sligo Grand Jury interested themselves in the drainage, and they employed Mr. Jones, County Surveyor, to make an estimate of the drainage, but he estimated the area served by the drainage at 3,000 acres at a cost of £18,000. The drainage also fell through on this occasion owing to want of co-operation on the part of some of the owners. We might get Mr. Kirwan, the new County Surveyor, to give us an estimate now. In August, 1904, after ruinous floods, a large public meeting was held at the Courthouse, Ballymote, at which I presided, and at which resolutions were passed calling on the Government to give a free grant to assist the drainage, as in the case of the Suck, Bann, and other rivers. Other resolutions were also passed requesting the Congested Districts Board, as the river flows partly through a Congested District, to co-operate with the Department of Agriculture to carry out the work. After some time the secretary to the meeting (Mr. T. O'Dowd) received replies to the resolutions which he had forwarded to those Boards saying that they had no funds to undertake the drainage. The damage and sufferings of the farmers having lands along this river and its tributaries are enormous. Hay, pasture, and tillage are frequently ruined, being either rotted on the land by floods or swept away. The river is becoming so silted up with mud that any heavy rainfall causes a great flood. It is no exaggeration to say that a large flood in the summer months means a loss of at least £16,000. The persons injured by the flooding of the Owenmore feel bitterly aggrieved at the action of the Government in refusing to give a grant to assist the drainage, while they have given grants to assist the drainage of rivers in other parts of Ireland, to which Sligo contributes its share. Not a single shilling has ever been expended on the Owenmore, and the drainage of this river is as much above the means of the locality as those more expensive works to which Government have given free grants. We consider it very wrong in a case like the drainage of the Owenmore, where a drainage district is required to carry out drainage works, that the Board of Works are not authorised or obliged to send one of their engineers to make out plans and specifications for the drainage, and not have this heavy initial expense thrown on the promoters, who are unable to bear this expense. I have here the correspondence in reference to the matter. There is a letter dated 2nd September, 1904, from Sir Antony MacDonnell acknowledging receipt of the resolution passed at the meeting to which I have referred. There is a letter dated 20th April, 1905, from the Secretary to the Congested Districts Board stating that the Chief Land Inspector had been unable up to the present to make an inspection, but that he was being reminded of the matter in the hope that his other duties may permit him to give the matter early attention. There is a letter dated 26th of May, 1905, annexing copy letter sent to the Under Secretary on the subject of the drainage of the Owenmore. The annexed copy referred to states that the Board had decided not to undertake the work owing to the state of their funds, and the fact that only a small portion of the river was in a congested district. There is also a letter from the Secretary to the Department of Agriculture, dated 28th of April, 1905, stating that schemes for the promotion of arterial drainage must be initiated locally by the formation of a drainage board under the Board of Works, and suggesting that if the parties interested in the matter desired to form a drainage board they should put themselves in communication with the Board of Works.

30062. Mr. O'KELLY.—The Board suggest that the Chief Land Inspector would go there when other engagements permitted; did Mr. Doran go there?—No, but he sent down Mr. Carroll.

30063. Did he make an estimate?—He sent a report. I never saw it. I am fully under the impression that the removal of these obstacles would not assist very much, and would have the effect of reducing the normal level.

30064. I suppose you are aware that the Department of Agriculture has something like £300,000 unexpended to its credit for several years past?—They should give a free grant, and then we will organise a drainage board.

30065. Of course it would be impossible to ask small farmers to undertake a considerable share of this liability?—Yes. If they did something to help them the people would be very willing to do their share. In reference to the question of migration. I cannot see that there are such great difficulties in the matter. I think that people are making mountains out of molehills as regards these difficulties and that when you came to tackle them they would disappear.

30066. Most Rev. Dr. O'DONNELL.—You think firmness and gentleness combined would carry the day?—I have not the smallest doubt.

30067. Sir JOHN COLOMB.—It must be judiciously done?—Yes. I don't go altogether with those who say *festina lente*. The pace of procedure will develop itself if you take it up.

30068. Most Rev. Dr. O'DONNELL.—Do you think if the uneconomic holders on the margin had their holdings enlarged there would be very much objection to strangers from a distance?—Any common sense man can see that these are the people to be first attended to in the case of dividing large farms. That is an instinct.

30069. Do you think the heads of families from a distance would have a claim, to say the least of it, in preference to the sons of men around the grass lands?—Migrate the families, the young with the old, and you will have no difficulty. The Irish people have a great attachment to their home no matter how humble it is, but, as in the Land Act of 1903, there was a bait held out to the landlords to sell their property, so if a bonus of that kind were given to the poor people it would be a great means of inducing them to go in for migration.

30070. Sir JOHN COLOMB.—You are aware that the policy of the Congested Districts Board in carrying out migration is to see that a man is fairly started, and if he has not capital himself, to assist him in any way possible, and that is in itself something in the shape of a bonus?—It would be. I don't think anything further is required, provided it is generously done, than to take them from a worse position and put them in a better.

30071. If a man is migrated to a better holding than the one he has, what is your opinion as to his tenant's interest in respect of the holding that he is giving up?—I presume that the holding which he

gives up will be used to enlarge adjacent uneconomic holdings, to make them economic.

30072. The man is in this position. He has got a holding which is uneconomic, but still if he sold his tenant's interest in it he would get something for it. The Congested Districts Board through the use of State money is going to move that man, who is willing to go, to a better holding. Do you think that the Congested Districts Board should take credit, in arranging with that man, for the value of the holding he gives up?—I should think so. I should think that would go for the purpose of establishing him in the new holding, but I consider that the Congested Districts Board would add something to that as a free grant or as a loan.

30073. One of the points of inquiry of this Commission is as to the general character and methods of the acts of the Congested Districts Board. Do you consider that the Congested Districts Board has done its work well and is a better body to do that work than a Government department?—I believe that the Congested Districts Board has the affection of the people and no wonder it should. It is the first organised attempt we ever had to bring benefits to the doors of the people. Therefore, the people are very much attached to the Congested Districts Board, and I don't think it would be desirable, so far as the people are concerned, even to change its name.

30074. That being so, assuming that a policy prevailed which destroyed the Congested Districts Board, abolished it, and put the work in the hands of the Estates Commissioners or of a Government department, do you think would that new department command the sympathy, good will, and co-operation of the people?—I am afraid it would affect the temper of the people very much.

30075. And make the work more difficult?—And make the work more difficult, because if you have not the sympathy of the people all your movements would be made more difficult.

30076. Mr. O'Kelly.—Would you say that the congested counties in Connaught as well as outside Connaught ought to be committed to the care of the Congested Districts Board and that the Estates Commissioners ought not to be allowed to operate in Connaught at all?—I don't say that. They were operating together, overlapping each other for a considerable time. It would be well if there could be a *modus vivendi* established, but I don't go into that. So far as I know the people, the Congested Districts Board has their entire confidence, and things would run very smoothly and be better done if they were left to the Congested Districts Board.

30077. The proposal has been made in the evidence to schedule all Connaught. In that case don't you think it would be better to hand over all the Connaught counties to the Congested Districts Board, whose special experience enables them to deal with the problem of congestion effectually?—Yes, and I would suggest that their hands should be strengthened by giving them more funds.

30078. Because you do see some disadvantage in having two bodies doing the same work?—There is no doubt about it.

30079. You will find landlords in some cases going to the Congested Districts Board and asking a certain price, having a valuation made, and then you will find them going to the Estates Commissioners to see if they would give a higher price?—Yes. Another point that I wish to bring before the notice of the Commission is this. You have large farms taken over by the Estates Commissioners for the purposes of the surrounding tenants as accommodation farms. I am interested in a case like that at present. In a place called Carrigans, near Ballymote, there is a farm of about sixty statute acres. It has been taken over by the Estates Commissioners for the benefit of certain tenants, perhaps eleven or twelve tenants. It is a beautiful grass farm. They purchased this farm from the landlord, but it seems a tenant came in and took possession of the farm, and though he only had it 1½ years, I believe he had to get £200 compensation, which was brought in on the purchase money. The thing was carried through, and the amount of the purchase money apportioned among the tenants and made part of their contributions. In this case the farm was divided into twenty sums apportioning the number of sums to the surrounding farms *pro rata* according to the quantity of land they held before. They apportioned it to the satisfaction of all the tenants and then a rule was laid down for the benefit of the tenants that no cattle should be grazed on the farm from the 1st of November to the 1st of May. The parties concerned did not seem to take any great objection at the time, but some persons suggested to me it would be very inconvenient for the people to part with their cattle on the 1st of November as the great local fairs take place at that time. I suggested to the officer who had charge of the business that it would be better to give them permission to hold the cattle on until the 15th of November. They all agreed to that. In all these negotiations the Estates Commissioners made no provision at all for caretaking. After the first 15th of November six or seven of the tenants concerned sent in their cattle on the farm and kept them there in spite of all.

30080. That means, I presume, that in your opinion where any such arrangement is made for the benefit of the tenants on a grazing farm it is essential that there should be supervision?—Yes. People who have some surplus cattle think it a great sacrifice that they cannot send them on to the farm, and we had no means of compelling them to observe their agreement. There is one whom I call the arch offender. I said to the tenants that they should single him out and process him before the court. Owing to the technicalities of the lawyers and the devious ways of the law they made a defence and the County Court Judge was in a difficulty to know what to do, as he said the case was a unique one. I was there in the court myself and explained the whole thing and the Judge gave a decree against the arch offender which was supposed to regulate all the others. I brought him into my room and arranged with him to pay according to the number of cattle on the farm, according to the winter grade. All agreed to do that. When I went to look for the money I could not get it. I wrote to the Land Commission about the matter and they told me that every single one of the tenants was interested and had a perfect legal right to take out a process against the offending persons. Putting off the settlement of the matter in this manner is leaving me a *damnosa haereditas* which I would sooner be without.

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Very Rev. Canon Loftus.

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30081. Sir John Colomb.—You appear here nominated by the United Irish League?—Yes, by the Central Executive.

30082. What is your parish?—The parish of Achonry. I have seen the works of the Congested Districts Board in the parish of Achonry and the surrounding districts, and whilst I bear willing testimony to the fact that many great improvements have been effected by the operations of the Board, I respectfully submit that their good intentions have not in many cases been realised, and, in fact, could not be realised, owing to the way in which the action of the Board is being hampered by the existing laws. No doubt the Act of 1903 was intended by the Government to give every facility for the abolition of dual ownership in the lands of Ireland, but for one reason or another these facilities have not been generally availed of. There has been no general movement, there has been even no county movement on the part of the landlords to sell *en bloc*. The consequence is that the properties purchased by the Board are isolated, and the operations of the Board for the improvement of the condition of the country are, therefore, confined to those isolated spots. This is very inconvenient. For instance, the Board have now distributed the untenanted lands in Achonry, but no drainage scheme has been carried out; the principal tributary of the Owenmore has been left untouched, and all, it seems, because the Board's officials had no authority over the neighbouring Templehouse estate. The drainage of this river and its tributaries would have conferred almost incalculable benefits on the tenants of the Achonry and surrounding properties. The same is true of the River Moy, which, in its

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present undrained condition, is of vast injury to the Board's tenants in the neighbourhood of Cloonaraher. Again, the Board expended a large sum in making a road to Daghloon, but this road is useless, except for the purposes of bringing home turf; whereas, if the Board could have continued it through the neighbouring property to the county road it would prove a work of public utility, and a great boon to the people generally. The expenditure has been in part a waste, simply because only one landlord in the district has sold to the Board, and the neighbouring properties cannot be interfered with. Besides, the County Council would not take over the road as it is at present, whereas, if extended, the County Council would care it, and keep it in repair. On the question of turbary, it is also a great evil that all the properties of a county, or of a substantial portion of a county, could not be purchased simultaneously. It would facilitate immensely the distribution of turbary on economic lines, for the bog-land is very often on the fringe or the mearing of an estate, and the nearer to his home that a tenant can get his bog, the greater value the bog is to him, whereas the present system of dealing with one property at a time, and dividing the bog-land of that property amongst the tenants of that particular estate, may necessitate that tenants should carry turf several miles to their homes at great expense, although these tenants may be living on the mearing of another property, where there is turbary in abundance, and where, if both properties had been purchased simultaneously, a great saving could be effected by the distribution of the turbary on economic lines. This reasoning is also true for the distribution of untenanted land. No one can till on economic terms a farm which is two or three miles distant from his home. And it often happens that the houses of the people are at one end of the estate and the untenanted land at the other, and that an equitable and economic distribution of the untenanted land could only take place by the purchase simultaneously of all the surrounding properties. From what I have seen, I maintain that the Board, so long as it must be content with buying isolated properties, cannot do much good either in the way of main drainage or accommodation roads, nor can it distribute either the untenanted lands or the bog-lands on economic lines; and I therefore hold that the Board should be empowered by Act of Parliament to purchase simultaneously on just and equitable terms all the lands that, in their opinion, are necessary for the purpose of carrying out their improvement works on a scientific and economic basis. This argument leads to compulsion, but it is compulsion of a mild type, which only fixes the terms of a bargain, which bargain both sides believe to be necessary, and consent to. The objection to compulsion seems to be the question of price, and I contend that properties have already been sold voluntarily in sufficient quantities to fix approximately a fair price. Besides, any landlord who would receive such a price as would guarantee him his present net income could not complain if the Government, whilst inflicting no injury on him, helped his neighbours. We have had in this county years of fruitless attempts at bargaining, and it is really time for the State to step in, and stop unreasonableness on either the one side or the other. It is no argument against this view that properties are being purchased as rapidly as they can be dealt with. My contention is that these properties are purchased on the patch-work system, and that the isolation of the purchased properties prevents any large scheme of improvements. It would, in my opinion, be a mistake to limit compulsory powers to Connacht. Most of the untenanted land is outside Connacht, and the Board should have power to buy up, for migration purposes, untenanted land in the other provinces. I may say, in connection with the question of price, that shortly before the passage of the Act of 1903 I had several communications from a landlord of this county, who offered his property for sale to his tenants at twenty years' purchase. The tenants refused to buy because of their hopes in the promised new Act. They have purchased now, and at twenty-three years' of the same rents, with added bonus. The landlord raised his terms when the Act of 1903 became law. This is not an isolated case. I had myself one other experience of the same nature in the County Sligo. The Congested Districts Board have proved so satisfactory and successful in such small works as could be undertaken by them that they not only should get additional powers, but should be liberally financed, and the whole province of Connacht should be placed under their care. The present system of scheduling by electoral divisions is arbitrary, and leads to great injustice. The townland of Branchfield is by far the poorest in the parish of Achonry. It is not scheduled because of the presence of untenanted lands in the division, whilst the neighbouring townlands of Pullagh and Mullaghanarry, which are not nearly as poor as Branchfield, are scheduled as congested, and the Parish Committee scheme is in full working order amongst them. I have the valuations with me, and the figures show that the scheduled townland has twice the valuation of the non-scheduled townland. This seemingly unfair treatment of neighbouring townlands breeds discontent and want of confidence in the Government; and it would be well to schedule all Connacht in order that at least all the poorer districts might be brought under the improvement schemes of the Board. In reference to the question of migration, it is the large landholders—the men of 100 or 200 or 300 acres—who should be migrated to the rich lands of the Midland counties. It would be a far less costly proceeding than the migration of the smaller tenants, fewer dwellings would have to be erected, and less fencing would be necessary, and besides the grazing plains of the Midlands would, in the possession of such migrants, continue in part graziers' plains, even though the number of habitations on them would have increased. Besides the large landowner has no objection to migrate, provided he gets anything more than an equivalent, and the small landowner as a rule has a sentimental objection to migration. I have spoken to large landowners who are perfectly willing to migrate. The Congested Districts Board do not, as a rule, enlarge holdings beyond £10 valuation. I think this is right and proper, but I have known the Estates Commissioners to enlarge holdings up to the valuation of £40, and this in a district where there are many uneconomic holdings, but not on the same property. Further, I believe it is contrary to the Act of 1903 to allow any landlord to re-purchase any lands which are necessary for the enlargement of uneconomic holdings on the property, and I am informed that the Estates Commissioners have allowed this, and if so, they certainly have not grasped the evils of congestion.

30083. You have heard that the Estates Commissioners have allowed that?—Yes. They have allowed landlords to re-purchase lands that were necessary for the relief of congestion on their own properties.

30084. You have not heard that the Congested Districts Board allowed it?—No. The Congested Districts Board never allowed it so far as I know. Superior systems of agriculture should be taught to the people. I believe in model farms, but know that the Department of Agriculture will have none of them. I was some time ago in a position, through the generosity of Sir Josslyn Gore-Booth, to offer them ten acres for a model farm, but the offer was refused. I cannot see, however, why the Congested Districts Board would not utilise the Chaffpool lands and garden in their possession as a model farm and garden for the surrounding districts, and especially for those new tenancies which they have recently created.

30085. Mr. O'Kelly.—Have you any correspondence with the Department of Agriculture?—Not with me.

30086. What was the objection they urged?—No objection, except that they could not take up the farm at present.

30087. They did not give a definite refusal?—No, they said it could not be taken up at present. The congested districts have suffered by the transference to the Department of Agriculture of the Board's schemes for the improvement of agriculture and live stock. The potato is our most valuable crop, and although the experimental days of spraying have passed, the Department have done very little to educate the people either on the necessity of spraying, or the proper methods of spraying, or the proper times for spraying. It is lamentable that after so many years' existence under the Agricultural Board the blight was as powerful and prevalent last year as ever. Neither is the live stock scheme a success. The present scheme of placing a few highly-bred animals in a county, and exercising no authority in the case of all the other animals, promises to be interminable. Neither the Congested Districts Board nor the Estates Commissioners should be allowed to denude the country of its timber. Demesnes may be purchased, but the timber should not

be cut down unless when fully developed, and then only to have the ground re-planted. We have not so many beauty spots in Connacht that we can afford to lose any of them. The work of re-afforestation must be, in Ireland, a Government work, and the lands suitable for this purpose should be retained at the time of sale and vested in the County Council or other public authority. I believe that on the abolition of dual ownership in the land, the duties connected with the properties are transferred to the Government, and that it should be the constant care of the Government to see that all works of public utility now being done by the Congested Districts Board should be maintained in good order; and the Government should reserve to themselves the right to enter upon any holding for public purposes of this description.

30088. Sir JOHN COLOMB.—You advocate the simultaneous purchase of large areas of land in the congested districts?—Yes.

30089. Assuming that policy adopted, and in view of the time it takes to settle a property in a province or a district, striping it, arranging it, going into the details, and fixing it up, do you agree in the apprehension that that would leave the Congested Districts Board in the position of a landlord for a very long time over a very large area?—I don't think so at all. I think it is very much better that the Congested Districts Board should do whatever work it undertakes to do, and do it well, and not buy properties on this patchwork system, but that when they do buy a property they should be empowered to buy all the surrounding properties that are necessary to carry out the work of improvement.

30090. I quite agree with you that the Congested Districts Board should do this work well, and that it requires time, supervision, and great administrative ability. If they are to do it well they cannot rush it. But if you throw into their hands a large area, more than they can deal with, does it mean keeping the Congested Districts Board in the position of huge landlords for a long period?—No. Suppose the Congested Districts Board could not get any additional staff, my contention is, instead of buying a property in Sligo one day, in Mayo next day, and in Donegal on the third, and thus not being able to carry out improvement works on a large and scientific basis they should, when they buy a property here, buy all the surrounding properties, so as to be able to take a broad view of the question and carry out the work in a way that would be permanent and economic.

30091. Another point is that you propose to induce farmers with 100, 200, and 300 acres of land in or near congested districts in Connaught to go to other parts of Ireland; that is with a view to splitting up these large farms into small economic holdings?—Yes.

30092. That might involve having to build houses on those 200 or 300 acres?—It might, but I would not anticipate too many houses would have to be built, because invariably it is on the properties where we have large farms like that that we have uneconomic holdings also.

30093. On the fringe?—Yes; on the fringe of large farms of that description.

30094. I gather it is your general experience that what are really wanted beyond the question of migration are supervision and assistance in the promotion of knowledge of agriculture?—Yes.

30095. You feel that very strongly?—Yes.

30096. You don't think enough has been done in that direction?—I do not.

30097. Do you also think that where the Congested Districts Board have acquired land and striped it and put tenants on it it is very essential for some time to come that they should have some man on the spot to advise, help, assist, and instruct the new tenants in every way possible?—Yes; I believe that.

30098. Do you attach greater importance to a resident instructor who will point out things on the spot than to a man who would come from other places and go away again?—Yes. I attach far more importance to a resident instructor who would instruct the people what to do by showing it to them on the spot, rather than to itinerant instructors.

30099. You are strongly in favour of something being done by the Congested Districts Board or by some other body having small model farms and gardens with a view of showing what could be done?—Yes.

30100. You only mean a model farm worked on lines that are possible for small holders?—Yes.

30101. Most Rev. Dr. O'DONNELL.—You consider that if the Congested Districts Board were able to buy up a set of estates in the same area drainage, turbary, and the enlargement of holdings by the addition of grass lands could be conducted on a more economic basis?—I believe so.

30102. Would it be the case also that with a fair staff it might be quite as feasible to do the work over that parcel of estates effectively and with as much quickness as if only one estate was being dealt with?—There would be far less labour in sub-dividing and distributing the lands on the idea I have suggested than there is at present. No matter what shape a property may take surveyors have to go all along the mearings and see across the mearing where the untenanted land is. In using the maps and measuring the property they practically survey all the neighbouring properties. They have to do it. Not only in the matter of survey, but also on the question of valuation it would be far easier for the staff to carry out the work of the Congested Districts Board on the idea I have suggested than it is at the present time.

30103. Then there would be much less likelihood that the Board would ever have to return again to deal with these holdings?—There would be no likelihood if the work is done on the suggestion I make, because the work would be thoroughly completed and permanent.

30104. With reference to your other suggestion, that the big men should be migrated, are you aware that that has been the policy of the Board?—I have heard that, but so far as I know there has been no attempt made in the County Sligo to migrate any large landholder.

30105. You say these men have much less sentimental objection to changing their location in the country?—They have told me so.

30106. The process is much less expensive?—Yes.

30107. As you say, there is the advantage that the holdings can be increased by additions to them without the State having in many instances to build new houses?—Yes.

30108. I think you suggested that all Connaught should be under the control of the Board?—Yes.

30109. But you would not at all limit the area to which people might be migrated to this side of the Shannon?—No. I think that the Congested Districts Board should have compulsory powers to buy untenanted land in any of the other three provinces for the relief of congestion.

30110. I was much interested in your statement about practical agriculture. Did it occur to you at all that if one of the National schools in a parish, a central school, were turned into an agricultural school much could be done to spread a knowledge of agriculture?—Yes, there could. But I believe it would be much better if the teachers in all schools got a practical knowledge of agriculture, and that attached to every school building was a small farm of two or three acres, and that upon this farm the children would get practical instruction from the teacher. This being principally an agricultural country, and the children having to make their living by agriculture, they should be taught from their earliest years the best system of agriculture. In order to have this done the Government should see, and I think it should be the business of the Congested Districts Board to see, in the districts of which they have charge, that attached to each school there was a small farm of two or three acres, larger, if thought necessary, in order that the teachers might give practical instruction to the pupils; but with the teachers whom we have at present in the school this could not be done, as the teachers would first require to get a practical knowledge of agriculture.

30111. You would require a special training college to train the teachers?—Yes.

30112. Or a special department in a training college?—Yes.

30113. You think if the boys from tender years got a little education in light farm work or gardening and agricultural chemistry they would not be any the less disposed to pursue sufficiently the ordinary school work?—On the contrary, I believe that it would make the ordinary school work very interesting to them.

30114. Go to the other side, and take girls. Do you think it would be a good thing if you provided in some way that there be a room in each of the National schools, where the girls from tender age would begin

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to practice these little industries through which afterwards they might earn a livelihood?—It would be a wonderful advantage, and, of course, a great deal is being done in that way already. As your lordship is aware, the girls are in practically all the schools taught to sew and to knit, and things of that description, and small things, no doubt, suitable to their tender years. Still, a great deal more could be taught to them. But under the county schemes now, girls are being taught cookery and laundry work by itinerant instructors; but this is not as good a system as permanent instructors attached to National schools.

30115. Of late there is a tendency to practical work in National schools. Do you consider it was a great loss for so many years after the starting of the National system in Ireland, that there was little practical training given to either boys or girls?—It was a great loss to the country, decidedly.

Mr. J. M. Cryan examined.

Mr. J. M. Cryan.

30116. Sir John Colomb.—You are nominated by the Boyle No. 2 Rural District Council?—Yes. The two points that I was asked to bring specially before you are the necessity of relieving congestion and of carrying out arterial drainage. The scheduled area should be extended, so as to include the entire of Boyle No. 2 rural district.

30117. Mr. O'Kelly.—How many electoral divisions are there in Boyle No. 2 rural district?—There are ten unscheduled and three scheduled.

30118. You desire to have the ten non-scheduled divisions scheduled?—Yes.

30119. Is your district close to the plains of Boyle?—Pretty close.

30120. Is it because of the high valuation of the grazing ranches of Boyle without any population that the ten divisions referred to are excluded from the definition of congestion?—Yes, and grazing ranches outside, even in the County Sligo.

30121. Mr. Kavanagh.—Is there as much poverty in the other divisions as in those already scheduled?—I believe more. The very division I represent myself, Templebanny, has more than 100 holdings under £4 valuation.

30122. Mr. O'Kelly.—Are there many properties bought there?—Only one at present.

30123. By whom was it bought?—By the Estates Commissioners.

30124. Was it bought in your division?—Yes.

30125. Is there grazing land on it?—A lot.

30126. Have the Estates Commissioners got hold of the grazing land?—They have.

30127. Are they dividing it up amongst the people?—They are very slow about it.

30128. Are they in process of doing it?—Yes. Canon Loftus gave you an instance of it at Carrigans.

30129. You think it a grievance that those districts which contain a lot of poverty should be excluded from the operations of the Congested Districts Board?—Yes.

30130. Mr. Kavanagh.—Among whom are they dividing it?—They are not dividing it at all. They are simply letting it for grazing purposes for six months of the year.

30131. Mr. O'Kelly.—They are letting it only until such time as the property is vested?—The property is vested already in the tenants.

30132. What is the name of the estate?—The King-Harman, Rockingham, estate.

30133. Sir John Colomb.—The other point you were anxious to refer to is drainage?—Yes. I believe arterial drainage would be a great benefit to the country at large. There is a lot of land rendered practically useless by the flooding of the Owenmore and other rivers.

30134. You are speaking of general drainage and the relief of flooding from rivers?—Yes.

30135. You attach extreme importance to that?—Very great importance.

30136. I take it that the reason you press it upon us is because you don't think sufficient has been done in that direction?—Yes.

30137. And you wish to impress the Commissioners with the fact that more should be done?—Yes.

Mr. William Gilmartin examined.

Mr. William Gilmartin.

30138. Chairman.—Is there any particular point you wish to make?—I am Vice-Chairman of the Boyle No. 2 Rural District Council. I am a farmer, holding thirty-one acres, and reside at Derrynagray, Ballymote, County Sligo, and am familiar with the conditions of the small farmers in the various electoral divisions of Boyle No. 2 Rural District. There are three electoral divisions of Boyle No. 2 already scheduled in the congested area. Ten divisions remain unscheduled, and in each of these ten divisions the condition of the small farmer is just as bad as any within the scheduled area. It is unjust that these ten divisions should be debarred from the privileges of the Congested Districts Board owing to the amount of untenanted land and non-residential farms in them. As an instance, I may state that in the electoral division of Drumrath there are 2,000 acres of untenanted land and non-residential farms. Bordering those there are 136 tenants under £5 valuation, and 63 between £5 and £10, making a total of 199 living on uneconomic holdings. In many places these poor people are huddled together on patches of reclaimed bog, and on the refuse or useless portions of those fat and fertile lands, used for bullock runs and sheep walks. The same may be said of the other electoral divisions not scheduled in Boyle No. 2 Rural District. They are studded over with untenanted land, while the poor people have to exist on the bogs and mountain sides. To relieve this unnatural condition of things it is necessary that these non-residential and untenanted lands be taken over by the Government and re-distributed amongst the tenants who hold uneconomic farms in the neighbourhood. This rural district is very mountainous, and on the slopes of the Curlew, Derryknockeran, Keash, and Geevagh Mountains. There are hundreds of small farmers living on reclaimed patches of mountain that have not one perch of land on which to grow a potato fit for human use. They have to go to the nearest grass farm, and pay the exorbitant price of from £6 to £9 per acre for land to grow potatoes.

30139. Sir Francis Mowatt.—They have to rent land on a grass farm?—They have to go to the nearest grass farm, and pay the exorbitant price of from £6 to £9 for land to grow potatoes.

30140. Chairman.—Do you know this of your own knowledge?—Yes. This is all from my own experience.

30141. Where is this place? I should like to see this place very much?—I have given an instance of Drumrath, where there are approximately 2,000 acres of untenanted and non-residential farms.

30142. But where are these places where the people live on land that won't even grow potatoes?—In the slums of Derryknockeran, Keash, and Geevagh, and various other places in the immediate vicinity of these mountains.

30143. Sir John Colomb.—You mean £9 an acre for the year for the crop?—Yes.

30144. Is that an Irish acre?—Yes.

30145. Most Rev. Dr. O'Donnell.—But they pay the £7 to £9 an acre out of sheer necessity?—Yes.

30146. Without this they could not live at all on the mountain slopes?—They could not raise potatoes.

30147. Chairman.—They pay because they hope to grow potatoes?—Yes. They take it as con-acre at £6 or £9 an acre for one year to grow potatoes on. That is taken on con-acre by the small farmer, who has no land suitable to grow potatoes. He has to pay that price to the man who owns the untenanted land.

30148. Most Rev. Dr. O'Donnell.—Is not that a manured crop?—Yes. He has to buy artificial manure to apply to the land.

30149. Mr. Sutherland.—This has to be done by the man who takes the con-acre?—Yes.

30150. And he has also to cultivate it?—And he has also to cultivate it. He has to bring from 6 to 8 cwt. of artificial manure.

30151. Most Rev. Dr. O'Donnell.—Is the land let only for one year?—He may have it next year for oats.

30152. What has he to pay for the oats?—The very same price. He may get it for £1 less.

30153. Chairman.—Does this happen at Gurteen?—Yes. It does happen there.

30154. Mr. Sutherland.—Does that acre go back into grazing when the man who has taken it in con-acre gives it up?—Yes. There may be rye grass taken off it next year. Then he has the privilege of taking the rye grass at a price. An outsider might come in and outbid him, or the owner of the land might keep it for himself.

30155. Sir Francis Mowatt.—Does such a con-acre holding gradually go back into grass?—Yes. There is generally one crop of potatoes, one of oats, a crop of rye grass and then back to pasture again.

30156. Mr. Kavanagh.—I suppose that the man gets it two years for certain?—Yes.

30157. He would not put the manure on unless he got it for the second year?—Yes.

30158. What would you have to give for an acre of potatoes if you went to buy it?—The produce of an acre?

30159. Yes?—That is a difficult question. In the market if a man has more than he requires he will get about 2*s.* a cwt.; that is about £2 per ton. That is about the average, but this year he would get up to £5, owing to the bad crop.

30160. Suppose he takes it at £9 an acre, and then wanted to realize his money, how much per acre could he get?—No such system is carried on in this country.

30161. What are the townlands?—In the electoral division of Drumrath there are seven townlands including Kilfoddel, Derryeen, and Boytown. In this townland of Boytown there are ten tenants, and the valuation is under £1, and they have to go to those grass farms and pay the price I have stated for land to grow potatoes. If they keep a cow they have to pay an exceptional price also for the grass of the cow, and they have to go in summer time and pay an exorbitant price for meadow, and save it and bring it home.

30162. Chairman.—How do they get the money for all this; surely no way of keeping the cattle would ever return them sufficient money to enable them to pay £9 an acre?—It would never do it. They get assistance from their sons and daughters away in England and America, and places like that.

30163. Surely it would be a great deal cheaper to remove?—They cannot. They have no place to go.

30164. The money which they spend in this way seems to me so large that in a few years it would amount to a sum sufficient to buy a tenant right somewhere?—I quite agree; but it takes each year to meet its own demands, and they would starve if they did not invest in this land to grow potatoes.

30165. Why don't they, instead of spending this enormous sum of money, taking one acre of land to grow potatoes, buy the potatoes; it would seem cheaper than that?—Really they could not do that. The fact would be that they would be going round with their hands in their pockets the whole year if they had nothing to employ themselves at.

30166. Do they spend this money to give themselves something to do?—No; I don't mean that, but it would be a wretched way to have them going round doing nothing. My inference is that it is a great pity these industrious people would not have good land to cultivate.

30167. How much potatoes would an acre of land in con-acre return him?—Four or five tons is a very good crop.

30168. And they pay £8 or £9 an acre for the land to grow it?—Yes.

30169. Sir Francis Mowatt.—Let me call your attention to the fact that the production of potatoes per acre in Sligo is not quite three tons an acre?—I am sure it was, and less last year.

30170. Most Rev. Dr. O'Donnell.—This land would be good land?—Excellent land, and with artificial manure there will be an excellent crop.

30171. You would not overstate the produce at five tons an acre?—It would be an excellent crop.

30172. Chairman.—An excellent crop of five tons that would cost him £8 apart from labour, merely the renting of the land?—Yes.

30173. How much would it cost to buy five tons of potatoes?—£25 at the rate they are going now, five shillings a cwt. in the market of Boyle. That is the price this year.

30174. Most Rev. Dr. O'Donnell.—In an average year what would be the cost?—£2 a ton approximately, as near as I can go.

30175. Would not it cost more?—More or less.

30176. The second year the farmer is not compelled to put any manure into the land?—Yes.

30177. He has merely to buy the seed?—Yes, and do the work.

30178. So when the two years are taken together there is some explanation of the investment?—Yes. The instructors appointed by the Agricultural Department in going through the country never attempt to carry out experiments on any of these wretched little holdings, the inference from which is that it is useless to cultivate such soil. They always select a sunny fertile field.

30179. Sir John Colomb.—For the experiments?—Yes. If it were not for the assistance of exiled sons and daughters no doubt many of these holdings would be abandoned. The poor people of those districts are elevated so that they can look down on the plains of Boyle on one side and on thousands of acres of non-residential and untenanted land on the other. One half of the land in Boyle No. 2 Rural District used for tillage is entirely too wet and can never be successfully cultivated until it is thoroughly drained. There should be a greater effort made to encourage and assist the people to drain and improve the soil than to make roads and improve houses, for it is on the soil the small farmer has to depend for all and everything. Therefore improvement of the soil should get as much prominence as the making of roads or building of houses. After the soil was made dry by drainage, if lime was available, and properly applied, I am confident good results would follow. If the condition of the small farmer is to be improved two things are necessary:—1st, the non-residential and untenanted land must be divided for the relief of congestion; 2nd, the Government should give a loan at a low rate of interest to have the wet land of those districts drained.

30180. Sir Francis Mowatt.—You say the Government ought to advance a loan on low terms for drainage?—Yes.

30181. Whom do you suggest that the Government should advance a loan to?—Either through the Congested Districts Board or give it to the small farmers themselves, and to have an inspector to see that the work would be done.

30182. Who would be responsible for the keeping up of these drains when made?—I would suggest closed drains for tillage land. Open drains would not be suitable.

30183. Mr. Sutherland.—You mean draining of fields?—Yes; the draining of wet fields. This very year the people tilling wet soil are held back up to the present, and they cannot get a crop. In many cases the seed is gone almost bad before being put into the ground.

30184. Sir John Colomb.—Is not this an exceptionally dry year?—On the contrary the last four weeks have been wretched weather.

30184A. Was January over-wet?—That was too early for putting in seed.

30185. They have all the land prepared in January?—No; they have not.

30186. Is it a dry month to prepare?—The soil is so wet that they never attempt the preparation of the soil at such an early period. They have to wait until it loses part of the moisture before they can attempt to prepare the ground for the crop.

30187. Mr. Sutherland.—How do you propose that this money should be used that was got as a loan for drainage?—The small farmer with ten acres of wet land unsuited for agriculture has to make the best of it. This land could be made dry by drainage, and I would say it would cost £8 per acre to have it thoroughly drained.

30188. How would it cost it?—To have drains dug three and a half feet deep.

30189. That is an ordinary process of cultivation?—Yes.

30190. Would you have to buy anything; would you drain it with tiles or stones?—Fourteen inches of stones on the bottom, covered over with something to keep the clay from going down through the stones.

30191. So your proposal is he should be paid for making improvements?—He should be encouraged in

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some way. I say it would be as good a way as the Congested Districts Board or any other body could assist the small farmer.

30192. Most Rev. Dr. O'Donnell.—You don't want a grant; only a loan?—Yes; a loan at a low rate of interest.

30193. Mr. Sutherland.—If you have no material to purchase in what way would the loan be employed?—On labour.

30194. Most Rev. Dr. O'Donnell.—If he had ten acres he would not be able to drain the entire ten acres by himself?—If his sons are not enough he has to employ labour.

30195. Mr. Sutherland.—Generally drains of that kind are done by the tenant himself in his spare hours?—Quite so.

30196. I quite follow you that if you had to employ labour you would require money to enable you to do that?—It might be done by the small farmer himself while his sons remain at home with him, but when they get sick and tired of the business and leave it then he has enough to do to cultivate one acre, or one and a half acres.

30197. In reference to the Department of Agriculture and Technical Instruction to which technical education is entrusted, do you know if they have made reclamation of land any part of technical instruction; do they instruct the people in the best way to reclaim land?—They do.

30198. Have you seen the syllabus?—I have seen an experimental plot.

30199. On what sort of soil; on bog?—On excellent soil; the most fertile soil that could be procured.

30200. The principal industry of Ireland is the reclamation of land?—I would say it should get as much prominence as any other industry.

30201. Am I right or wrong in assuming that?—I would say you are right. It is on the soil that the small farmer has to depend. If the soil will not support him he must either leave it or have it improved.

30202. We may take it that a large proportion of the land of Ireland that is at present used for agricultural purposes has been reclaimed from bog?—A large proportion.

30203. A very large proportion?—A very large proportion.

30204. We see it in process of being made wherever we go. Therefore, don't you think the Department of Agriculture might have demonstrations as to the best way of reclaiming land?—So they have, but I would sooner a great deal see them experiment on one of these wretched little holdings that a small farmer has to live on.

30205. Are they doing that?—Not in my district.

30206. Are they doing it anywhere to your knowledge?—I saw an experimental plot on one occasion in Boyle No. 2.

30207. It was not on bog land?—No; the most fertile spot that could be got where it was quite easy to carry out experiments.

30208. Do you think there is anything to learn by these tenants with regard to the reclamation of land?—The great majority of them have a thorough knowledge of the reclamation of land. They have that by practical experience, and they can make more out of an acre of land than the most scientific man that could be introduced.

30209. Did it ever occur to you that they have not made these demonstrations because they cannot?—I am not aware.

30209A. What is your opinion?—I say they have just as much right to experiment on one of these wretched holdings as on the fertile land.

30210. How are they going to do it; or what do you propose with regard to it?—I would say they should not do it at all if they would not experiment on all classes of soil.

30211. Suppose they come to conduct experiments to show the people a better way of reclaiming bog than they have, what should they do?—It would take them all their time to show the people a better way than they have of doing it if they have the means.

30212. May not that be the reason why they don't do it?—I don't think so. That is not my point. They don't do it.

30213. Sir John Colomb.—You think you could teach them a thing or two?—I don't mean myself. The vast majority of them have a thorough knowledge of the reclamation of land. They are at it, and their fathers before them were at it.

30214. If this process of reclamation has been going on with a thorough knowledge from father to son, how is it that there is any land that wants reclamation now?—My explanation would be that as long as the small farmer had any help, as long as his sons stuck with him, he tried as far as possible to reclaim land. When the sons grow up they go away, but there are attempts made on the part of the large majority of small farmers to have lands reclaimed.

30215. Do you believe it would pay them to reclaim lands?—Yes.

30216. Why don't the sons stay at home and do this if it would pay them to reclaim?—I don't say it would pay the son better than going away when he can get a higher price for his labour in England or America than at home; and if there is a farm of ten acres it would be unfair to expect four or five sons to stop on that land and spend their whole life on it.

Mr. Dominick Henry examined.

Mr. Dominick Henry. Bush

30217. Chairman.—Would you kindly mention to the Commission any points that you wish to bring before us?—There are twenty-one electoral divisions in the Tobercurry Rural District, nine of which are already scheduled as congested; and I am of opinion the remaining twelve electoral divisions should be also scheduled, for the reason that a portion or portions of each of them will be found to be congested—for example, in the electoral division of Branchfield out of a total of about thirty-six holdings there are fifteen of them rated at £5, and under; and in the adjoining electoral division of Loughill, which I represent, there are about forty-seven holdings, twenty-five of which are rated at between £5 and £10, and ten of them under £5; and I believe this condition of affairs applies with equal force to the other non-scheduled divisions. It appears to me that non-residential holdings rated at, say, £50 and upwards would be the lands most suited for the relief of congestion; and I would advocate compulsory powers to the Board to acquire the lands necessary, and like powers for the migration thereto of persons inhabiting congested areas, and the placing of sufficient funds at the disposal of the Board for these purposes.

30218. Most Rev. Dr. O'Donnell.—You are distinctly of opinion that in the area which is not scheduled there are some poor spots which need special treatment as much as the places that are scheduled?—Far more than some of the places that are scheduled.

30219. Chairman.—Why more so?—There is more poverty. The reason that places like Branchfield are not scheduled is that there is a farm with a valuation of £150 in the vicinity, and the division is very small.

30220. You think if that farm was not there at all the rateable value per head of the population would be a great deal lower than in some of the scheduled districts?—Yes, on the townland of Branchfield especially.

30220A. What would you like to see done—would you like to see these spots scheduled by themselves where poverty could be shown, or the whole of Connaught scheduled?—I would like to see the whole of Connaught under the Congested Districts Board, and compulsory powers given to them to re-arrange as they liked and purchase estates anywhere they liked.

30221. Mr. Sutherland.—What would you do with Donegal?—The same would apply to the seven counties, different portions of which are scheduled. The con-acre system exists in my place, where they pay £6 10s. to these farmers who have 100 acres, for potatoes and oats.

30222. You cannot remove all these mountain people who do that?—I would not remove them all. I would take away three or four of them.

30223. And so enlarge the holdings?—Yes.

30224. But so long as people remain there can you avoid their having to go down and take con-acre?—It would, because then they would have more liberty to till on their own land, and more places for their grazing cattle. Suppose they have two or three milch cows, to keep up those cows they have to go out to those farms and con-acre portion for potatoes and

oats, and take in fodder to feed the cattle, to send their milk to the creamery.

30225. What do they do with their own holdings?—Till portion of them, and take meadowing. These unproductive portions are very small.

30226. When they are very small like that what do they do with them?—They till portion of them, and keep two or three little mountain cows, and rear the calves, and meadow a little bit of it.

30227. Do they grow potatoes?—Some of them do, but the potatoes they grow are not very good for human use, and they go to where they get pretty good land.

30228. Their land is so bad that they cannot grow good enough potatoes?—They cannot.

30229. If you gave them more land of that sort they would still be forced to go?—They would not be in such a state of distress.

30230. If the land is so bad that it won't grow potatoes?—Part of it is so bad that it won't grow potatoes fit for human use.

30231. If you were to throw three holdings into one would merely doing that prevent a man from going down?—Yes. The man who would live on the holding that would be left would not require to go for con-acre, because he would find a portion of this land that would be fit for potatoes.

30232. You really think that?—Yes.

30233. Because probably he could not get the con-acre afterwards. If you were to break up the land among the other people they would want it for themselves?—I could point out seven miles of land outside Ballymote where there was no law-suit for seven years; while all along the other side of the Ox mountains is thickly populated.

Mr. Peter James M'Dermott examined.

Mr. Peter James M'Dermott.

30234. Chairman.—Kindly state what points you wish to bring before the Commission?—I would be in favour of having the entire rural district of Tobercurry treated as a scheduled congested area, as I believe on inspection it will be found that parts of each of the present non-scheduled divisions will be found to be congested, and in some instances acutely so. The lands most suited to remedy this state of affairs are non-residential holdings, and I am strongly of opinion that the Congested Districts Board should get compulsory powers for the acquisition of such lands, that they should be provided with adequate funds for the purpose, and that the Board's constitution should be widened if possible, so as to afford county representation, and also that the speed of its operations should be quickened.

30235. Mr. Sutherland.—How long does it take for the Congested Districts Board to act?—I know two cases of estates lying quite close to where I live. The Congested Districts Board have got hold of them so far back as 1901, and they have not quite finished up the work of dividing and allocating the lands of those two estates. Though they are five years at work, they have not quite finished up the work yet. They are comparatively small estates too.

30236. Sir John Colomb.—What are the names of the estates?—One is the Armstrong estate.

30237. Chairman.—The Armstrong Estate they have had only two years—I have just been over it?—It may be only three years since it came into their possession, but negotiations that were regarded as being definite were in progress two years before that.

30238. They cannot begin re-striping or doing any work upon it until they get possession?—What I would suggest, if possible, is that the speed of its operations should be quickened, and they should be afforded facilities for getting possession of the estate in a shorter time than two years.

30239. Two years elapsed between the time the purchase was agreed on and the time that they got it?—Quite so. The other estate is the Dany Estate, in the County Mayo, quite close to the Armstrong Estate.

30240. Mr. Sutherland.—What time do you think reasonable to allow to the Congested Districts Board to adapt the estate?—I think a year should be quite long enough to acquire ownership of the property, and another year should be sufficient to stripe up and allocate to the tenants.

30241. And to make roads, fences and houses where necessary?—Yes, and in connection with the speeding of the operations of the Board I think a circumstance that has a great deal to say to the slowness is the rate of wages that they pay to workmen, the ridiculous rate of wages they pay to the overseers.

30242. Do they pay too little or too much?—They pay too little, and they pay their overseers much too little. I think if they paid their men better, and paid their gaffers better it would make it worth the while of the gaffers to attend to their position, and they would get better men.

30243. Do they pay lower wages than those current in the district?—No, but they pay wages not one particle higher.

30244. Would you expect they should?—Certainly.

30245. Sir John Colomb.—Why?—Because they expect the men to work longer hours. It would not be the same rate of payment if the time the men worked were considered. It would be a lower rate of payment.

30246. Most Rev. Dr. O'Donnell.—What regulates the number of hours in a locality for which a man is employed?—I could not answer that question.

30247. How do you know the hours are longer under the employment of the Congested Districts Board?—The Congested Districts Board require the men to come to work at seven o'clock in the morning. If a man is five minutes late he is deprived of a quarter of a day's wages, while a farmer will allow a labourer to come in at eight or nine o'clock in the morning, and the man gets a full day's work.

30248. Sir John Colomb.—Do you know that in England and Scotland they begin before six?—I believe that is the case.

30249. While a day's ordinary labour on the farm here begins at eight or nine o'clock?—About eight.

Mr. P. J. Henry examined.

Mr. P. J. Henry.

30250. Chairman.—You are a Justice of the Peace, and reside at Doomore, Tubbercurry?—Yes. I reside at Doomore, Tubbercurry, in the County of Sligo, and am treasurer of the Cloonacool and Tubbercurry Branch of the United Irish League, and a Justice of the Peace. Being a large farmer in this parish, and also holding another farm in a neighbouring parish, I am well acquainted with the condition of the small farmers in this district. I deal first with the Beatty Estate, Tullycusheenbeg. It is very much congested. There is no untenanted land on the estate. A small lake there could be drained at very little expense. A thorough system of drainage is much needed in this parish. The River Moy runs through the centre of a very congested district, and the adjoining lands suffer very much for want of drainage. The people cannot get their potatoes and oats into the wet lands until about the 1st of May. Consequently, when the blight appears early, as it did this year, the stalks are not fully matured and the potato crop is a total failure. In a wet year the loss sustained by the farmers along the Moy cannot be less than £1,000 in the parish of Tubbercurry alone. The hay and oats in a number of cases are carried away by the floods, and what remains is useless for feeding purposes, as it is saturated with mud and sand, and it can only be used as bedding and manure. The untenanted lands in the parish are Ballyglass, containing 500 acres, mixed land, and Lower Leitrim, about fifty acres. I next refer to the Knox estate, comprising the townlands of Ballyara, Carrowreagh, Carane, Doomore, Mullaun, Mullaghanarry, Pullagh and Cloonaraha. It was offered for sale to the tenants about the year 1896, the price then demanded being eighteen years' purchase. In November, 1904, it was again offered at twenty-six years' purchase, and again in 1904 at twenty-four and a half years' purchase. The estates already sold in this parish are the O'Connor estate, Carrentubber, sold about 1886, at fourteen years' purchase; the Brett estate, Corsallagh, about 1894, at fourteen and fifteen years' purchase; the Meredith estate, Sessue, about 1895, at fifteen years' purchase; the Fitzgerald

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estate, Tullycusheen, in 1903, at sixteen years' purchase. Under the Act of 1903 the following have been offered for sale also:—The Young estate, Cloonacool, in 1904, at twenty-six and a quarter years' purchase; the Cooper estate, in 1904, at twenty-four and a half years' purchase; the O'Hara estate, Longhill, in 1905, at twenty-three and a half years' purchase; the Leitrim estate (in Chancery), in 1906, at twenty and twenty-one and a half years' purchase. On the O'Hara estate the tenants are very much in arrears, consequently they would agree to purchase on almost any terms. Most of the tenants owe from two and a half years' rent upwards. On the Leitrim estate some of the tenants are much in arrears also, and would accept any terms in order to have arrears wiped out. In the case of the sale of the Meredith Estate, Sessue, an outside landlord (Cooper) bought something over 100 acres of the best portion of the bog, the tenants did not understand that they were losing this bog until the sale was completed, when it was too late to object. On the Corsallagh Estate some of the tenants were badly treated. They were allotted portions of bog altogether away from their holding and no right of way pointed out, so that they have to trespass on others in getting to and from their portions of bog. Some of them have no right of way from their houses to the public road, and when going to mass, market, or other necessary places they have to trespass on others, consequently they are persecuted, and are often brought before the local petty sessions. Taking each estate in the parish of Tubbercurry, the rents are earned either in England by the farmer and his sons, or sent from America by the sons and daughters of landholders. The merchants and traders of Tubbercurry supply the outfit, and often advance the money to enable those boys and girls to go to America, and have often to wait for their money from one to two and three years before they are fully paid. At the present time if those resources were cut off, the people would be unable to live on the land, as the merchants would scarcely advance provisions, clothing, etc., if there was no prospect of being paid. If the merchants and traders pressed for the money due to them, they would leave nearly all the middle class and small farmers without any live stock on their lands, but they always indulge and encourage the farmers to hold on to their stock until they can be disposed of at most advantage. They even advance the rents to the farmers when required, as the landlords have no sympathy whatever with their tenants, and unless the rents are paid on a given date, the tenants are sure to be put under law costs. The tenants in this parish who apparently can get along without assistance from America, England, or other resources would scarcely be ten per cent. of the whole. The small landholders pay from £5 to £6 an acre for con-acre to those who have larger farms. Some of the latter are non-residential. For a number of years the Congested Districts Board gave a grant of £100 a year for the benefit of small farmers.

30251. Sir JOHN COLOMB.—In what way?—They gave it to the parish committees for the improvement of holdings and the dwellings. This is of great advantage, as it encourages them to erect partitions in their dwellings, thus providing decent sleeping accommodation. Hundreds of outhouses have been built and roofed with corrugated iron for cattle, pigs, and poultry; a number of these were heretofore kept in the dwelling-houses. A number of useful bye roads have also been made, together with drains in wet, marshy lands. The appearance of the farmers' homesteads have been vastly improved owing to the Board's annual grant to the parish.

30252. Therefore the Parish Committee has done very good work?—Yes. I believe so. I have been one of the members myself.

30253. Besides improving the homesteads has the farms been improved through the Parish Committees?—In some cases wet and marshy land and in some cases streams and rivers have been drained.

30254. Sir FRANCIS MOWATT.—Have the Parish Committees done any drainage?—Yes.

The Commission adjourned.

SIXTY-FIFTH PUBLIC SITTING.

SATURDAY, 20th APRIL, 1907,

AT 11.0 o'CLOCK, A.M.,

At the Courthouse, Tubbercurry, County Sligo.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (Chairman); The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; Most Rev. Dr. O'DONNELL; CONOR O'KELLY, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.; ANGUS SUTHERLAND, Esq.;

and WALTER CALLAN, Esq., Secretary.

Mr. EDWARD G. BOLES examined.

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Mr. Edward G. Boles.

30255. CHAIRMAN.—Where do you live?—I reside in Knockacopple, Gervagh, Ballyfarnan, County Roscommon. I am Secretary of the Highwood Branch of the United Irish League, County Sligo, and am appointed to give evidence on behalf of that branch before the Royal Commission. The number of holdings inside the confines of the above branch is 225, 106 of which are over £10 valuation. There are 89 from £10 to £5 and 30 under £5 valuation. In the townland of Annaghloy, Electoral Division of Kilmactranny, County Sligo, there is a grazing ranch containing about 120 Irish acres held at present by Richard Gorman, Templevanny, County Sligo. This farm is non-residential, a herd named James Gunning living on it. There are about twenty-eight Irish acres owned by Colonel Gethin on the Innishmore Island, Lake Arrow, Electoral Division of Killadoon. This land is at present held by William Attison, Ballingarry, Corriganroe, Boyle, on the eleven months' system. There is a workman of Colonel Gethin's named James Gildea living on this island who has no land at all. There are very small holdings in the townlands of Ballinarry and Corrigeenblike, and in some instances the people have no land. On the King-Harman property recently sold under the Wyndham Act there is a portion of good land containing about five Irish acres situate in Lower Barroe. This land was taken by the Gethin family about forty or forty-five years ago. It adjoined the demesne, and comprised the best portion of the Barroe tenants' property. When this land was taken from the tenants it deprived forty or fifty of them of a convenient pass to water, as the land runs along the shore of Lake Arrow. A good number of the King-Harman tenants were in arrears, and rather than pay the arrears they agreed to a high purchase price—twenty-one and a half and twenty-three years' purchase, which the majority of them will not be able to pay. The Sir Gilbert King Estate comprises the land of Ballinarry Upper and Lower Annaghgowan, Electoral Division of Kilmactranny. The tenants on this property approached the landlord in 1904, and asked for terms of sale. The landlord demanded twenty-six and a half years' purchase on first term rents and twenty-four and a half years' purchase on second term rents, while some of the neighbouring properties on which the land was much better than on this estate, were sold at seventeen years' purchase. Terms were refused by the tenants. On the O'Connor estate, which comprises the lands of Carricknagrip, Corrigeenboy, and Treenmore, immediately after the passing of the Land Act of 1903, the tenants demanded a sale. The landlord asked twenty-one and a half years' purchase, while the Greevagh property, which comprised land of a very superior quality, was sold at seventeen years' purchase. The tenants refused the landlord's offer, as most of them depend on American earnings which might not continue. There are nineteen families on the O'Connor property, and one man has nearly as much land as the other eighteen. The Colgan property comprises the quarter lands of Tullybullawn and Cornamuckla, Electoral Division of Killadoon. The land on this property is of an inferior quality, and was cleared of most of its tenants in the famine year of 1846. Afterwards the land was re-tenanted and at the time of setting, the receipt issued to each tenant was dated back a half year, so that a tenant who took a holding in May, 1849, would have a receipt dated November, 1848, but there was an unwritten agreement that this was never to be charged. About the year 1897 the landlord claimed the running gale, and the tenants had to pay three half year's rent inside fifteen months, and but for the generosity of their friends in America and in England the tenants would have been unable to pay this. The tenants on the above property approached the landlord in 1903, and demanded a sale, which he refused. The tenants again demanded a sale in 1904 by a petition signed by Rev. G. J. Coyle, P.P., Gervagh, Ballyfarnan, County Sligo, but were also refused this time. The tenants on this property depend mostly on earnings from America. They would be anxious to purchase through the Estates Commissioners, in order to have an inspection of the land. I believe compulsory purchase will be necessary on this property as well as on the other properties I have previously mentioned. In the Kilmactranny property the terms of sale are—First term judicial tenants, 21½ years' purchase; second term, 24½; the year's rent then due to be added to the purchase, and all arrears wiped out, but most of the tenants owed no arrears. The tenants got the sporting rights, and tenants who adjoin the bog are to have it after the turf has been cut out, the other tenants to leave three feet of mud for reclamation purposes. There are five tenants under £5 valuation, but two of them have land on adjoining properties. There are four tenants who have no land on the property; one of them has land on an adjoining property. This property was offered for sale about nineteen years ago for seventeen years' purchase, but a few of the tenants would not agree to give more than sixteen years. After about two months all agreed, but the agent then informed them that the sale had been abandoned. I believe this was on account of the interference of the mortgagees. If the tenants had accepted the landlord's offer at that time they would have got a reduction of eight shillings in the pound, whereas the landlord is now, taking all things into consideration, getting as good as ten years' purchase more than he offered to sell at nineteen years ago. There is another matter that I wished to bring under your notice.

30256. Yes. What was the other point?—It is with regard to about 150 or 160 acres of bog which adjoins the Highwood district. This bog is owned by the representatives of the late Mr. Parke, and it would be of great utility if it was purchased or acquired by the Estates Commissioners or the Congested Districts Board, and divided up amongst a number of the tenants for the accommodation of turf, as there is no turf in the Highwood district. They have to go five and six miles for turf. And they also requested me to bring under the notice of the Royal Commission that it has been

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certified by experts that there is a lot of coal in the district, that is the Highwood district, as experts on different occasions certified.

30257. Yes?—And there is also in the Gervagh district about 1,100 acres of land, and it would be a great benefit if the people were taken from townlands such as Cornmuckla and Tullybullawn, and migrated into these farms, as the parties have to take con-acre all round in our parish of Highwood year after year.

30258. I do not find anything about this farm you are speaking of belonging to Mr. Gorman of Templevanna. Where did you get that from? What makes you say that there is this place in the townland of Annaghloy—do you know that yourself?—Well, I am well acquainted with the situation of the farm, and I live within two miles of it, and know all about it.

30259. But Mr. Gorman is the tenant of it at present?—It is a non-residential farm. He is not living there.

30260. But it is tenanted land. Mr. Gorman is the tenant of it, or the purchaser of it. It is not untenanted land. It is not in the hands of the landlord?—This farm belonged to Mr. Gorman, and he is the owner and occupier of the farm. It is what we call a grazing ranch of 160 acres.

30261. But Mr. Gorman is the tenant of it, is he?—It seems Mr. Gorman purchased this land.

30262. He is the purchaser of it?—He bought this land.

30263. He bought it?—At a public auction in the Sligo Courthouse in 1894 at £2,665.

30264. Mr. O'Kelly.—How far does he live from the place?—He lives away. He lives in Templevanny. That is his property.

30265. How many miles is that from the farm you have been speaking of?—Eleven or twelve miles.

30266. Has he got any other non-residential grazing farms in the district?—Not in that district.

30267. But anywhere?—I believe he has a non-residential farm about Templevanny.

30268. Does he let out these non-residential grazing farms to local people?—Yes.

30269. Do the local people send their stock there?—Yes, they send their stock.

30270. Does he send any there himself?—Well, he puts some cattle of course, but very little.

30271. Do you know the size of his residential holding?—Well, I don't know the size of farms outside this parish of Highwood, what size the farms are, but I am informed he has a farm near Templevanny.

30272. But the fact remains that he has there a non-residential grazing farm?—Well, I believe he has.

30273. Was this money advanced to him by the Land Commission to purchase this property, do you know?—He bought this farm by public auction.

30274. Sir John Colomb.—I do not exactly understand this. Did he buy the farm or the tenant's interest in the farm—was it a farm put up for auction and was it a sale by the previous tenant, or what?—The representatives of Thomas Rae sold this farm.

30275. Who was Thomas Rae—was Thomas Rae the owner?—Thomas Rae was a farmer.

30276. Was Thomas Rae the owner or was he the tenant that had previously had this farm?—Well, it was the representatives of Thomas Rae that put up this farm.

30277. Did the representatives of Thomas Rae represent the holding held by Thomas Rae previously?—Yes.

30278. Sir John Colomb.—Then was Thomas Rae the owner in fee?

Most Rev. Dr. O'Donnell.—The question is this—was Thomas Rae a tenant or was he a landlord?—Well, I consider he was.

30279. Sir John Colomb.—What was he?—He was a tenant.

30280. Then the tenant's interest was put up for auction—Thomas Rae's interest was put up for auction and bought by this gentleman you are speaking of?—Bought by Richard Gorman.

30281. But was it the tenant's interest of Mr. Rae that was sold? If he was a tenant, and you state he was, I would presume that his representatives were selling the tenant's interest?—Mr. Rae owned this farm himself. This belonged to Mr. Rae. He owned this farm.

30282. He was the owner?—He was the owner. He was owner of the farm.

30283. And therefore his representatives sold the fee-simple of the farm?—Yes.

30284. And it was sold by public auction?—Yes, sold by public auction.

30285. He was both owner and occupier in his life, was that it?—Yes.

30286. Chairman.—All right?—And there are a number of houses I would like to make mention of, Mr. Chairman, which are in an unsanitary condition, and a number in villages with very little apartments, and at the time of the sale we would request the Estates Commissioners to improve the houses in this district that I refer to. I am of opinion it would be of great importance and a big improvement in the condition of affairs if a money grant was given at a low rate of interest to improve the small farmers' houses of the country, as well as for the improvement of their land. And with regard to the Agricultural Department, I would ask to make a few remarks about the breed of cattle. Of course the County Committee have selected Ballymote as a centre but would it be impossible to have a centre selected in some other part of Sligo as the district is poor land..

30287. Mr. O'Kelly.—Is not that a matter for the County Committee of Agriculture—you have got a County Committee of Agriculture in Sligo, have you not?—Yes.

30288. Well?—But they have not the selection of the stock.

30289. They have not?—I believe not.

30290. Suppose they made a representation to the Department, the Department would yield to their view?—But they have not done so.

30291. Why not ask them?—The Department has not done so. They have requested them different times.

30292. And they have ignored the local representation?—The people do not approve of the breed of cattle that they have selected.

Chairman.—That is all the time we can give you because we have lots of others waiting.

Mr. Patrick Nicholson examined.

Mr. Patrick Nicholson.

30293. Chairman.—You have prepared a statement?—Yes. Mr. Henry, in the same district, touched on nearly everything I have to speak of to-day. Mr. Henry gave information mostly of what I had prepared to read to you to-day. Every estate in this district, properly speaking, is congested. There are three or four bad estates in it, that is in Tullycusheenbeg, Ballyglass, and Carntubber, near the town of Tobercurry. In Ballyglass there are seven tenants, and the seven tenants have forty-three acres between them. There are three of them that hold only one acre each. There are three of them on the one "street," and one of the tenants on the "street" has only just the breadth of a house on the "street." He has to go three or four hundred yards away before he gets into his own acre of land, and he has no proper right of way.

30294. He is not a farmer?—Yes. He has only an acre. He has not, properly speaking, any cart-way or such as that, to the public road; he has to go around portion of the ranch to get to the road. There is a large grazing farm there of 500 acres where the tenants were all thrown out, some forty or fifty or sixty years ago.

30295. Does he work for other people too?—He does.

30296. Would not you call him an agricultural labourer?—Well, he is. Of course he works for people round him.

30297. I mean he is more a labourer than a farmer?—Yes.

30298. Mr. O'Kelly.—Has he a farm?—Yes.

30299. I understood you to say that 500 acres were evicted?—It is there to be seen. Some of the people on the outskirts of that farm were chucked out of that place a long time ago.

30300. Chairman.—Was he one of them?—Well, his people were. He got married into the place and his wife's people were. Some of those who were evicted. Some of them that were thrown out were the people on the brink of the bog, and they remained on living round the brink of the bog; and this grazing

farm of 500 acres of good land is there to be seen, and it is let on the eleven months' system, and Mr. Robinson is the agent; and I have it on very good authority that there are one or two big graziers that have too much land—well, enough—already, and they are wanting to take this over the heads of the people. There is some mystery about the ownership of it. There was a Miss Mossman, that died, and her representatives cannot be traced by the tenants, and they do not know the landlord's address.

30301. To whom does this belong?—It belongs to the representatives of Miss Mossman, who died three years ago, and they do not know exactly who the owner is.

30302. What is the townland?—Ballyglass.

30303. And the electoral division?—Cloonacool.

30304. The rural district?—Rural District of Tubbercurry.

30305. Is it in the hands of representatives of Ellen Mossman?—Yes.

30306. I do not think it is 500 acres of land; it is 387?—Well, those might be statute acres possibly, the 500.

30307. These 387 are statute acres?—Well, there was a lot of rough land attached to it, and the people there tell me that there are 500 acres in it. The rate book shows it to be 387¼ acres. And there is a lot of a sort of bog and coarse land attached to it, and there is some very good land in it. And, then, in the other townland of Leitrim, that adjoins it on the other side, there are twelve tenants. There are ten of them and the ten only own forty-eight acres, three roods, between them. One of the tenants holds only three-quarters of an acre, and that was given to him as wild, rough bog, and he cropped it and reclaimed it and has it fairly good land at present. One tenant was fairly well off. He had about twenty acres, and there was a farm there too, and the Congested Districts Board, I think, were negotiating about taking it over, and some way or other they were not satisfied with the title, and the result of it was that it was divided, and one of the tenants got something about fifty or sixty acres. That is the man that had the twenty acres before and he did not want it as much as the small tenants, and another, a school teacher, got twenty-five acres of land, and he did not want it either.

30308. Sir John Colomb.—He did not want it?—Well, the other tenants, I think, had a better right to it. The other tenants had only forty-eight acres between them.

30309. Did either of those gentlemen tell you that he did not want it?—Well, I think they could do well without it.

30310. Mr. O'Kelly.—You think they had a sufficiency of land already?—One had twenty acres, and the other was a school teacher, and the popular opinion is that a school teacher being a professional man should live by his profession, and that the tenants on the estate had a prior right to it.

30311. Sir John Colomb.—Do you mean that a man ought not to get additional land because he is a school teacher?—He was not connected with the estate at all.

30312. And do you want it to be taken away from him?—Well, the tenants do.

30313. Do you mean that under these circumstances the school teacher ought to have his land taken away from him?—Honestly I would say that it should be taken away from him and that he be given an equivalent amount of land in some other place where land would not be so scarce.

30314. Most Rev. Dr. O'Donnell.—Do you know under what circumstances the proposed sale to the Congested Districts Board fell through?—I do. The title was bad, my lord; they were not satisfied with the title. That is my impression, and what I heard.

30315. If you had gone on you would have suggested that after the needs of the poorest men on the outskirts had been supplied, eighty or ninety acres should have been divided among other tenants?—Well, the highest number of acres that any of these men have is seven. Two hold only one acre each, and one three-quarters of an acre, while one part of that farm was given to an outsider, and another part to a man who had already twenty acres. And I say the farms here are altogether too small. My opinion is that a small farm, for a farmer to live on it, ought to be twenty or twenty-five Irish acres of the land around here, which is not the best in Ireland, or in Connaught even. And there was evidence given here yesterday about migration, and I heard about large farmers, that some of them ought to be migrated, and I really think that that would be the best rule, and they would be better adapted for migration. And generally here they own the best of the land, and they would have an opportunity of being transferred to better land, and some of them are anxious to improve their residences and build hay-sheds, and such as that, and if they got farms larger and better than the ones they now hold. I think it would be easy enough to induce them to go. And I think the non-residential farms might be acquired, too, on similar terms if inducements were held out to those men. They might take an equivalent amount of land in some other place where there was not so much scarcity as around here. The drainage of the Moy was referred to yesterday by Mr. Henry. The want of that does great harm. There is a lot of tillage along the banks of the Moy, and when the flood rises the back waters choke up the rivulets flowing into the Moy, and there is great harm done. That flood remains on the land sometimes for a couple of days, and the potatoes in the ridges get soft and they are worthless.

30316. Is the Beatty estate in a congested district?—Yes.

30317. In a scheduled district?—It is, my lord. As the potato crop is the mainstay of the people here anything that would save it would be a blessing. The poorest people suffer most by its failure, as along with being partly their food, it constitutes the food of the poultry, pigs, and, to a small extent, cattle, especially before and after calving. With the exception of spraying, which in many cases does not seem effective, nothing has been done to save this valuable crop. I think new varieties should be introduced to see which would suit this district best. Apparently the Champion introduced in 1880 is the main crop relied upon to the present. It has one great drawback—the tubers do not form until late in the season. I understand that an engineer connected with the Congested Districts Board drew up a plan some years ago, having for its object the thorough drainage of this district, but fearing opposition from the Moy Fishery Conservators nothing was done in that direction. I have been informed that these plans, maps, etc., are still to be had and would be a saving of nearly £1,000 if this work were taken in hand.

30318. Most Rev. Dr. O'Donnell.—Do you mean a saving of £1,000 a year?—No; but in drawing up the plans, my lord, instead of employing now a fresh engineer. These plans, Mr. Doran has told some of the clergymen of the parish, are to be had still if required. Well, about untenanted land, we have about 550 acres. The Rate Book return is 432½ acres. There is Lower Leitrim and Ballyglass that I referred to. That is about all the untenanted lands we have here, and there are a number of non-residential farms, but I think the owners would expect to get too much for them.

30319. Chairman.—You do not say that; you say that their owners would expect more than their true value for them?—Yes, I say that.

30320. Why do you think that?—Some way or other they are loth to part with them. If there was nothing like compulsion tried, and if they were being negotiated for without compulsion, I do not think they would like to give them on the terms they bought them at.

30321. What do you call the true value?—About here I would say that the true value would be about twenty years' purchase of the rental.

30322. How do you know that; what do you mean by true value; would you say that it was the true value if the price did not give the man what he made by it before?—I would not, because possibly no two would agree about that. But some lands have been acquired for burial purposes, railways, and such as that, and they leave the value of the land to arbitrators, and I think the people would be equally satisfied to leave the true value to men such as they.

30323. Would you say it was the true value to give a man a sum of money which did not return him what his income had been before?—Well, I do not know. That is a difficult question, my lord.

30324. You have not thought that out?—I have not.

30325. You have not got any particular basis for your opinion as to what is true value?—My lord, there have been a couple of large farms bought in my neighbourhood within the last ten years or so, and I know what they paid for them, and I know what they would expect now, and that they would expect now 50 per cent. more than they paid, and I say that it

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would not be the true value to give them 50 per cent. more than they paid.

30326. They might have bought them very cheap?—Some of them were bought at public auction, and more by private sale. Still I have an idea of what they paid for them in each case.

30327. Lots of people buy things very cheap?—I would take the true value as being what an article would fetch at a public auction if there was proper competition.

30328. But if you went into an auction and bought a cow extremely cheap because it happened that there was nobody else bidding, do you think it would be fair to ask you or to force you to sell that cow a week afterwards for the same price that you gave for it—would you think that fair?—No.

30329. Then that is not the true value of the cow?—No; because he bought it to hold it, and competition was wanting.

30330. And you got a bargain, didn't you; you got a cheap cow?—Yes.

30331. Was the true value of that cow not what you gave for it, because you bought it cheaply?—I would not say you could buy a cow at a public fair cheap, because it was there for competition.

30332. And do you think it would be perfectly fair to take back that cow from you a week or two afterwards at the price you paid at the auction, because you bought it at an auction?—I would not feel very much, of course, my lord, if I bought it at a public auction or public fair. I certainly would not be 5 per cent. of it the loser or the gainer.

30333. And if you bought that cow very cheap at a public auction you would be perfectly prepared to hand that up?—If I bought it very cheap I would not, but there is no such thing as getting a cheap bargain at an auction. At any rate I do not see it round here.

30334. Most Rev. Dr. O'Donnell.—But you are prepared to say that a fair price should be given for the land?—Yes.

30335. Mr. Sutherland.—There are two parties to be taken into consideration in fixing a price?—Yes.

30336. Could you make a bargain and fix a price having regard only to the interests of one side?—Undoubtedly not.

30337. And it is only the adjustment of these claims that is necessary?—Yes, you must take each side into consideration.

30338. And your argument is that the public arbitrators would do that for public purposes?—Yes; I think the public would have confidence in them.

30339. Most Rev. Dr. O'Donnell.—You think they would fix a fair price?—I think so.

30340. Chairman.—Would you be prepared to leave it in their hands?—I would, and so would the general body of the public here, in my opinion. This list here gives an account of the lands that are damaged by the Moy.

30341. Mr. Sutherland.—I was going to ask you about that. Where is the obstruction?—It accumulates for years and years.

30342. Where is the principal obstruction to the river's flowing freely?—In this little parish there are three or four obstructions. It seems there is a conjunction of rivers near where it leaves the parish, and it does a terrible lot of damage there, and even cattle and sheep are sometimes surrounded by the flooding and get lost.

30343. How many miles along the banks does the overflowing extend on each side?—Well, from where it enters this parish till it leaves it it is about five miles. I went into the townlands through the parish, and I find it damages something about 574 acres.

30344. Where are the conservators?—They are at Ballina, and they have water bailiffs all along to watch the fish during the year, and I am informed that the Congested Districts Board were of opinion that these parties would not like them to interfere with the river.

30345. And those Conservators have no power to do drainage?—They did not think they had. However, they do not do it.

30346. Do you know whether they have powers to do it?—I do not know whether they have powers or not.

30347. Sir John Colomb.—The Conservators are a body established by Act of Parliament for the preservation of the fish as a national asset?—I did not know that.

30348. You did not know that?—I did not.

30349. All their powers are for the preservation of fish as a matter of great public importance to the whole population?—I find that about 574 acres in the townlands that lie along the Moy in this parish are damaged—pasture land in some cases, meadow land in other cases. I see in some cases damage to the cocks of hay when there would be floods of water all around them in the harvest time. Now, with reference to the Knox estate, that estate was in the year 1896 offered for sale to the tenants. I was in the office when he asked eighteen years' purchase, and the sale fell through then. There were mortgages, I think, upon it—I am sure that there were, and the agent said that himself—and I think he got them changed, and got money at a cheaper rate of interest. The sale fell through, and there was nothing more about that till the 1903 Act was passed, when the tenants approached him again, and he asked twenty-six years' purchase.

30350. Mr. Kavanagh.—Was that on second term rents?—Yes.

30351. The first was on first term rents?—I do not know whether there were any second term rents at that time or not. He offered the estate at eighteen years' purchase to the tenants, and they offered him sixteen, which was about what was going at the time. Sixteen was the highest, and they offered him that, and he got the money, it appears, at a cheaper rate of interest, and he changed the mortgages, and as he got relief at the time there was nothing about it since. Before the Act of 1903 four estates were sold in the parish varying from fourteen to sixteen years' purchase. Under the Act of 1903 four other estates in the parish were offered for sale, but as the landlords demanded from twenty-three and a half to twenty-six and a quarter years' purchase, sales were not carried. On the Fitzgerald estate all the good land was in the hands of the landlord—a large farm in the centre of the estate. When the Congested Districts Board bought the estate they divided this farm amongst the tenants. The Board also drained, fenced, and made roadways there; they also changed some of the tenants who occupied some very wretched dwellings, into good substantial houses—one of which they built, and some more which they remodelled out of good substantial farm buildings erected on the landlord's farm. Mr. Henry gave details with regard to direct sales between landlords and tenants yesterday. We had a couple of instances of it here in the parish. There was an estate with bog on it for the tenants, and that was not included in the sale, and when the sale was carried through the tenants found that an outside landlord had bought the bog, and taken it from them. And a similar case occurred where the tenants were allotted portions of a bog, but they have no right of way from their own lands into it. They have no passage to get to the turf, and it is perfectly useless to them, and they cannot use that bog from that day to this. Before the landlords are paid I think all these details should be attended to, and that the Estates Commissioners or somebody should see that the tenants had access to the turf without trespass. And sometimes there are tried actions amongst themselves here for trespass. Very often the shopkeepers advance the rents, to poor tenants especially. I know of cases where an ejectment process costing 10*s.* 6*d.* used to be clapped on each of them if they were a day or two late. But they generally applied to gentlemen in the town who obliged them with a loan of money for a month or two, and this money was of course paid back punctually, as coming on Christmas each year the American money orders arrive, when the farmer does his best to pay up nearly all he owes. In the month of December each year I often saw in the post-office at Tubbercurry a fair sized table covered with invoices of American money orders. To the best of my opinion there could not be less than 500 orders on that table on some days. This money helps to pay for clothing, foodstuffs, etc., and in some cases is part-payment of the passage money, outfit, etc., advanced to the emigrant or his people by the merchant years before. When a few bad years come in succession the people have to depend on the shopkeepers to supply them with food, hoping, when their children would get stronger, to pay off this debt by their earnings in England or America. I know personally farmers who are obliged with the loan of

money by at least two business houses in Tubbercurry, besides having money on a six months' bill in the bank in hopes of better times to clear up all. The tenant farmers who could live on their farms without receiving outside help are very few. Most of the small farmers take from one to two acres of con-acre yearly for potatoes and oats, and they pay for this from £5 to £7 an acre to the larger farmers, who generally own the good land. Some of these large farmers are non-residential.

30352. We had a great deal of evidence yesterday about the conacre business of the small farmers. Of course they must look out for some good ground capable of producing a good crop outside of the mountain holding, and they generally stock half an acre or an acre or two acres in order to have good crops for the rent they have to pay, £6 or £7 an acre, for that, of course. In my neighbourhood they are paying £6 10*s.* for it, and the land is not very good, and that is paid by farmers who have one or two or three cows themselves in order to nurse their own land. If they broke up or tilled all their own good land they would have nothing for the cattle; they must nurse it on till it comes to grass again. And each year they have an acre or half an acre of potatoes, and some of them have two acres, and so on, and of course this conacre rent is a great drawback to them.

30353. CHAIRMAN.—If migration was effected and people were brought down from the mountains and given some grass land, would you be willing to see these men prevented from letting their land out in conacre?—I would not.

30354. Supposing they went on letting their land out in conacre would not the land deteriorate very much?—Do you mean if the people got new holdings?

30355. Yes?—Well, of course, they would be the best judges how to manage their own farms. They would take very good care that they would not let it out if they possibly could, my lord.

30356. Supposing they did let it out in conacre would not the land deteriorate very much?—It would.

30357. And would not it be doubtful if they would go on paying an annuity to the State for sixty-eight years?—I do not think it would be doubtful at all, if they only took one crop of rye-grass off it after tilling it would not deteriorate very much, my lord. I often do it with my own land, and it is not very good, and at the same time when I allow the clover aftergrass, which is sometimes 1½ feet high, to rot on it it does not deteriorate very much. But I speak of good land. Of course where the conacre is taken is extremely good land, and I say that the staying power is there. It does not do, however, at all with light land to conacre it.

30358. Mr. O'KELLY.—How many acres do you farm yourself?—I have about nine Irish acres of what you call light land, besides seven or eight acres of bog.

30359. Sir JOHN COLOMB.—Irish acres?—Yes, and the rest of the land I hold is mostly light. If you were to plough it you would dig it all up to what you call the subsoil, the white bit that is underneath. There is no staying power, and you have to nurse it. If you were to let such land as that reclaimed land out in grass without tilling or digging over for eight or nine years, it would not be worth half-a-crown an acre. It would grow scarcely anything but moss and rushes and heather.

30360. Most Rev. Dr. O'DONNELL.—You state here, and we were told yesterday, that it is good land that is taken in conacre, for the purpose of having good crops?—Certainly, my lord.

30361. Is it a fact that a crop of potatoes, besides being better in quality, is somewhat more secure from blight on good land than on the poor mountain sides where these people live?— Oh, my lord, there is a vast difference altogether between them, and on the good strong land you have the advantage of partial immunity from disease, and the staying power of the stalk helps, too, on such land. If you were to put a crop of potatoes on some of those rich grounds, and plant another crop on this sort of reclaimed ground, and give them the same treatment, the crops that would be planted on the reclaimed ground would be withered and blighted, and gone away three weeks or a month before what you would put on the good soil. The staying power is not in it. You would see the stalks wither away three weeks or a month before they would decay on the strong land, even without spraying at all. And then, of course, the nature of the crop of potatoes is not at all to be compared with what you grow on the good land, and of course the yield is far less on the bad land. On this light land the potatoes have to get two mouldings, and then, as I said, when forming the ridges with a spade or plough or loy you dig up from the gravel. After the first moulding you do not leave a bit to be put up for the second moulding, and the result is the stalks are not properly earthed, and the weeds will come, and you will have to weed them and manure them. They take double the manure that the rich land will take. Even then you will not have nearly the crop that the rich deep soil would produce. You have to watch them, *i.e.*, to spray them often, or else you lose them practically. The Congested Districts Board gave a grant of £100 yearly to the parish. It is administered by a Parish Committee, and has very much improved the dwellings, out-offices, and general surroundings of the small farmers. At the time it was first introduced very few of the farmers had an out-office roofed with corrugated iron, but at the present time the parish is fairly well dotted with them; the dwelling-houses have been greatly improved owing to grants given for that purpose. I was a member of the Parish Committee since its inception here until I was appointed parish secretary over a year ago, which position I hold at present, and I know some people who very much need to improve their dwellings and erect an outhouse, but they are too poor to take advantage of a grant for that purpose, as in the case of the poorest person only one-third of the estimated cost can be given by the Parish Committee. I think where the applicant is exceptionally poor and under £4 valuation, the committee might have authority to give a grant of one-half the estimated cost. I know several who would be unable to take advantage of the grants allocated to them if it were not for their neighbours who supply horse and skilled labour gratis. As to industries we have, unfortunately, none here. If the girls of the district could get employment at, say, 5*s.* to 9*s.* a week, and the boys constant work, at, say, from 6*s.* to 12*s.*, thousands would remain at home instead of rushing to America. During three or four months of the year a number of men and boys of the parish go away to England for the harvest. Taking into account their expenses going there and coming back, together with wet weather, time spent looking for work, etc., I think if they had constant work at home with medium wages they would be better off and more content. The County Council spend a considerable amount of money ostensibly for the purpose of improving the breeds of cattle, horses, and other live stock. No doubt this is done with the best intention, but I think a certificate of merit would be sufficient in such cases. The recipients are generally the independent portion of the people. If the moneys used for these purposes were doubled and utilised in starting cottage industries or local factories capable of giving employment to a number of hands, the general body of ratepayers would scarcely complain as a considerable amount of this money would find its way to the poorest portion of the people, some of whom might otherwise be a burden as inmates of the poorhouse or recipients of outdoor relief.

30362. CHAIRMAN.—You want to see something done which would increase the demand for labour in the district and prevent these people going off to England?—Yes.

30363. Now, the creation of a lot of holdings of thirty acres would not do that, would it?—It would help to do it, my lord.

30364. Why would it help to do it?—If you had twenty-acre or thirty-acre farms you would have a good deal more demand for labour.

30365. Would not the owner himself be able to do it well?—Yes, but there might be an extra hand required occasionally on a farm of twenty acres; sometimes a farmer has not grown-up sons, and there would be nobody but the farmer and his wife, and they could not attend to all those matters which have to be attended to on a farm.

30366. Not on twenty-five acres?—I would say not.

30367. Do you not think that a man that got twenty-five acres of land would be able to run the thing himself without employing labour?—If it would be a nice farm of twenty-five acres, with a fair proportion of it in tillage, he would be able to employ a man almost the whole year round.

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30368. Take a holding of twenty-five acres of grass land, how much of it do you imagine the man would till?—I would say, generally speaking, that one-fourth of the twenty-five acres would be sufficient, or five acres. I would say five acres would be enough, and that would be only a fifth.

30369. Five acres would be the most that he would till on a twenty-five-acre farm, You would not like him to till more than that?—Well, I think not.

30370. Well, could not he manage five acres by himself?—No, he could not, my lord.

30371. He could not manage five acres by himself?—He could not, my lord.

30372. He would want labour?—He would.

30373. How much tillage do you think he could manage himself—three acres?—Well, it would be the limit of it. He has many things to do besides to attend to the three acres.

30374. Do you not think that his temptation would be to till as much as he could manage himself and let the rest remain under grass rather than till a little more and employ labour?—Well, the tendency was sometime ago to let the tillage run down, but I think lately that is running up a small shade. It is not altogether as bad as it was; it was ruinous to till and sell it at that price. Oats some time ago here were sold at what we call 11s. a sack. Well, oats are not sold at 11s. now.

30375. But if you have a man with a fairly big annuity to pay every year, he wants to feel certain of his income; he is going to be sure to get in something?—Yes.

30376. Is not it more likely that he will be sure of getting in something if he lets the land remain under grass and sells the milk of a cow to a creamery—is not it more likely that he will be sure of getting his annuity paid that way than if he works it in tillage?—It is not, my lord, because you want to run both in conjunction. You want to have roots for the cattle.

30377. Oh, yes, a certain amount. But would he be likely to embark on more tillage than he need have, because of the uncertainty?—Well I think a man with twenty-five acres would be certainly safe in tilling five acres of it even with the profits on cattle and selling milk to the creamery. That would be two acres for meadow, what we call rye grass.

30378. Supposing they did not till, supposing they only tilled potatoes and allowed the rest to remain under grass, the district would not benefit very much?—No; nor do I think that it would be a profitable system, my lord.

30379. Supposing they did do that, what would you do—would you try to compel them to till?—I think myself—of course it is only my opinion—that the grant-in-aid that they get out of the rates should be withdrawn from some of those people.

30380. Mr. O'Kelly.—Do you mean the agricultural grant?—Yes; for they are practically of no benefit to the community at all.

30381. Chairman.—That would be a means of compelling them?—Indirectly it would.

30382. You stated in your evidence earlier that you would be rather disposed to allow these people to have a free hand in the way they chose to run their farms, and that you would not be in favour of seeing conacre prevented and that you considered it was better to allow them to use their own discretion as to the best way?—Well, my opinion is that they would manage it in a mixed system of grazing and tillage. I am perfectly sure that if the people had fairly good land they would be anxious to till it. I know them to go four miles away and take conacre, and they never did it before these late years.

30383. They take conacre now because it is absolutely necessary for them to grow potatoes?—Yes.

30384. But would they till more than that; they might till more than would be absolutely necessary for them, and the question is whether they would till more than that?—I do not think they would, my lord. because I think if you gave the majority of the people farms of twenty-five acres there would not be so many looking for conacre then, and they could take in a few grazing cattle from better-off neighbours. And young people generally are getting inclined to put a little money together and they buy a calf or a heifer, and they send them to farmers that are run down occasionally in circumstances.

30385. Is not it much more likely that that is what would happen, that the man to whom you gave this 25-acre farm would take in the cattle of his neighbours in the same way as the big men do now?—I am sure he would if he would not be able to stock it himself.

30386. He would take in stock?—Undoubtedly so, because he would not like to run down his farm of land.

30387. And in that case he would only till the minimum amount of the land that was necessary?—Possibly.

30388. And they would not give the same amount of attention to the growing of crops?—You would not have double the amount of tilling that there is now, but in some cases not very much less. As far as turnips are concerned, they are not very much grown by the farmers who have holdings of light reclaimed land. I have often tried Swedes, and they were a perfect failure. The soil was not deep enough. And I think, my lord, about the points that were touched upon yesterday about these mountain people, and other people with small farms, let them have at least five acres of good land, in addition to their old farms, as has been done at Tullycusheen for some of the tenants living on the outskirts of the bad ground. They gave them additional plots of five acres in the centre of the grazing farm, and those people can now have their crops produced in succession, and when one portion is under tillage there is another field for meadow, and they get the young cattle raised on portion of it for the season.

30389. Have you any personal knowledge yourself of any estate that the Congested Districts Board have bought and striped out in holdings?—Only this Tullycusheen. I live on the borders of it.

30390. And how long have they had them?—The Board have had it for two years.

30391. And they enlarged the size of the holdings?—They did, except in one or two cases, where the farms were non-residential and held by small farmers on an adjoining estate.

30392. Do you know any case on that estate where the enlargement of the holding of a man led to him employing labour?—Well, indeed, no, my lord, because there was one reason, though you might not remember it very well, that previous to this additional land being given to them they were almost all labourers themselves. Previous to getting their additions they used to go to other districts and pay £6 or £7 an acre for conacre, and since then they have had no occasion to go.

30393. And are there no men on that estate who now have twenty-five acres or twenty acres of good land?—Well, none of them have. There were only 100 acres there and there were twenty-one tenants, and eighteen of them got additions or new holdings.

30394. In the new holdings which they got?—They were fine new holdings, but there was not land to give twenty-five acres each, and if you did, then you would have no additions to give to some of the others.

30395. These people that got new holdings, would not you call their holdings economic and self-supporting?—Well, I think the largest is about nineteen acres, and I think it a small shade to some.

30396. But at any rate, none of them employ labour?—No, except occasional horse labour.

30397. Most Rev. Dr. O'Donnell.—What are they doing with these new holdings?—Well, they are tilling them. In the first year they let some of them out in conacre because there were fines levied on them by the Board, and to make up these fines they came in here and they got the money in the bank; and even the Board themselves, my lord, gave out conacre to the tenants the first year, and to show the reasonableness of what the Board did they did not get £6 or £7 an acre for it. The Board charged the tenants only 30s. an acre. The tenants then when they raised the money in the bank let out only possibly an acre or two in conacre, and the fines were handed back again to the most of them, owing to Land Act of 1903 being passed, and, as a matter of fact, they have not let conacre since the first year, the first year it is used for potatoes and secondly for oats. They had to make up the fines as best they could, and they could not withdraw from their agreements in letting the conacre for two years.

30398. They had to take the best means to hand in order to make the money they had to pay?—That is so, my lord.

30399. And they are having this advantage, they are getting back the fines?—The fines were handed back in almost every case, my lord.

30400. Are those men that got enlargements of their holdings tilling more than they did when on the small patches?—They are tilling about twice as much, my lord.

30401. You said that they were not employing labour. Are not the holdings of the class that would be worked by a man and his own family?—They are, my lord.

30402. They have not reached the acreage at which it becomes expedient to employ hired hands?—I think there should be more acreage, but the land was not too bad on the new holdings.

30403. I was glad to hear what you stated to Lord Dudley, the Chairman, about the price of cereals going up now so as to enable the people to return to tillage?—There is, my lord.

30404. Is there a marked tendency to return to the land?—There is, my lord. It is not very much yet, but it is on the upper grade.

30405. Do you think that those men with holdings of moderate dimensions would be more disposed to tillage if there was a practical instructor planted in their midst?—I am sure it would be useful. There was a lecturer who went round here the last few years and attended the National schools, where he lectured, but the people have not much faith in those people that go round, and the farmers think it is all nonsense, and I know it is nonsense. They preach partly about tillage and getting on, and I know the farmers don't believe a word of it, and they speak about phosphates and things the farmers don't know anything about, but after one or two turns people would not go to them at all.

30406. CHAIRMAN.—It is possible that you could not get all they mean in one lecture, but you would want an opportunity of talking to the man afterwards?—Yes.

30407. Most Rev. Dr. O'DONNELL.—A practical farmer would think that he had more in his head and knew more about the matter than the lecturer?—I am sure of that, my lord.

30408. Have you children at school yourself?—I have, my lord.

30409. Now, with a view to the promotion of tillage in the country, what would you think of a school that provided agricultural knowledge of a practical nature for your boys at school?—I think they could not acquire a better knowledge.

30410. That is to say that if one of your sons is going to be a farmer, you think it would be a good thing that from his tender years he should be gradually instructed in the principles of agriculture and the practice of it?—Certainly, my lord.

30411. Do you think it would tend very much to extend the area in tillage?—I think it would be of use for those people who would become farmers themselves. When I was going to school myself I got no agricultural instruction, and I had to have it from my own experience; and I think it is the same still; it is worse, as a matter of fact, because the ordinary education is not good.

30412. Sir JOHN COLOMB.—You stated that oats were rising in price?—Well, I think so.

30413. Is there anything else rising in price that would encourage an agriculturist to employ labour—you said you looked to a rise in prices as probably encouraging people to employ labour, and you instanced oats?—Yes.

30414. And are other things rising?—You know oats are used for a variety of purposes even if they do not sell them. On the creamery system they feed cattle with oats, and if you give them to the cattle they will have more milk and it will be of good quality. You get a good price from the creamery firm for it, and there is an advantage any way you look at it.

30415. There is another point with respect to what you first said. Are there any labourers' cottages building in this union?—There are none built yet.

30416. Do you know that a labourer's cottage will carry with it an acre of land?—I believe so.

30417. You have described very clearly the case of a labourer living in a street with an acre of land some distance from his holding. When Lord Dudley asked you was he not a labourer you said you considered him a farmer. Now I want to ask you do you consider a man having a labourer's cottage with an acre of land a farmer?—Oh, no.

30418. What is the difference between a man living in the town and having an acre being considered a farmer and a man living on an acre in the country not a farmer?—The difference is this that a man living in the town does not like to go out to do agricultural work for a farmer or anything outside the town; but anything that he can turn his hand to in the town generally pays him better than if he went out to a farm where he would have to do a good deal harder work for possibly less wages. He would not like to bind himself down to agriculture.

30419. How do you describe a man living in the town who does not like hard agricultural labour as a farmer?—This man that I described is not living in the town at all.

30420. You said he lived in the street?—In the street—no, no.

30421. In the village?—No. The three houses are built together, and the three are built on the one "street."

30422. As a rule does a farmer with twenty-five acres keep a horse?—Well, not in all cases.

30423. Do you think that there are more farmers with twenty-five acres that keep a horse than farmers with twenty-five acres who do not keep a horse?—Well, I would say there are more without them in this district.

30424. Do you consider that a twenty-five-acre farmer who has a horse might work five acres of tillage?—Well, he could of course, but he has to get swapped labour. For that horse he has he will get the work of the man that has no horse. They will go, their sons or the farmers themselves, and give their work for that of the horse.

30425. If each had a horse they would work in a friendly neighbourly manner using two horses?—That is what the owners of the horses do.

30426. Could not each of those farmers work five acres of tillage?—They could, but there is some work that a horse cannot do.

30427. May I ask you where there is a case of a neighbour with a horse, could not each of the two men work five acres without calling in labour?—Ah, they could not.

30428. Or very little labour. Well, the two could keep a labourer between them?—They could very easily.

30429. Mr. SUTHERLAND.—Do you not think that the absence of horses keeps down the area that is under tillage?—Well, I would think so.

30430. And if they had more horses where they could plough there would be a great saving of time and money perhaps and more tillage?—That is so.

30431. Sir JOHN COLOMB.—Do you agree with the distinction drawn by a witness between an economic holding and an uneconomic holding, that an economic holding is a holding on which horse labour would be employed?—I think an economic holding should be able to support a horse.

30432. Do you think that it is, on general grounds, a fair definition of the difference between the character of an economic and an uneconomic holding that a farm that necessarily keeps a horse may be fairly considered as an economic holding?—Well, it is easier to keep a horse. Still if he keeps a horse for the purpose of working his farm he should have a farm of twenty-five or thirty acres. Well, now, there is one point I would like to mention—non-residential farms. Now, there are 653 acres in this parish alone that are non-residential farms, where the owners are not actually living on them, and I would say, too, that the tenants are anxious to buy, but the landlords' demands are unreasonable. Some of the large tenants and the non-residential ones, too, would buy direct from the landlords, but the small tenants prefer to buy through the Estates Commissioners. I expect the Government will amend the Land Act in order to deal with unreasonable landlords. Well, there were four farms sold in my neighbourhood inside the last ten or eleven years, and I have personal knowledge of them, and the point that struck me most forcibly was that the large farms are more easily acquired than the small ones.

30433. Sir FRANCIS MOWATT.—Easier to acquire?—Well, they would not get as much money in the open market, that is the plainest way to put it.

30434. Mr. O'KELLY.—They have not so many competitors for them?—Yes, that is the way I account for it. There were two farms; there were about forty acres in one and the price was about £400, and there were about 42 acres in the other, and the price was £400. One of them was bought at a public auction and the other was bought by private sale.

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There were two small farms sold by public auction, too. One of them was about fifteen acres, and there was some middling bad land or bottom land; it was not very good. It went about £250, auctioneer's fees and all. The other farm was about eleven or twelve acres; there was some bottom land on it, and it went about £250, too. And I think the larger tenants might be migrated. They are living on the best of the land, and if they got other land and if inducements were held out to them to give them land better still they might go, and they are generally in a position to get loans to stock the land from the bank. The bank would oblige them sooner than oblige the small farmers, and besides that, too, if they would consent to go you would have fifty or sixty or seventy acres the migrants farm. You would only have to build one house for him if you transferred him away to where there would be waste land, and if you transferred the small tenants you would have to build six or seven houses for them, and in the matter of money cost it would be cheaper than to transfer six small tenants.

30435. CHAIRMAN.—And would you like to see the big farmers get land somewhere else and migrate?—I would not ask to compel them, but I think inducements should be held out to them. I understand that for every tenant that is migrated presently there is a loss of close on £100 to the Estates Commissioners or the Congested Districts Board. They set them up and build a house for them, and they lose about £100 on each of them, and I think that in some cases some of the large farmers presently might be inclined to build improved residences and such as that, and if they got some help or an inducement held out to them in that direction it might be very easy to induce them to move.

30436. You are an intelligent man. Do you think it would be a good thing for the country-side generally to have all the holdings more or less of one size—do you not think that it is a good thing, as an example, to have some larger ones?—I think it would be a good thing to have them.

30437. You do not want to see all the holdings stereotyped to one size?—No, and some of them might like them small.

30438. And you would have differences?—Yes.

30439. And would not it be better to have larger farms, so that if a man is thrifty he has more chance later on of getting a better place?—Certainly.

30440. If you had everything stereotyped to one level there would be no opportunity for him to better himself?—That is so.

30441. Sir JOHN COLOMB.—And you would not interfere with one tenant purchaser buying from another tenant purchaser, would you? Take the case of a property acquired by the Congested Districts Board and portioned out into thirty-acre holdings. We all know that some men will be more successful than others; some men unfortunately will go down and others go up. Take the case of two men alongside one another, put in that position by the Congested Districts Board. One man goes down, the other man goes up, and the man that goes down cannot meet his annuity, so the farm has to be sold, would you allow the other man to buy that farm?—Why not? But I would prefer that a man that had no land should get the preference of it.

30442. And then begins the growth of big farms over again, does it not?—Well, I think if there was some limitation that the State could at any time take over that farm again by handing the man back his money I think possibly that would be a good thing.

30443. And being so intelligent, and having given so much attention to these matters, you have probably yourself read some evidence that we have had that affirmed that one man ought to be prohibited from buying from another. Do you agree with that?—I would not.

30444. You would leave it to the natural working of a man's thrift and industry and let it have its triumph by increasing his area?—I would, but I would have some clause in to the effect that the State or whoever would be, like the Estates Commissioners, in the position of landlord should have the power if a man would accumulate. If you gave him twenty acres he might acquire another twenty acres, and he might acquire fifty acres by buying small patches.

30445. You would prevent any such man from increasing his land by his industry and his prosperity and his money. You would prohibit that man from buying more than would make up his farm to fifty acres?—Well, I would not prohibit him if there was sufficient land, but I think if he had fifty acres he could knock a fairly good living out of it, and as the people round here stand I think that on a farm of fifty acres a man could get a living very respectably.

30446. Would you go so far as to say that in the case of an estate bought by the Congested Districts Board and parcelled out into holdings none of those men should ever hold more than fifty acres?—I would not.

30447. You would allow the operation of the law of the survival of the fittest?—I would, but of course my suggestion would be that there should be some clause giving power to the State or whoever would be over this land that if this land were required at any time, by giving him back his money and possibly something more, if he had acquired fifty or at most 100 acres, the State should be empowered to take any further lands purchased by him.

30448. CHAIRMAN.—So that it comes to this that you would put a limit to the power of acquiring land. A man with fifty or one hundred acres would not be allowed to buy any more?—Well, I would not prevent him from buying it, but at the same time if it was required at any time, say for an occupying tenant, I would like to see that the State would be able to take it over and hold it.

30449. That is that he should give it back again?—Yes.

30450. Sir JOHN COLOMB.—And having purchased this land by the use of the State's money to set small tenants up, so in process of time some men go up and some go down, and thus accumulation goes on, and if a man by his own thrift has in the course of time become a big farmer, would you then apply the principle of compulsion over again and redivide?—I do not think he would feel the principle of compulsion very much, because he would know that when he was buying more than 100 acres he was doing it at his own risk.

30451. Mr. SUTHERLAND.—Would you have this process continually going on?—I would. I would not like to see a large farm of 500 or 1,000 acres at any time accumulated in this district.

30452. But they have accumulated in the past in Ireland?—Well, in the past they did everything to hunt the people out of the country.

30453. Are you of opinion that the same process might set to work again?—I am afraid that it would. I do not think that if a man has enough money that he should be allowed to buy up the whole world.

30454. You think the State should look that it does not take place?—I think if you drive people out of a district it will not be an improvement to it.

30455. If you are putting the tenant in the position of the landlord you cannot well prevent him from doing the same as the landlord was doing before. That is the difficulty?—Yes.

30456. Mr. KAVANAGH.—Would you be against subdividing?—I would not like to see them anything under twenty-five acres.

30457. But you would not?—No. Well, not round here. I am not accustomed to what you call good land. I have seen evidence that was given before this Commission by Mr. Fitzgibbon to say that a man could live very well on twelve acres. It is possible that twelve acres of good land would be better than twenty or twenty-five acres of the land round here. The land round here generally is not worth more than 15*s.* an acre. By adding the rates to this you would bring it up to about £1.

30458. CHAIRMAN.—It is extremely doubtful whether a man with twelve acres could make a living out of the farm?—It is doubtful. It would not work out here very well, because there are such men as these round here, and they cannot live on the farms, and they have therefore to go over to England for three or four months of the year and their sons have to go with them when they are strong enough.

30459. Mr. KAVANAGH.—What in your opinion is the smallest size of an economic farm?—I would not like to see them under twenty acres.

Mr. Patrick Dyar, Tubbercurry, examined.

30460. Chairman.—I think you are not a farmer yourself?—I am not a farmer myself.

30461. You are foreman in a mercantile house?—I am manager in one of the principal houses in the town, my lord.

30462. Tell us your address?—Tubbercurry.

30463. Mr. O'Kelly.—Are you a member of any local body?—Not of the District Council. Not except of the Town Tenants' Association, the United Irish League, and some others.

30464. Chairman.—What is the shop in which you are employed?—The man with whom I am employed is Mr. Cook here. He is chairman of the District Council. He is a general merchant. I have a good knowledge of the conditions and needs of the people in the district and for some miles around. The entire district within a radius of seven miles of Tubbercurry ought to be acquired and dealt with by the Congested Districts Board. Almost the whole of Tubbercurry parish, the whole of Curry parish, the whole of Kilmacteigue, and portions of Mullinabreena and Bunninadden are very much congested.

30465. Are they scheduled now or not?—Well, portions of them are scheduled, and a great deal of them are not. The parishes I give presently are the ecclesiastical parishes. They are not the civil parishes, because the people generally are more familiar with the geography of them in that way. There is a considerable quantity of untenanted land in Mullinabreena and Buninadden, and an abundant supply of untenanted land in the neighbouring parishes of Collooney, Riverstown, Ballymote, and Keash.

30466. When you talk about untenanted land you mean land in the possession of the landlord—you do not mean non-residential holdings?—Well, I stretch the definition, my lord, in my way of looking at it, because whether the land is in the possession of the landlord or owner, or whether it is the land of a tenant, or grazier, or middleman, I look upon it precisely in the same way so long as it is not occupied by a resident tenant or a resident landlord.

30467. But in returns of lands which are "untenanted lands" that, of course, only means land in the possession of the landlord?—Sometimes you have difficulty in ascertaining whether the land is tenanted or not from the way things are fixed, and my way of looking at it no matter even if there are twenty-five middle owners between the occupying tenant or eleven months' man, and the landlord, I do not care whether they have mortgages or debentures, or deferred shares in the land, my impression is that so long as the land is waste it ought to be acquired and used for the purpose of relieving congestion.

30468. By waste you mean under grass?—Under grass, and used for fattening purposes, and not used for dairying purposes, or anything of that sort. There is a considerable quantity of untenanted land in Mullinabreena and Bunninadden, and an abundant supply of untenanted land in the neighbouring parishes of Collooney, Riverstown, Ballymote, and Keash. By drawing a line from Bunninadden to Collooney, thence to Riverstown, Ballyrush, Keash, and Bunninadden you get a rough boundary of a fertile district from which the tenants were practically wiped out during the clearances of the forties and fifties. Large tracts of land sufficient to provide economic holdings for between five hundred and six hundred families, besides enlarging the holdings of the present small occupiers and still leaving ample grazing lands, are untenanted or not occupied by resident tenants or landlords in this area. The change most needed in law is authority for the board to acquire compulsorily, but on a reasonable basis of compensation from the present owners, lands which they themselves or their predecessors acquired compulsorily for their own private use and benefit, and for which they rarely if ever paid any compensation. Short of granting compulsory powers to the Board, some good might be done by giving the County Councils power to withhold the exemption or abatement in poor rate at present reverting to the owners of untenanted lands through the operation of the Local Government Act, 1898. Under the present system of taxation the poor inhabitants of congested areas pay in duty on their tea and tobacco, whiskey, porter, and other commodities, money which the Government virtually hands over to the large landholders and large graziers. Of course the small farmer gets what is supposed to be his share, but it is inconsiderable, and the people most entitled to its benefits get practically none, the people least entitled and least in need get the lion's share. The County Councils ought to be empowered to levy the full rates regardless of abatement on all untenanted lands, and on all large holdings, and any surplus funds retained in the local taxation account as a consequence ought to be applied exclusively by the Council to improving the condition of the people in congested areas—the money rightly belongs to them.

30469. Sir John Colomb.—What money do you mean belongs to the small holders?—The money that is handed over by the Government to local bodies, that is, to County Councils and such bodies, in relief of taxation.

30470. Do you mean the Imperial money given to the local bodies for the relief of taxation?—I do not call it Imperial money, but money collected from the Irish taxpayer.

30471. Well, we will call it State money?—Money that is levied from the Irish taxpayers, that consume whiskey, porter, and other commodities, and handed back to the local bodies to go in relief of local taxation. But the people that are least entitled to it and least in need of it, that is the large landholders and the large graziers, get the bulk of the money under the present system. Bullocks do not pay taxes, nor do waste lands pay taxes. That money is raised by the poor inhabitants of the congested areas who drink whiskey and beer and porter, and smoke tobacco, and the people who get the lion's share of it are the large landholders and the large graziers.

30472. Mr. Kavanagh.—And how could you help that?—I would give the County Council power to levy the full rate, regardless of the abatement, on untenanted lands and large landholders, and any savings that they would effect by that means I need not say that I would make the Government pay over to the same bodies as at present, because from my way of looking at it they are even now swindled out of a great deal of money that they ought to be given.

30473. You would put full taxation on the unoccupied lands?—Yes.

30474. And the Government contribution you consider should be for relief of the small landholders?—Yes. I would allow the County Council to use it in the way they considered best for the relief of congestion, and for the relief of the people, and to apply it in whatever way they might consider best for the benefit of the people in congested areas.

30475. Sir John Colomb.—I understood you to say in reference to grazing farms that bullocks do not pay taxes?—Yes.

30476. And I suppose rolls of cloth do not pay taxes?—No; but the man that sells the cloth has to pay income tax on his trade profits, and I suppose the fellow that wears the cloth eventually has to pay his share of that.

30477. But he has not to pay any local taxation on the value of the wool?—That is quite right. But there is another point. Now under the present system a man in a congested district who has a little house and garden valued at, say, £1, pays at the present time approximately 4*s.* or 4*s.* 2*d.* in the pound on the valuation of that little house and garden, whereas the landholder up in Doobeg has 1*s.* 6*d.* or 1*s.* 8*d.* of his rate paid for him by the Government.

30478. I just want to understand your view in reference to the bullocks. Are you aware that land in the owner's own occupation is taxed on one-third more than the valuation?—In what way?

30479. For the income tax?—I am not aware of that.

30480. But you may take it that is so?—But what I am aware of is that the owner pays a tax on one-third of the land occupied by himself. At least that is my reading of the income tax schedules that I see.

30481. A third of the valuation?—Consequently, at the present rate—we will go into the figures for a moment—at the present rate of 1*s.* in the pound he would pay on one-third of the valuation, and that would be 4*d.*; so that the owner of the grazing ranch pays income tax to the Government at the rate of 4*d.*

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in the pound on the full valuation, which is equivalent to 1*s.* on the third of the valuation, and if he gets back through local taxation 1*s.* 8*d.* does not he benefit still?

30482. Sir Francis Mowatt.—Are not you wrong in saying that what the landlord pays is income tax on one-third of the valuation?—I do not think I am.

30483. He does pay on one valuation and a third?—In the schedules that I see it appears that the income tax is levied on one-third of the valuation of the land.

Sir Francis Mowatt.—One and a third—that is four-thirds.

30484. Most Rev. Dr. O'Donnell.—You are speaking of the occupier?—I am not speaking of the landlord, of course.

30485. Chairman.—When the landlord and the tenant are different people, then the landlord in that case pays once on the valuation?—Yes.

30486. And the tenant pays a third?—Yes.

30487. Where the landlord and tenant are the same person, then in that case he pays one and a third?—Yes. Well, even assuming that, your lordship, my point still remains, that where the landlord who, as we know, is generally an absentee, pays his income tax, and there is an occupier of grass land who has it for eleven months or on a letting of, perhaps, five years, I assume that man pays the assessed rate to the County Council, and he gets approximately 1*s.* 6*d.* to 1*s.* 8*d.* of the rate paid for him by the Government; and do you want me to believe that it is, as it were, a certain set-off against that, the circumstance that that man pays income tax to the Government on one-third of the land, that is to say, approximately 4*d.* in the pound on the valuation after he has got 1*s.* 6*d.* out of the general taxation.*

30488. Sir John Colomb.—To make quite clear what you mean, is it not the case that you are alluding to the grant from the State in aid of local taxation?—Yes.

30489. But does not everybody, according to his valuation, share equally in that?—Yes.

30490. And how do you make out that the man who occupies grazing land gets any advantage over the man who pays on the same valuation who has a tillage farm?—He gets 1*s.* 6*d.* or 1*s.* 8*d.* of the poor rate paid for him by the Government. Is not that the fact?

30491. Pardon me—because this is very important—the local taxation is based entirely on the valuation?—I know.

30492. And the valuation was made some fifty years ago on a certain basis?—Yes.

30493. And then there is so much money to be raised, so much in the pound is levied on the valuation?—Yes.

30494. And each according to his valuation has to pay this local rate. Is not that so?—Yes.

30495. But the State funds come in aid or relief of the taxation of the whole body?—Yes.

30496. And the advantage gained by that is spread over all the occupiers or taxpayers on the basis of their valuation?—It is, of course.

30497. Yet you mean to convey that somehow or other a grazing farm gets more advantage out of that than a tillage farm of the same value?—I do not mean that it gets comparatively more advantage than the tillage farm. But I do say that they are the people least in need of relief from local rates, and they are the people that I consider least entitled to it also.

30948. And, therefore, at present they are all equal, but what you mean is that as to policy in the future they should not be all equal?—Yes. They are all relieved equally on the basis of valuation, but when you take the same basis in relation to Imperial taxes you find that the congested areas contribute out of all just proportion, as compared with the waste ranches, under the present indirect method of levying.

30499. You stated also, if I do not mistake, that the money is handed over by the Government to the County Council. That is a lump sum taken from the general taxation of the country collected from Ireland?—I see by the returns of the Government officials themselves that that sum is calculated approximately in the following way. There is a duty of 11*s.* levied on every gallon of whiskey in this country. Sixpence of that is set aside by the Treasury to go in relief of local rates. And on every barrel of porter consumed there is an excise duty of 7*s.* 9*d.*, of which 3*d.* goes in aid of local taxation, and that these duties are handed over to public bodies to go in relief of local rates; and as I understand the Treasury returns and their explanation, it is made up in that way.

30500. Most Rev. Dr. O'Donnell.—Is this your point, that the small occupier who consumes tea and other dutiable articles contributes largely to the taxation?—Yes.

30501. Some of the money that is raised by duties on tea, spirits, and tobacco is handed back in aid of local taxation?—Yes, my lord; but it is chiefly money that is raised on whiskey and beer and porter.

30502. Very well. Now let us take 100 acres under grass and the same 100 acres in the hands of four small occupiers?—Yes, my lord

30503. If 100 acres are in the hands of four small occupiers the families of those four small occupiers will be consuming tea, tobacco, and some spirits?—Quite right.

30504. And, in other words, those 100 acres when occupied will be contributing largely to the source from which local taxation is aided?—Yes; that is quite right, my lord.

30505. Then, it is your contention that if the 100 acres are in the hands of small occupiers those occupiers would have a claim for having their local taxation eased, which cannot exist when the 100 acres are in the hands of any man who does not contribute equally to that source?—I mean, with nobody there except a herd.

30506. In this way the 100 acres in the hands of occupiers yield far more to the public revenue than 100 acres under grass?—Yes, that is so.

30507. While the local rate on the 100 acres in the hands of one man may be the same as if they were occupied by four small holders?—Yes.

30508. But you say that there is not at all the same claim for aid to the local rate which is paid by the 100-acre farm under grass as there is where the land is in the hands of the occupiers?—That is right, my lord.

30509. Because in the one case the occupier contributes to the source from which the taxation is aided, and in the other the holder of the grass land does not, or does not at all to the same extent?—Yes, my lord; and further, if you divide that 100 acres into a greater number of holdings than four your argument is considerably strengthened in proportion.

30510. And the greater the number of families who consume those dutiable articles the more they contribute to the source from which the relief of taxation comes?—Quite right, my lord.

30511. Sir Francis Mowatt.—The sum that you calculate in the manner you suggest does come from the general body of taxation?—I do not believe it does, and I would like to be convinced of the fact.

30512. I am not going to convince you?—Well, of course, I am open to argument. There would be no use in my being here otherwise. The Board is at present operating on the D'Arcy estate in Doocastle, County Mayo, within three miles of Tubbercurry, on the Phibbs estate at Moylough, County Sligo, two miles from Tubbercurry; on the Armstrong estate at Achonry, three miles from Tubbercurry. They purchased the Fitzgerald estate at Tullycusheen five years ago, and distributed the untenanted portion of the estate among the tenants, made roads, fences, etc., and improved the estate in many ways. The estate was not a large one, and was in some respects awkwardly situated, but the Board made the most of the means at their disposal. It is now sold to the tenants, who are, generally speaking, well satisfied with their position, and there is very little grumbling. With regard to the alleged difficulty in inducing the inhabitants in congested areas to migrate to other lands, it does not exist to any appreciable extent in those places where I have seen the Board operating, and if it does exist anywhere, it should be borne in mind,

* *Note by witness.*—Explanation of answer to No. 30487:—Income tax on one valuation (approximately) is paid in respect of the congested area by the landlord, who is generally an absentee, so that the only difference that can be put down to the credit of the waste ranches is the extra Income tax on the one-third valuation, which amounts to 4*d.* in the pound as against 1*s.* 8*d.* received back through the grant in aid. And even this difference would probably disappear, if closely examined into, because the rent which the landlord draws from the congested area is, in very many cases, more than one and one-third times the valuation which would be placed on that area if it were, like the grazing ranches, "consolidated," *i.e.* cleared of its farmhouses, &c., and laid waste.—P.D.

that having regard to the persecution and ill-treatment of those people for generations past, which accounts for congestion, poverty, and numerous other ills, they ought to be excused if they do not display the same spirit of enterprise and the same readiness to adapt themselves to new and changing conditions that may be found in the inhabitants of free and well governed countries. Some of the tenants on the D'Arcy estate at Doocastle, who had very small and poor holdings, and who were offered far better and larger ones by the Board elsewhere, were not willing to remove, and the reason they gave me when I was endeavouring to point out their apparent lack of energy and pluck, was "that their means were entirely too small at present to undertake to work new farms and pay the rent of them, and that if they encountered one or two bad years after removing they would find themselves and their children on the roadside."—that is, evicted. That is the ordinary way of putting it. A small number of tenants on the same estate, while quite anxious to get an additional piece of land with their present holding and to pay a fancy price for it (in instalments), are loth to abandon their old holdings because they like to keep a grip of the homestead. That is the advice that Parnell gave them.

30512A. CHAIRMAN.—Why do you say that you disagree with those witnesses who told us that there is a difficulty in getting people to move?—I will explain that. There may be difficulty in some cases. The Board has met this by giving special inducements to about three of the larger and more comfortable tenants to migrate, and afterwards dividing the holdings thus acquired in small lots among the adjoining tenants. This, although sometimes unavoidable and done with the best intentions, has serious drawbacks, inasmuch that while the small holdings are enlarged and improved they are still uneconomic, and their owners will remain poor always—it is merely devolution—cobbling with a great question. The most desirable class of tenant—those who are in the prime of life—will, with very rare exceptions, be found willing to migrate when reasonable inducements are offered. The advice and guidance of the parish committees where they exist under the Board will always be found most useful to the Board and its officials in facilitating migration. With regard to bettering the conditions of the people in congested areas, the Parish Committees are the most competent bodies for dealing with this matter. A great amount of good has been done in Tubbercurry parish and also in Curry by means of grants administered through the Parish Committees considering the smallness of the sums at their disposal. The people exert themselves greatly in order to take advantage of those grants in improving and repairing their wretched dwellings and outhouses. They even borrow money from their well-to-do neighbours and local shopkeepers to purchase timber, iron, etc., to complete the work specified by the local inspector for the purpose of securing the grant. Those grants ought to be continued for several years and ought to be increased considerably. Besides improving their dwellings and immediate surroundings the committees should, in the case of Tubbercurry and Curry, be provided with and empowered to administer grants on similar lines for the purpose of encouraging fencing, drainage, planting, etc., on small holdings, most of which are very poor in quality. A good deal in the matter of devising local schemes ought to be left to the discretion of the Parish Committees, and it would be very unwise to endeavour, as has been suggested in some quarters, to carry out the work of those committees by means of a Government Board. The people do not care about Government Boards. Those Boards do not and never can acquire the same intimate knowledge of the wants of the people possessed by the local committees, and, besides, those committees discharge a good deal of administrative work voluntarily, which would not be the case with the Government Board. Such services as are paid for are paid at a small rate of wages. The actual cost of administering £100 is not more than £10 or £12, and under a Government Board, as we know it, the same work could not be done at anything approaching this sum.

30513. Mr. O'KELLY.—Anything approaching it, you mean exceeding it?—I mean that the figures would probably be reversed.

30514. Doubled?—No, but reversed. Under the present system the actual cost of administering £100 is not more than £10. I believe £10 is the general amount.

30515. Mr. SUTHERLAND.—Ten per cent.?—Yes.

30516. Would you call that low?—Yes; I call that low, according to what we are accustomed to in this country. If it was handed over to a Government Board the belief generally exists, and the belief is well founded, that the cost of administering £100 would be £70 or £80 probably.

30517. Sir JOHN COLOMB.—Do you mean that with £100 to spend the officials would eat up £80 themselves and have only £20 for distribution?—Yes. I have read the evidence that was given at the Commission of Inquiry into the working of the Department of Agriculture, and I do not see what other conclusion any Irishman could come to.

30518. Most Rev. Dr. O'DONNELL.—You say that ten per cent. is low for administering £100. See how that works out. That would be £10 expenditure out of £100?—Yes.

30519. But that is not the way to take it, I submit to you. How much would the work be value for that would be done with that £100?—Taking £10 out of the £100?

30520. No. Take the £100. How much is the value of the work done for £100?—£270, I take it.

30521. That is to say three times the amount of the grant?—Three times the amount of the grant

30522. Then if you take the expense of administration as £10, it has to be compared with £300 and not with the £100?—Probably that is the better way of taking it, but the cost of administering £100 is what I was dealing with.

30523. And the administration is really of £300, not £100?—Within a radius of four miles of Tubbercurry there is on nearly all sides a very plentiful supply of bog, together with an abundance of cheap labour. The district is pretty well provided with roads, and, with the co-operation of the railway company, there is room for the development of a peat industry, which, under proper business management, would prove highly remunerative and give considerable employment. Any scheme for bettering the condition of the people, their dwellings and holdings ought to be accompanied by the establishment of this or some other reproductive industry, adapted to the district, and they should both go hand in hand to insure the best results. I was asked by some of the people to state to your lordship in connection with the establishment of some local industry to give employment that the nuns of the Marist Convent here would be very glad to consider any scheme or suggestion or assistance that would be given with a view to providing employment for girls in this part of the country, that is to establish some small industry in the way of hosiery or shirt-making or something of that description if they could get any assistance from any of these boards.

30524. Mr. O'KELLY.—Is there anything of that kind done now?—No, but the place is new. It is only put up within the last few years, and there has not been any time to make any start in that direction. The foundation-stone of the building was only laid in the end of 1904, and it is only just finished.

30525. I understand there is a successful industry in the lace-making way?—Yes, in Banada, four miles from here.

30526. CHAIRMAN.—You spoke about the peat industry?—Yes, the general peat industry.

30527. What is the general peat industry?—Such as they have on the Continent. But here in Ireland, of course, we have no practical experience, and people that communicated with the Department of Agriculture cannot get any instruction on the subject.

30528. The industrial system you have in your mind involves the selling of the peat?—Yes, and taking the by-products out of it.

30529. Do you think it would be a good thing to do?—I believe it would. Why should it not, my lord? We are importing fire stuff from England although we have abundance of bog on every side.

30530. Do you think it would be a good thing to allow the bog on which the people depend for their fuel to be used for commercial purposes?—There is such an abundant supply, my lord, that there is no danger whatever of its running out.

30531. Mr. SUTHERLAND.—That does not agree with evidence that we have had in other parts of the country?—In this part of the country the landlords are sticking to the bog and won't even allow their tenants to cut it.

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30532. CHAIRMAN.—But supposing there was a peat industry to be carried on, do you think it would be better to allow the peat to be sold rather than divided up amongst the new holdings?—Well, I would first give a reasonable supply to the tenants, and after that any bog that would be left I would use for the purpose of creating a local industry.

30533. Sir JOHN COLOMB.—What do you mean by a reasonable supply—how many generations' supply would you allow? Of course I do not suppose it will go on for ever, but for years and years and for generations. Therefore for how many generations would you provide, because you must think of the people that are to come after you?—Yes, that is right.

30534. How many generations?—Well, I would leave that an open question. You know there are parts of the country where they have a supply of bog which at the present rate of progress would not be exhausted probably in three hundred years.

30535. But I am talking about the Congested Districts Board taking the bog and dividing it. You say they ought to allow a reasonable amount, and then let the industry work away?—Certainly.

30536. Then in that case for how long a time should there be a supply reserved?—Well, such a supply as would maintain the present rate of consumption for 100 years. Would not that be reasonable?

30537. Well, I was merely asking you what you thought. You say 100 years?—Yes.

30538. And then after 100 years the people might be without fuel?—I do not think that is a right conclusion to draw.

30539. Most Rev. Dr. O'DONNELL.—You think there would be some new contrivances?—I think there would be an abundance of new contrivances.

30540. Sir JOHN COLOMB.—When you see fuel brought from England or Scotland into this country, is it not because the people find coal from England and Scotland really cheaper and more economical than turf? Why else do they do it? Why does it come in?—There are a variety of reasons that combine to make it come in. The first of them is that we have coal in this country, within twenty-five miles of the town here; still, owing to the bad transit system, it comes cheaper to us to get it from Newcastle, in England.

30541. Why do they not use turf instead of coal?—With regard to turf, one cause is that the landlords won't allow them to get a supply of turf to sell to the people of the town. Another great difficulty is the uncertainty of the seasons, which affects the price of turf, and a third reason is the difficulty of obtaining labour in a great many places to save the turf.

30542. Is there a difficulty in obtaining labour to save the turf?—At the time that the turf is being saved the men who would otherwise be doing that here have to go away to England to the harvest.

30543. That means that at the time for saving the turf the people cannot get wages enough for cutting and saving the turf, and therefore they go to England to get better wages?—They go to England to get better wages in a great many cases. That is right. And the reason of that is this, that it would not pay, that you could not sell the turf at a price unless the landlord was willing. But turf and peat are different commodities.

30544. I am talking about fuel?—I am talking about peat. I endeavoured to get a full supply of information on this question, but you cannot get anything except what you read in the papers. Because I know of a gentleman who wrote to the Department of Agriculture, where they said they had an expert in the Department of Agriculture ——

30545. But am I right in understanding you to say that at the time of the saving of the turf there is no surplus supply of labour?—I will explain that to you. The men cut the turf and spread it out, and then go off to England to the harvest, and the women and children of the family generally save the turf, provided the weather is fine. There is no surplus supply of labour. The men do part of the work and the women and children do the rest of it.

30546. CHAIRMAN.—They can do the light work?—They can do the light work and fashion the clamp. And comparing the cost with regard to coal, I see that in Canada ——

30547. Sir JOHN COLOMB.—I was talking of Tubbercurry?—But there is no peat industry in Tubbercurry. But I will give you an instance of the comparative cost of peat and coal. I see Mr. Alexander Dobson, of Ontario, who has appliances of his own for the manufacture of peat, sent peat sixty miles by rail into the City of Toronto, and sold it at 17*s.* a ton in the market, and coal is sold there at 28*s.* a ton, although the city is in a position to obtain a coal supply.

30548. Mr. KAVANAGH.—When you talk of peat and turf, what is the difference in your mind?—Peat is practically what may be called manufactured turf. Turf, as we know it, is a purely natural product, with practically no artificial treatment at all, except merely cutting it and letting the sun dry it.

30549. Peat is for export?—And for home consumption as well; and it would be better for the people and far cheaper if they had a peat industry. They would get their fuel considerably cheaper than they do.

30550. Mr. O'KELLY.—What is the artificial treatment?—There was a peat industry at a place called Coolaney, along the railway line, which existed some years ago; but it failed, owing, I understand, to financial embarrassment and want of proper business management; and I saw the stuff burnt, and certainly, as I valued it at the time I computed the cost of it for general use, it was far cheaper than turf.

30551. Is peat compressed, hardened turf?—Yes.

30552. Is there any mixture?—No, but in a great many cases they take other products that are more valuable. I saw some time ago the result of one experiment with peat and the other products, and there was £4 worth in all of material taken from a ton of the common bog or raw stuff, the cost of production being only 30*s.*

30553. Mr. SUTHERLAND.—Do you know a place where a peat factory has succeeded?—Not in this country.

30554. Do you know that it has been tried in a great number of places?—I see by the papers that they are making it a great success in Germany.

30555. In Germany it is used for the production of gas?—For a variety of purposes. As a matter of fact, I believe they are turning out both gas for illuminating purposes and what is called "producer gas" from the peat.

30556. Sir JOHN COLOMB.—Do you know any place where it has been successfully applied to the production of gas?—Well, I have not any experience of that myself, but I know a gentleman whom I see contributing a series of articles to the papers, and he appears to take an interest in statistics on the subject, which are furnished chiefly by some German Government Department, and he wrote to the Department of Agriculture some time ago—I can give you the gentleman's name, Colonel Warburton, and he appears to be keenly interested in trying to get a Government Board to take up this thing in Ireland, being himself an Irishman.

30557. Did the Department of Agriculture do anything?—I am coming to that, sir. Colonel Warburton wrote to them to make some inquiries of their peat expert, and the reply that he got was that the peat expert had seen something about it in the Dublin papers, but beyond that that he knew nothing more about the subject. There are portions of Tubbercurry and Curry parishes in need of a good system of drainage, and there are various small portions of waste moor which the Board, with advantage, could have drained and planted. Both farmers and labourers would benefit directly and indirectly from this. The Board could afterwards if it so desired hand over these plantings to the County or District Councils on reasonable terms, and they would after a very few years become a source of profit to the ratepayers. At Doocastle the Board is cutting down the timber on the estate, but it is not re-planting. This is a great loss, because the district is very bleak and exposed. With the exception of the four or five townlands in each parish the tenants of Tubbercurry, Curry, and Kilmacteigue parishes are largely dependent on the earnings of themselves and their children in England and America for the landlord's rent, the clothing of their families, and, to some extent, their food. During the month of December in each year I cash American cheques and money orders amounting to between £700 and £800, and I believe that it is only a small fraction of the amount sent into the district comprised in the above parishes.

30558. Most Rev. Dr. O'DONNELL.—Within what months did you cash them?—In the month of December in each year. Of course I get them all the year, but the great bulk of them come at that particular time.

30559. In one month you cash between seven and eight hundred pounds worth?—Yes, and that is only a small fraction. In all the parishes of the West they are received and cashed. It is difficult to conjecture what would happen if the English and American earnings were stopped, but it is quite safe to say that the landlord's rent would be sadly in arrear. Under no circumstances ought the sale of estates within the parishes referred to as congested, direct from the landlord to the tenants, to be sanctioned without inspection. Four or five estates within the area were offered for sale to the tenants in 1904-5 at from twenty-three to twenty-six years' purchase of second-term rents. The only tenants who showed any willingness to buy were the poor, who owed arrears of rent, and who would not be able to carry out their bargains or contracts hereafter, if the sales took place on the terms offered, and a few (not many) comparatively large landholders and small graziers who were in comfortable circumstances. Practically all the tenants who were clear in the rent office and who had their children in America to rely on refused to buy at the terms offered. The landlord in stating his terms invariably quoted, not as hitherto the number of years purchase he required, but the reduction in present rents which the acceptance of his offer meant. In any negotiations which took place prior to 1900 the price usually demanded by the landlord was, in this district, seventeen or eighteen years' purchase. In these districts near Tubbercurry where the Board has been operating there is a marked improvement in the spirit of the people. They have become more sober, thrifty, and industrious. There is a desire to be independent of everybody, which hitherto did not exist. I know men who since they got under the Board have settled and paid old shop bills which were out of date and irrecoverable. One man who formerly had three acres of land voluntarily settled a bill of £27 which was long out of date, and which I regarded as almost bad. The potato crop has failed on the four-fifths of the tenants. The hay crop has been an exceptionally fine one in quality and quantity, but there is no market available for the extra supply, which is a great loss to many people.

30560. Sir John Colomb.—You are speaking of hay?—Yes. In France, on the other hand, according to the newspaper accounts, the hay crop has been a bad one this season, and prices are high—£4 to £4 10*s.* per ton. I should say that since this was written—last October—the price has considerably increased. The import duty is only 4*s.* per ton, but the French market is lost to our people owing to the bad transit system and to the circumstances of Ireland having lost her direct foreign trade. If proper trade and transit conditions existed here, the County Sligo farmer could easily dispose of his surplus hay at Sligo and Ballina at from £2 10*s.* to £3 per ton

30561. Chairman.—In the first page of your memorandum you say the change needed in law is authority for the Board to acquire compulsorily, but on a reasonable basis of compensation for the present owners, lands which they themselves or their predecessors acquired compulsorily. What do you mean by a reasonable basis of compensation—what would you call reasonable?—Whatever a competent land valuer would consider reasonable. Whatever capital value is considered reasonable as between the owners and the tenants that are to be given the lands hereafter, and I cannot really understand the mystifying antics of a lot of those gentlemen that are grumbling about fair value when you recollect that the State in taking over this land, though buying of course from the owners, do not buy it for themselves, but merely buy it for the purpose of handing it over to the tenants whom they create.

30562. Those are the Estates Commissioners?—Yes, or the Government; and they pay the owner presumably the highest they can afford to pay him consistently with due security to the State; and I do not see what hardship they are likely to inflict on the owner, nor do I understand the great opposition they are giving to the application of the principle of compulsion at all. I have followed most of the evidence that was given by the witnesses who went up in the landlords' interest, and I cannot see that any one of the witnesses gave a solid or substantial reason against the application of the principle of compulsion. The only ones that I could know or understand myself could be put down under two heads, the first of these being that the Government was going to cheat them in some way or other, or going to deal unfairly with them—a thing that I do not think from their past experience they have any reason for supposing, while the only other reason for objecting to compulsion is that there may be a sentimental objection to it in this way, that the Irish landlord, who, during the experience of men now living, wielded unlimited power over an estate and over a portion of the country, cannot see his way now to be told to quit or to clear out—a man who, or his father before him, wielded a power and influence in the country far greater than King Edward or the German Emperor will ever dream of wielding.

30563. Now, you say the shop in which you are employed is that of a general merchant?—Yes, my lord.

30564. And do you supply any of the small farmers in the district with goods?—Yes.

30565. Are they in greater debt now than they used to be or in less debt?—Well, of course I must admit that there are a great many of them considerably in debt.

30566. How do they compare with what they used to be?—Well, my experience covers something about fifteen years in business, and I do not think that they are worse now, and I think, on the other hand, that they are considerably better than they were fifteen years ago.

30567. You do not think that the indebtedness of the countryside is greater than it used to be?—I do not say that it is, but of course it is bad still.

30568. But it is not worse?—No; and if it gets any fair run of luck or favourable seasons it diminishes greatly.

30569. Sir Francis Mowatt.—Their state is not merely not worse, but better?—I consider, on the whole, that their position is better.

30570. Chairman.—During the last fifteen years did you see any difference in the standard of living? Do they buy better goods—do they live better, according to what they buy in the shop?—I do not consider that there is any noticeable change in that, my lord, during my experience. Of course I believe that they live better now than they did fifty or sixty years ago; but during the last fifteen years I do not know that there is any noticeable improvement. I do not notice any more appearance of high living now than fifteen years ago.

30571. I do not mean extravagance, but you have noticed that during the last fifteen years there was a tendency to purchase things in the shop that they did not do formerly?—There is one thing that I notice, that they are all inclined, as far as their means go, to purchase goods of a higher quality; but at the same time I do not know that they spend more money or that they are more extravagant in that way or that they are living higher.

30572. When you talk of goods of a higher quality, do you mean to say that they pay more for tea and sugar and flour and things of that sort than they used?—Well, they do not pay less. There is hardly any change in the quality of these commodities, as far as my experience goes in this part of the country; but in other goods, in clothing and such like, and even in the purchase of manures and seeds and such other things as they require for the up-keep of the farm, there is a tendency to get the best quality in everything they get.

30573. I see. Then in your opinion the change is in the things they want to put upon their land and in clothing?—Yes.

30574. And though they spend more on these things their indebtedness is not increased?—Well, I would not consider that it is increased, but it is still bad enough.

30575. Does not that show rather that their position is better than it was fifteen years ago, that they are making more money?—Yes, but one bad year eclipses all that.

30576. But, taking the average of years, would you say that the small people generally are making more money than they did?—I could not honestly say they are, but I do not say there is no material improvement.

30577. If there is material improvement where does this extra money come from?—It comes from America, and it comes from England, and other places. It is not realised at home.

30578. But they must have more money, must not they, if they spend more on things for their land?—I do not mean to say that they spend more on things for their land or on their clothing. From the circumstance that a man buys a better suit of clothes, for

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instance, that he pays £3 for a suit of clothes, and wears it for five years, it does not follow that he is spending more money on his clothing than if he paid 30*s.* for a suit of clothes every second year.

30579. I see. You think that their expenditure generally is not greater?—No; I do not see that their spending power is increased. And another thing is that they are less inclined to go into debt than they were in those times.

30580. Mr. SUTHERLAND.—I was going to ask you that question, which is the greatest test of all. They are beginning to see more clearly the benefit of thrift?—Yes; they are less inclined to go into debt.

30581. CHAIRMAN.—When a man goes to a shop to buy a thing for which he does not wish to pay ready money, does he show the same curiosity and anxiety with regard to its price as if he was going to pay ready money for it?—Well, two-thirds of them, or more than that, three-fourths of them will.

30582. Will what?—Will pay just as much attention to it as if they were paying ready money for it, and be precise to see that they are getting value and fair play in every respect.

30583. Three-fourths of them?—Or more.

30584. But there is a class of them that are careless?—There is a class that are careless, and that class is careless not exactly because they do not intend to pay or that they are heedless about paying, or, as a matter of fact, that they expect to be heedless about paying, but that, as a rule, they have such confidence in your honesty that they leave the whole affair to yourself.

30585. That is not due to a feeling that as they do not intend to pay ready money they have no claims to bargains?—Well, I think the number of people that would be influenced or have their minds that way would be very small, indeed. The number would not be more than three or four out of a hundred.

30586. Most Rev. Dr. O'DONNELL.—They are not quite so independent as the people generally who have cash?—Well, not quite so independent.

30587. CHAIRMAN.—That man that buys on long credit belongs to a class that is careless; but do you think that when that man does pay cash, he then becomes careful?—Well, in very rare cases. In fact any man that I would see doing that would strike me as being an odd sort of a man.

30588. Sir JOHN COLOMB.—That is, a man who was careless while getting goods on credit, would, on paying ready money, become very tight and very careful?—He would strike me as being a very odd man in this part of the country.

30589. CHAIRMAN.—As a rule when a man does buy on credit he is rather careless?—Oh, no, not by any means; it is now the other way, but I believe it was that way formerly.

30590. You find them more careful?—Yes, more careful and more businesslike in the way of shop business. There is a considerable improvement.

30591. Most Rev. Dr. O'DONNELL—Do you find a general tendency among people to take the world much more seriously than they did some years ago?—Yes, my lord; that is my experience. They are becoming far more hard-headed, if I may use the term, in the ordinary affairs of life.

30592. CHAIRMAN—In a business like yours when a small farmer wishes to reduce his debt, does he always reduce it by cash payments to the shop, or does he ever offer you stock?—Frequently. In the place where I am employed there is no live stock or farm produce bought for export or for trading purposes. The man has very little land, and, of course, the oats, hay, potatoes, etc., required for his house are all bought from his customers, but their amount is small, and the amount of debts that could be paid in that way is very trifling.

30593. Sir JOHN COLOMB.—Butter or eggs?—Well, the butter is taken by the co-operative creamery, and we don't deal in eggs.

30594. CHAIRMAN.—Should you say that in this district it is ever done, that men reduce their debt to the shop by bringing in butter or eggs, or a calf, or something like that?—Well, they do to some extent. In the majority of cases the people send their milk to the creamery now, and take eggs in weekly, and they try as far as possible, and as far as the money goes, to supply the house with necessaries, but of course the cattle and other things are sold to supply the landlord's rent.

30595. In the market?—At the fairs.

30596. Sir JOHN COLOMB.—Is there a spirit licence attached to your place of business?—Yes, sir.

30597. Have you noticed a diminution in the profits you have made on drink in the fifteen years that you have been employed there. As an illustration of these things, have you found that the profits from that branch of the business, beer and spirits, has been diminished?—Well, I do not consider that there is any diminution in the profits, or that the consumption has very much diminished during that time; but drunkenness at the markets and fairs, such as we were accustomed to see in former years, has to a great extent disappeared.

30598. Mr. O'KELLY.—These are secrets of business?—I am at liberty to tell the truth, to give the information.

30599. Sir JOHN COLOMB.—Have you many of the farming class who are ready money purchase customers—who are ready money people—and in asking you this question I do not press you for any answer, I leave it to you to answer as you think right?—I can. There are between 1,400 and 1,500 families trading with the place in which I am engaged as manager and something like 900 of these are what we look upon as regular customers, that is customers who do the bulk of their trade with us, and I consider that something over 600 of these—slightly more—are what you call ready money customers, or quite as good.

30600. Ready money?—Well, that class of customer that pays his account at the end of the half-year or at the end of the year, I look upon as ready money customers in the ordinary way of things here.

30601. I want to ask you, to clear up my mind about it, when you spoke about waste land you were asked by Lord Dudley to describe what you meant by waste land, and what I took down was that you meant land not used for dairying purposes but for fattening purposes?—Lands that were not tenanted in the ordinary sense as we know it. I would not consider a grazing farm as tenanted land that was used for the purpose of fattening bullocks, even though the man that was immediately in possession of it was a tenant within the meaning of the law, unless that he lived on it and worked it.

30602. I misunderstood you. You stated that at Doocastle the Congested Districts Board was cutting down timber, or that timber was being cut down, and that no new planting was being done in its place?—That is quite right.

30603. Do you mean the trees in the hedgerows or banks, or do you mean plantations?—Well, they were small plantations.

30604. Are those being cut?—They have ceased to cut them for some time past, but they cut down a considerable amount of them, and I would not like to see them cut down at all, especially as they were not being replanted.

30605. Was it that they were thinning out the plantations—or that they cut down the plantations absolutely?—In some parts they cut them down absolutely, and the land they acquired by that process they gave to some of the adjoining tenants as an increase of their holdings—the land that they cleared of the trees. I know one tenant in particular who got a slice of the land just after being denuded of the trees, as an increase to his holding.

30606. Were those plantations with regard to the holdings to windward—I suppose your worst winds are west and north-west—were those plantations shelter plantations to those holdings?—This is only one plantation I am referring to really.

30607. Can you give the Commission any idea of the size—on acre or two acres, or was it merely a little patch?—The total amount of land under trees would not be more than ten or twelve acres, and it was a shelter plantation more than anything else.

30608. It had been planted for shelter?—Yes, for the district. It was formerly the residence of Mr. Joe More McDonnell, and along the fringes of his grass land.

30609. Had that plantation stood would it have been a shelter from the prevailing gales to some of those new tenants?—It would have sheltered some of the farms, but it was not of itself of sufficient extent to shelter any considerable tract.

30610. Mr. O'KELLY.—Do you know what the object of the Congested Districts Board was in cutting down the plantation?—I do not really know, but I

know that they distributed a certain amount of the timber, but I would say a very small amount of it would be needed to repair the houses. The trees may have been cut down to distribute some of the timber amongst the small tenants to repair their dwellings, but the amount required for that purpose was not very large.

30611. What was done with the balance of the timber?—I really do not know, but I heard some of it was sold.

30612. Sir JOHN COLOMB.—You say the Congested Districts Board did it, but have you any reason to suppose that it was done under the authority of the Congested Districts Board. Perhaps the tenants cut it for fuel?—The Board's officials were there at the time, and I took it to be the act of the Board.

30614. Do some of the shopkeepers hold agricultural land?—Yes.

30615. Do they reside on them?—No.

30616. They are holding non-residential land?—Yes.

30617. Now, is the shopkeeper's land used for agricultural purposes?—Yes.

30618. Would you take it away from the shopkeeper?—Now, I will answer that, if you please, and I intend to ask the Chairman's permission to make a remark on that point. A somewhat similar question was asked of Mr. M'Loughlin yesterday in the evidence, and I was here in the court at the time when he was asked the question. He was asked, I think, a question similar to the one you are now putting to me, did he consider it fair to take from a shopkeeper land that he was after buying with the money that he made in trade, did he consider it fair to apply the principle of compulsion or to take the land from him for the purposes of the Board. Now you know that unfortunately in this country when a shopkeeper makes money in business he has nowhere else in the country to invest his money except he lodged it in the Post Office Savings Bank or in a joint stock bank, or if he cared to buy Dunlop shares for it, or something of that sort. And consequently finding an opportunity of getting grazing land he, as a prudent man and from his own point of view, invests his money in it in the hope of turning an honest penny, and I think it is a very fair thing to do, but the only remedy for that is this, but when you touch the question we go up right against the great eternal question of Irish freedom—when you touch that, I think, no matter what Government is in charge of this country, you must give facilities to men of that class to have other outlets for the investment of capital besides investing it in land intended to be distributed amongst small farmers. And, of course, if we had industries in this country the same as they have in every well-governed country a man would have plenty of opportunities for investing his money which might bring in a reasonable rate of remuneration from the investment without sticking it in land. In the present case, and with the connection that at present exists between England and Ireland, without an organisation of Irish industries, the shopkeeper who has his money made has nowhere else to invest it unless he sticks it in the Post Office or joint stock banks.

30619. Most Rev. Dr. O'DONNELL.—That is not the question Sir John put to you. It was not exactly a question of the propriety of the investment. He asked you whether in the case of such an investment you would expropriate the shopkeeper?—I would expropriate the shopkeeper, but I would leave an Irish Government to do it. That would be my answer, and I hope that will be satisfactory.

30620. Sir JOHN COLOMB.—If you are going to deal with owners or with farmers in this way, would you make an exception of the shopkeeper?—I do not think I would, but still the point that I have made remains, that the shopkeeper who has made money in business in the unfortunate circumstances in which we are placed in this country has no other investment for his capital.

30621. We had very strong evidence from a gentleman who came forward as a nominee on the same question that I put to you, and he was for absolutely making no exception at all. He said he considered the shopkeepers a dangerous class. You do not agree with that?—I do partly agree with it. I consider the shopkeeper is, like the grazier, hurrying the country on to destruction—that is, the class of shopkeeper that buys up land and leaves it waste or under grass.

30622. He was not talking of any particular shopkeeper, but was asked the same question exactly which I put to you about a shopkeeper putting his money in a grazing farm. He considered that that man was a dangerous man to the country. Do you agree with that?—I certainly believe that a shopkeeper in doing that is hurrying the country on to destruction, but the unfortunate circumstances in which he is placed are certainly not of his own creation, and though I would be for expropriating him and packing him out bag and baggage, I would like to see an Irish Government in charge of the job. That would make all the difference in the world.

30623. Most Rev. Dr. O'DONNELL.—It would make it more sweet?—Oh, yes, and he would have an investment of his money in the country just as well.

30624. Sir JOHN COLOMB.—How would it affect the shopkeeper on a question of public policy?—If you had an Irish Government in this country, and that there was sufficient public confidence for the security permanently of investments in industrial enterprises and you had a financial system in this country, a banking system and a Stock Exchange, not as at present under the threat of the British Government and the Lord Lieutenant of the day, there would be plenty of opportunities, and shopkeepers and others who had made money would be ready and willing to invest it in enterprises which showed a reasonable chance of success—a thing that cannot be done at the present day.

30625. Thank you. I am sorry to have kept you so long. Now take your peat industry that you advocate?—Yes.

30626. You believe that would pay?—Yes.

30627. What is to prevent the shopkeeper from investing his capital in that—what is to prevent an Irish capitalist, a shopkeeper, or anybody else in Ireland starting an industry that would pay?—A shopkeeper taking that to run it on sound lines would require a considerable amount of both organised labour and capital. It is in modern times a very rare thing to find one man with capital to do that. Consequently they require to float a limited liability company. If that company is established the chances are twenty to one that unless they are backed by powerful political influences in this country they won't get a quotation on the Stock Exchange, with the result that they cannot dispose of their shares in the concern if they require their money for any other purpose.

30628. Do you mean to tell me that all opportunities for private enterprise are not available in Ireland to two or three people or to half a dozen or a thousand people to put capital into a fuel industry?—There are a great many things against them. The banking system is against them, and the Stock Exchange is against them, unless they are backed by powerful political influences.

30629. But is not the banking system in Ireland the same as in England?—I do not believe it is.

30630. Do you think the Stock Exchange is—for the Stock Exchange is not under the control of the Government in England?—I do not believe it is, except in Ireland. Does not the Lord Lieutenant of the day nominate the members of the Stock Exchange? Is not that the fact, my lord?

30631. CHAIRMAN.—I was not aware of it?—He appoints the members of the Stock Exchange.

30632. Sir JOHN COLOMB.—But gentlemen in Tubbercurry could start a Stock Exchange of their own?—The Lord Lieutenant of the day appoints the members of the Stock Exchange. If you do not know it, my lord, I am somewhat surprised, but you may take it from me in strict confidence. And in addition to that the Lord Lieutenant is supposed to satisfy himself of the loyalty of the applicant.

30633. CHAIRMAN.—Did you ever know a case in which the licence had been refused?—The Lord Lieutenant nominates the members of the Stock Exchange.

30634. Have you ever known a case in which the licence was refused?—Well, I do not know. I did not see anything published about it.

30635. If there is no case in which a licence is refused does it amount to an appointment at all?—But is not it the fact that the Lord Lieutenant of the day has the appointment of the members of the Stock Exchange, and hence this part of the country's business is absolutely in the hands of the British Government.

30636. Well, there is a licence, but I do not think it has ever been refused?—Well, no matter.

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30637. Mr. O'Kelly.—You know the question of solving the problem of congestion is most urgent?—Yes.

30638. And it is no matter who solves it so long as it is solved?—Yes.

30639. Have you any period in your mind in which we are likely to have self-government in this country?—I would like to give an answer to that question. That would greatly depend on ourselves.

30640. Quite so; but in any case do you think it will be a year or two years or three or five, and would you delay the solution of the question of congestion till the time of having a Home Rule Parliament in Dublin?—Oh, no; there are certain powers with regard to the expropriation of shopkeepers.

30641. If you leave out the non-residential holdings, would you have land enough in the country on the eleven months' system to get a fifth of the problem of congestion solved; and still you propose to allow the non-residential people to go on holding the land till such time as a great change is effected?—That is not exactly my contention, for I would go for expropriating them right off, but I would much rather for the sake of security and causing a less amount of hardship, to see the job entrusted to an Irish Government.

30642. Most Rev. Dr. O'Donnell.—I am interested in what you say, that you would prefer expropriation under an Irish Government, but you do not propose to delay necessarily till then the expropriation?—No.

30643. You say that under an Irish Government there would be investments open to an enterprising shopkeeper that are not now open?—Yes, I am perfectly satisfied of it.

30644. I suppose that if there were industries throughout the country such investments would be at once available?—Oh, certainly.

30645. Are you one of those who believe that the beginning of industrial progress in Ireland is Irish self-government?—Yes.

30646. You believe that the real foundation of Irish industry is Irish self-government?—Yes.

30647. And for one who holds that, it is very natural to say that there will be avenues for employment of capital under an Irish Government which do not exist now?—Yes, my lord.

30648. You mentioned something about a plantation which was cut down by the Congested Districts Board?—Yes.

30649. I am anxious to know how far vandalism can be imputed to that Board. Do you know the extent of the cutting?—I do not think it was the mere quantity of acres. I know that a whole lot of people grumbled at it, and that they objected to it merely for the sake of not liking a beauty-spot to be destroyed.

30650. Would you be surprised to hear that those trees were cut down as surrounding a house that was to be occupied, and to which the trees were injurious?—Well, some of them might be cut down on that excuse, but certainly they were not all cut down for that.

30651. Do not call it an excuse. Would you be surprised to hear of the trees being cut off demesne land where they obstructed the striping of the land for agricultural tenants?—I could not very well give you a clear answer to that question altogether.

30652. I suppose you might safely say that if a tillage man is being planted down on certain land, and trees are in his way, they have got to be removed?—Oh, yes, but I would hope that other land could be provided for him besides that occupied by the trees.

30653. Do you know the locality?—I know the locality fairly well.

30654. Are you quite sure that the agricultural resettlement could be carried out without that amount of tree-demolition that has occurred?—Well, of course the particular ground on which the trees were situated came in more conveniently for the particular tenant they gave it to, that is, provided it was not practicable to keep up the trees.

30655. You can understand that being done by an agricultural body for an agricultural purpose?—Yes.

30656. Now, do you not think that one in your position is likely to have a keener vision for beauty-spots than an inspector of land charged by the Congested Districts Board to try and provide farms for the relief of congestion?—Well, I would not like to give either a positive or a negative answer to that, my lord. I would like to leave it an open question.

Mr. Luke Armstrong examined.

Mr. Luke Armstrong.

30657. Chairman.—What do you want to tell the Commission?—My lord, I am one of those shopkeepers that acquired land and purchased it.

30658. Where is your land?—Well, the principal holding I have is in Moylough.

30659. What is your principal occupation?—I am a shopkeeper—that is my principal occupation—and also an auctioneer.

30660. In Tubbercurry?—Yes; and I do a bit of farming.

30661. Where is your land?—The principal farm is in Moylough on an estate purchased by the Congested Districts Board.

30662. What estate is that?—The Phibbs estate. It is in the electoral division of Achonry East.

30663. Yes?—I bought it ten years ago—between nine and ten years ago—from a farmer who lived there.

30664. Mr. Sutherland.—Was that before it was acquired by the Congested Districts Board?—Oh, yes.

30655. Chairman.—Nine or ten years ago you bought it?—Yes.

30666. What is the size of it?—Its valuation is £49 10*s.*, and the first term judicial rent £42.

30667. How many acres?—Between 130 and 140 clear, but there are forty or fifty acres of bog and waste.

30668. One hundred and thirty-five acres altogether?—Yes.

30669. Sir John Colomb.—It was the tenant's interest you bought?—The tenant's interest.

30670. Chairman.—You bought the tenant's interest?—Yes. Latterly I am attacked week after week for not surrendering it to the Congested Districts Board, and I want to explain here.

30671. I think you said they bought the estate?—Yes, they got the landlord's interest.

30672. And you are a tenant of theirs?—I am a tenant of theirs now.

30673. How do you mean you are attacked for not surrendering it?—My lord, the branch of the League has been passing resolutions week after week calling on me to surrender it.

30674. To surrender to whom?—I cannot say, because I have been made no offer by anybody. But I may say for your information that about a year ago, at the time it was bought, there was sent round a notice by or from the Congested Districts Board stating that they had a number of holdings, and this is all over the town, some up at Claremorris, some at Galway. However, I wrote to them at the time offering to exchange with them, and I got a big, long query sheet down to fill up, between thirty and forty questions, and as to how I acquired it, and who had it before me, and was it embarrassed, and so on; but I answered it all, and sent it back, and they sent me a formal acknowledgment, and from that day to this I have never heard a word from them. It was referred to in the late resolutions passed by the Moylough Branch last Sunday calling on the people not to have anything to do with us till we surrendered it, and also Mr. Cooke, who has a big farm beside us.

30675. Is it a big farm, Mr. Cooke's?—It is not as large as mine, but there is more upland on it than on mine.

30676. Is it on the Phibbs estate?—Yes.

30677. What I understand is that they wished you to surrender your tenancy. To whom?—I cannot say to whom. I have been offered nothing for it, and I am not expected to surrender without fixing a price for me.

30678. They wish you to surrender your tenancy?—That is the resolution.

30679. I suppose you are one of those people whom we have heard about, who it is suggested might perhaps be migrated to other places. Would you be prepared to surrender your tenancy and move to some

other place that the Congested Districts Board, say, was able to offer you?—Well, I could hardly be prepared to move because I am planted in Tubbercurry. If I had got a better farm within any reasonable distance of a non-congested area, I would not have had the least objection, or even if I knew that I was going to get a decent price for it. But the notion of passing resolutions calling on me to surrender or boycott me because I won't surrender it is nonsensical unless you make some offer for it.

30680. Mr. SUTHERLAND.—This purchase of the place originally was a transaction between you and the former tenant?—Yes.

30681. It did not require any particular Act of Parliament to sanction that?—Oh, that was purchased in the ordinary course.

30682. So that you are in the possession of the tenancy?—Of the ordinary judicial tenancy.

30683. Sir JOHN COLOMB.—Now, you have been called on to surrender this interest, but have you made it known that you have never been made an offer?—It is not a year ago since I wrote to the Congested Districts Board.

30684. But the people do not know that?—But the people have no money to pay me.

30685. But what you said was this, that there were indications of a general feeling that you ought to give it up and all that. Have you made the people aware that you have never been offered anything for it, or that nothing of the sort has happened—have you made that known?—Oh, no; I could not run round telling these people that I think an offer should have been made. I think the first thing should have been to ask the Congested Districts Board to approach me about it, and ask me what I was prepared to sell it at.

30686. But the Congested Districts Board cannot be responsible for what other people say, and my point to you is in reference to these statements of these people; have you said to them, "Nobody has made an offer to me"?—I am sure I have said that to friends, to everyone that spoke to me.

30687. CHAIRMAN.—You think it is pretty well known?—The piece of land is purely a commercial transaction, and if I got a good price for it I would sell it in five minutes.

30688. What do you do with the land?—I till and graze.

30689. How much do you till?—This year only a few acres.

30690. About how much?—About forty acres of it is cut-away bog, and there is a part, about sixteen acres, which is good land. It could not be tilled. But I have this year eight or nine acres.

30691. Sir JOHN COLOMB.—Do you let it in conacre?—Yes.

30692. And have you done anything to improve the land—was it deteriorated by the conacre?—Yes.

30693. Have you done anything to reestablish it?—Yes, and I have manured a great deal with slag.

30694. And you have put it in good heart?—I have put it in good heart, and I have built a house on it.

30695. And you have got a herd?—Yes, with a farm of five or six acres.

30696. And you have put the land in good heart by expending money on it?—Yes, and built a house and slated it suitably.

30697. CHAIRMAN.—Are they your own beasts that you have got on it, or do you take in grazing?—Yes; I do not take in grazing. And it is a good sheep farm.

30698. And they are your own stock?—Yes, my lord.

30699. And are you of opinion that grazing pays better than tillage?—Ah, tillage to a man like me is nearly impossible.

30700. Why to a man like you?—Because I could not be out on the land, and labour is too dear, and I could do nothing at all myself; and drawing them up a mile or a mile and a half from here I could not get a reasonable day's work out of them. In fact, tillage only suits a man that can devote his whole time to it, and I do not know but someone else might be getting a turn out of it.

30701. Mr. SUTHERLAND.—Do you mean that if the Congested Districts Board were to exercise their power of expropriation there would be no difficulty except the matter of price?—Not a bit. I sold a farm of land a week ago and got £500 for it freely. And I would sell this one.

30702. And have you improved it since you got it?—I have, sir. It has cost me £500 or £600.

30703. I was going to ask you how many years' purchase that would be, but I suppose you cannot compare tenant right with years' purchase?—No, sir; it would be very hard to compute, because if land is rented cheaply it would take a bigger price than dear-rented land. The less the rent the greater the number of years' purchase would be.

30704. Would this land be suitable to enlarge small holdings?—I believe so, except that my land is on the extreme edge of the townland of Moylough that is sold. Mr. Cooke's farm runs between the small tenants' and mine.

30705. And is Mr. Cooke residing on the land?—He is not, and unfortunately there is a difficulty in his way that he has a maiden aunt of his as a tenant there, and she obstructed him in trying to have an exchange with the Congested Districts Board.

30706. And that does not make the transaction any easier, do you think?—It is not, except that she is very old. I am certain Mr. Cooke would let them have it at its fair value, but unfortunately it is not in his power.

30707. Then provided you got reasonable compensation for your purchase price and your improvements you would look favourably on any offer from the Congested Districts Board?—Oh, yes; my heart and soul is not stuck in it—I would not reside there for anything; if I got a price for it that I could just make as much of as I could make of the land, I would not keep it two minutes.

30708. Five per cent. on your expenditure?—If I got 5 per cent., that is, provided I could get it, I would be well pleased.

30710. Sir FRANCIS MOWATT.—Really, summing it up, you desire to come before the Commission to draw their attention to the fact that you valued this farm and that other people wanted it, and that you would be disposed to part with it if the Congested Districts Board expropriated you, at a fair price?—Certainly.

30711. And now you have brought that before the Commission?—However, I have heard statements made here that I entirely disagree with, that is as to the amount of non-residential land there is.

30712. Most Rev. Dr. O'DONNELL.—I should like to ask you in connection with Mr. Sutherland's question why should you expect a sum of money which would produce the amount of income which you derive as profit from that land?—I think I am entitled to something near the profits I derive from it.

30713. Is not there a good deal of superintendence of the property?—There is; I have to pay a herd.

30714. And you would be relieved from such superintendance if there was a sum of money invested?—Yes.

30715. And there should be a deduction for that?—Ah, not very much. I use a good deal of my own spare time and take a run up there. It is only a little over a mile.

30716. You are aware that the Congested Districts Board has power to take that land at a price?—I am not quite sure.

30718. I believe they have?—I do not know. I have not seen them doing it anywhere. That is one of the reasons I had.

30719. They have the power of bringing to an end even a judicial tenancy for the relief of congestion——

Mr. Doran (*Chief Inspector to the Congested Districts Board*).—May I state that the Board have already decided to exercise that power in Mr. Armstrong's case—to take up the farm from him under the powers that they have.

Witness.—Perhaps Mr. Doran would give information now why for the last twelve months the Board did not make the slightest move in that direction.

30721. Sir JOHN COLOMB.—Is that the first you heard of it since you wrote those letters—what Mr. Doran has stated now?—This is the first I heard of it. I never heard that it was intended to use any compulsion. They have not even given me any notice of any kind or asked me to sell up to now. And I wrote to them offering them to exchange.

30722. Mr. Armstrong, anyone like you should get notice, but it does not yet appear that the notice is an untimely one?—I do not say it is an untimely one.

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30723. Would not it therefore be for you to consider the fair price at which you could sell the Board this land?—I think it would be first for them to suggest what they would give me, or to ask me how much I would want for it.

30724. There would not be the smallest objection to that. I am sure a price could not be looked upon as reasonable merely because the Board considered it a reasonable price?—No, but I think the first thing that should be done before there could be anything about compulsion would be to try to make a price, and then if I was unreasonable to exercise compulsion; but I think it an extraordinary thing to be said here that they can exercise compulsion without giving me the smallest notice or even asking me would I be willing to sell.

30725. Yes; the next thing would be that you should consider what the fair price would be in your opinion?—But I cannot say that that particular question was put to me by any person responsible.

30726. It would be time enough to do it still What I say is that it seems to me to be extraordinary to be told here that compulsion is to be resorted to without seeing first could it be done amicably.

30727. Are not the two things the same—no compulsion can be used without an arrangement between you and the purchasing people?—Why should not that be arrived at without my being told that compulsion is necessary.

30728. There is no question of compulsion except on the condition of a voluntary arrangement not being arrived at?—Yes, but they have the estate purchased over twelve months, and during that time I never got the smallest hint that they were prepared to purchase, and they had my letter and this query sheet that I filled up, and since then I have never had any word from them saying "We are prepared to buy. What price will you take?"

30729. But they cannot do everything in a day?

Mr. Doran.—They must wait till the estate is vested in them.

Witness.—I saw notices posted up here this time last year, I think about the 1st of May, that they had a number of residences on hand, Chaffpool here included, and some at Claremorris and Sligo and Galway, and the impression that struck me was that they were in non-congested areas, and I wrote to them to say would they exchange with me, and if I got what I thought a better one I would hand over this one in Moylough.

30730. Mr. Sutherland.—Did you specify the one you would exchange for?—I think I mentioned Chaffpool, but I would have taken any good agricultural holding at all in a non-congested area.

30731. Most Rev. Dr. O'Donnell.—The point you make would be got over when it is stated that the Board could not negotiate with you till they were owners of the property?—He says so now, but I am surprised at it, because they commenced and did some work in it nine months ago.

30732. Would you not consider also that the Board thought your offer was to exchange for Chaffpool?—Oh, Chaffpool would be out of the question. A neighbour of mine had been negotiating for it, and I dropped it on the spot. I mean Mr. Cooke himself, a man who would be most anxious to get it for various reasons.

30733. Is not that question of notice sufficiently explained by the fact of the property being only recently vested?—I think it is not, and I think the Board, before they attempt to use compulsion, should first satisfy themselves that there was no prospect of an amicable arrangement. It is very high-handed.

30734. Is not it absolutely necessary that when an estate is vested in the Board they should send an inspector to make inquiries and report to the Board?—I suppose it is.

30735. And that the inspector in his report to the Board should report necessarily upon the farms which the Board should acquire for the relief of congestion?—Yes.

30736. Is not it the duty of the Board to say "Such and such a farm is to be acquired by voluntary arrangement if possible, otherwise by compulsion"?—Mr. Doran has come here and stated that the Board has determined to use compulsion. He did not say that there was one word about amicable arrangement.

30737. Mr. Sutherland.—Is not the likely process to be this, that the Board, which does not meet every day, would say, "We want this. In the event of not acquiring it by arrangement, we have decided now that if compulsion is necessary we wish it to be enforced"?—I really think that without some consultation with me it should not be done, and the Board could scarcely call mine a non-residential holding at all. I got a good two-storey house put up there and stated and showed, at all events up to this, all the appearance that I intended to reside there; and the only point that they can make is that I have not gone there yet.

30738. Most Rev. Dr. O'Donnell.—It is not any question at all of taking advantage of you. The Board has simply to exercise its legal right for the relief of congestion. It is not free in the matter?—And if I resided there could the Board do it?

30739. I could not give you an answer, but I am not sure that even if you resided there the Board would not have the power.

Mr. Doran.—Being a judicial tenancy, the Board can determine it, whether it is residential or not.

Witness.—There are different farms here that have been put down as non-residential where the people had full-grown sons to occupy them.

30740. Sir John Colomb.—Can you mention one of those farms by name that was called non-residential but is actually and really residential?—I may mention farms that were in the acreage that was stated here to-day by Mr. Nicholson in his evidence that showed such a big acreage. Two of them belong to men who have grown sons over age, and another belongs to Mr. Boyers, and one to Mr. Layng.

30741. Did you get the names of the farms?—Mr. Boyers' and Mr. Layng's. Mr. Boyers has a son twenty-seven or twenty-eight, and he bought this farm at a sale by myself by public auction.

30742. Mr. O'Kelly.—When were these farms purchased by Mr. Boyers?—Six or seven years ago. Mr. Layng bought his farm from his father-in-law about the same time. It might be a year earlier.

30743. Where was it that any residence was put up on these farms for the past six or seven years?—Well, five or six—Layng's. And there is a herd's house all the time on Layng's—a fairly good house. He got a man to build a new house on it. That is Layng's case.

30744. When did he start building?—Two or three months ago.

30745. At any rate, he is in this position for six or seven years?—Yes.

30746. How is that farm used for the last six or seven years?—He is grazing it. He conacres it a good deal yet.

30747. Does he take any stock from local farmers?—I do not believe he does.

30748. Can you say that he does not?—I never heard that he did, and I know he has means enough to stock it.

30749. Now, with regard to Chaffpool, how many acres are there there?—I think there are about fifty acres altogether, a great deal of which is wet.

30750. Why did you drop the negotiations for an exchange of it?—Well, Mr. Cooke and I are two neighbours there, and it suited him and I did not care about it, and the houses are no value to me and they are very valuable to him.

30751. Is Mr. Cooke the master of the young man that gave evidence?—No, he is a brother of his. He owns a place out at Kilterna.

30752. How many acres does he own there?—I could not tell you. I am sure about eighty acres of good land.

30753. Which would you prefer to see the eighty acres being divided between people who needed the land or to hand it over to men who had eighty acres already?—Oh, I think the people near the land have the first claim on it; but he has eighty acres already; he has them for years. You are referring perhaps to Chaffpool?

30754. Yes?—On the conditions they wanted, Chaffpool was to go for Moylough. As far as the agricultural portion of it is concerned, Moylough is a far better farm. The place at Chaffpool is of very little use to a tenant.

30755. Most Rev. Dr. O'Donnell.—It is good land?—It is not. There is a great deal of it wooded, and that is no good for a tenant.

30756. Mr. O'Kelly.—Did you hear one of the witnesses state that there was more non-residential grazing land in the vicinity than there is really?—I say there is not so much. I would not call them non-residential, and people have them fitting up for their sons and still take a year or two out of them.

30757. How many cases are there in which owners are fitting out these farms for their sons?—I could not tell you, indeed.

30758. How did you come to the conclusion that there are sons?—I know the country well, and that they are in it. I did not get the names of them.

30759. But you flatly contradict the other witness?—Yes, I do.

30760. Tell me your knowledge of the question?—Because different farms were not read out, and how can I go round to search them?

30761. And when they were not read how can you contradict them?—I say the acreage was given.

30762. What is that acreage, Mr. Armstrong, that was read out, to which you take exception?—I think about 500 acres, or something about it.

30763. Five hundred acres in this district?—Yes.

30764. You say that there are not that number of acres?—I think not, non-residential. Probably it depends on two people, but I would not call those residential houses non-residential.

30765. But they are non-residential, it appears?—But it is well known they are bought for the sons of these men, and that they are prepared to go to them.

30766. But that is hypothetical. I want to find out the farms. What kind of information is in your mind that enables you to contradict one of the witnesses by saying that there is only so much non-residential land?—General knowledge of the district. The names of the particular farms have not been read out for me, and any man that likes can come up and make a statement, when you don't know the names.

30767. How many acres do you say there are?—I could not tell you really the amount, because I did not schedule it.

30768. If you cannot tell me how many acres of non-residential holdings or grazing lands are in this district, how are you in a position to contradict the witness?—From my knowledge of the district, unless he takes a circuit beyond all bounds. If he talks about the parish there is nothing like that amount in it, I say.

30769. I cannot decide, but I only want to ask you do you think it is fair that you should come up in the witness-box and contradict the statement of a man that there are 500 acres of non-residential grazing land, and that on examination you show yourself not to have the knowledge to justify you in making that contradiction?—Because I have ear-marked those holdings that he stated, that is, one of Boyers' and two smaller ones, and which he included as non-residential. I would call them residential.

30770. Mr. Sutherland.—Whether they are non-residential is surely not open to doubt. A man either resides in the place or he does not?—But where a man has the place bought for his son, and that son of age, and he is following farming, it is hardly fair to say that we are to take that farm as non-residential.

30771. A holding is non-residential, as I understand it, if it is a holding on which the man who holds it does not reside?—I know that is the technical meaning of it, but when it is bought by a man for a member of his family who is capable of keeping it, and that it is land that is intended for him I call it residential.

30772. May the whole difference between you and the other witness be your lack of agreement about that?—Yes; I say that he put on a meaning that no sensible man would consider correct.

30773. But he was perfectly honest and fair?—I do not impeach the man's honesty, but it is a mere difference of opinion.

30774. Mr. O'Kelly.—Did you hear the names of the occupiers read out by Mr. Nicholson?

Mr. Nicholson.—My lord, I handed them to the reporter—"Robinson's lodge, 200 acres (statute); Tullavilla, 20; Carnaleck, 100; J. Mullarkey's, 100; Layng's 40 (Irish acres); Boyer's, 42 (Irish acres); Mrs. Brennan, 30 (in Carsallagh); Michael Gallagher, 11; Phil Durkin, 10."

30775. Mr. O'Kelly.—Are those all non-residential?

Mr. Nicholson.—They are.

30776. Mr. O'Kelly (*to witness*).—These are all non-residential, are they not?—If he went a little further he could count just twice as much more by taking the Ox Mountains in.

30777. And that would make the case stronger?—But there are 5,000 acres on the Ox Mountains.

30778. The former witness said there were 500 acres of non-residential lands in the district. You point-blank contradicted him?—I qualified it, and I said these men had their sons living in the houses, and as there is a member of their family to go there they should not be considered as non-residential.

30779. I do not care whether a man intended to put his son upon the land, but this fact remains, that the ground on which you contradicted Mr. Nicholson cannot now hold water?—It can, sir. It is whether it is made suitable for a residential holding. I am certain that you did not come here to inquire what amount of mountain or bog is vacant.

30780. I do not care to pursue it further?—I do not care whether you do it or not, but I am certain the Commission is not here to inquire how much bog or land was waste or unsuitable for people to live on.

30781. Do you still persist in your contradiction as to non-residential?—Do you mean these 500 acres?

30782. Of non-residential holdings?—I will go further than he did, and I will say there is 5,000, and that will help you better if you get waste mountain and bogs, because I am certain that there is more than 5,000 acres in the Ox Mountains.

30783. Chairman.—I think the sole point of difference is the view that is taken of non-residential holdings. I understand what Mr. Armstrong thinks is that where there is a holding with a house in which a son is to live, a grown son, but which has not actually yet been handed over, that that is a residential holding. Is that your view?—I think that wherever a holding is stocked for the purpose of using it as a residence and that a man buys it for a member of his family it is residential.

30784. Sir John Colomb.—You might go further than Lord Dudley's question, and include a holding which a man takes with the idea of putting his son on it?—When he has a house built on it, as for instance, the holding of Mr. Boyers.

30785. Then, a residential holding in your mind is a holding which is held available for a residence for a son?—Yes.

30786. Chairman.—Would you limit it to a son?—Well, a son or daughter.

30787. But it might be a brother?—I think that would be going outside one's own family.

30788. Mr. Sutherland.—Are there many cases of that?—Quite a big lot.

30789. Are they new houses, those you know?—No; most of them are the houses that were there. Those are farms lately acquired and the houses that the former tenants occupied were on before them.

30790. They were residential holdings at one time?—They were residential holdings.

30791. Chairman.—Mr. Armstrong, are most of the men, from your knowledge, who own what are called ranches in this part of the world, men with grown up sons?—Well, some of them are. Now, for instance, Mr. Robinson, I believe, has no one to occupy after him, that is, there are two brothers, but there is no one to occupy after them.

30792. Would you say that most of them had grown sons?—Well, most of them. For instance, Mrs Brennan has a very big family herself, and some of them are full-grown, and she must send her family away if the land is taken from her, and they may turn on something else that may be at hand.

30793. Now, if a man with a grown family had two holdings, on one of which he lived and on the other he did not live, if he built a house and put his son on it that would make it a residential holding?—I think so, and I think it would be very unreasonable to take it away from him at all, and I think it would be unreasonable if his son could get the land that the land should be taken away from him, and I think it would be quite unfair to send him away. I say that he should have the first claim to it. Anyhow it would be most unreasonable to take it from the man who had a member of his own family to occupy it.

30794. And would you say it would make any difference whether he was the actual occupier?—If he worked for his father.

30795. And if he worked for his father and never lived in that part of the holding?—I say it would be most unreasonable to take it from him.

30796. Then, in your view, it would not make any difference whether the son was actually the owner or whether he was acting only on behalf of his father?—I think not.

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30797. Well, in that case I suppose it would be always possible to turn a non-residential holding into a residential holding, given that a man has got a grown son?—Well, I think it would be very hard if that son spent his time working for his father and that the holding was intended for him, though he did not actually reside there.

30798. But you do not answer my question that if that is your view it would be always possible, would it not, to turn a non-residential into a residential holding?—I think where there is land and there is a residence upon it——

30799. That you could by putting in a son immediately turn it into a residential holding?—I think if you have a son who is working on the land in the demesne——

30800. I am asking you whether it would not be perfectly possible to turn a non-residential into a residential holding by a process of that kind?—I think it would be possible.

30801. And quite easy?—Quite easy. No one could tell what was in the man's mind. He might have intended that long ago and his inquiries might help him on also.

30802. I only wanted to know whether that was your view?—I think so.

30803. Most Rev. Dr. O'Donnell.—What would be the effect on the towns about if the future farming of the country were tillage, and the tillage caused the occupiers to employ more labour?—I think the towns would go on about the same.

30804. Do you say that there would be no improvement in towns?—I do not think so.

30805. You consider that the occupiers would not create more trade for the towns?—I think it would for the big towns, but speaking of small towns generally, the more congestion and the more poverty the better the trade of the town is. There is nothing very surprising in it. Where the farms are larger the people go to the bigger towns. I see the best of the people going off in the trains to Sligo and coming back with their parcels, and really we get the money from the poor people. I think a good deal of them go to Sligo, and I see them at the railway station coming home with their parcels. I really think that the smaller the towns and the occupiers are the more money is made on them.

30805a. Would you be in favour of keeping the people in poverty?—I would not indeed. I would be very sorry to suggest such a thing, but I know all about the business of a small town. The smaller the tenants are round it the better it is for the traders in the little town.

30806. Chairman.—Your argument, if I understand it, means that if a person has so much land that he becomes prosperous and well-to-do, the tendency of that man is no longer to deal with the local traders but to go off to the county capital?—They are no good at all for the small shopkeepers in their own towns.

30807. Is not that rather an argument against permitting too much land to be in the hands of one man?—I am not in favour of too much land being in the hands of any man.

30808. But it does mean that in order to increase the business of a local town you want greater distribution of land amongst the people?—Well, I do not think it will affect them much. I do not think, as long as the population is here, it will affect the local town much.

30809. I am not certain whether you were here when one witness who had to do with business said he had 1,400 customers, of whom 900 were regular customers. Now you would not call that very bad, would you?—It is very good.

30810. Would you not call that very good for a local town?—I would; but I should say that four-fifths of them are customers also of another shop in town, and probably a bigger percentage.

30811. Most Rev. Dr. O'Donnell.—Now, in pursuance of Lord Dudley's question, if you diminish the population and make the farms bigger you will not have so many people?—No; you will not.

30812. When the farms become large the people will go, according to your account, to Sligo and farther afield, and there will be no trade for Tubbercurry?—I think I made it quite plain that the better-to-do portion of the population are not at all inclined to leave all their money in Tubbercurry. When I go to the railway station I see those fairly well-to-do people who get bags and carry a lot of things, while the poorer classes go into Mr. Cooke's and Mrs. Hoyle's and everyone else that gives it to them, and they get a good turn out of their money.

30813. Chairman.—Those big people go into Sligo?—And even the ladies of the family.

30814. And as a shopkeeper you would be rather in favour of decreasing those large farms?—Oh, I think they should be decreased, but I was almost afraid of being contradicted. But, as regards the people who have made most money in small towns like Tubbercurry, it is done on the people's poverty, that is, that they cannot afford to go far and they must take credit at home.

Mr. Thomas Connor examined.

Mr. Thomas Connor.

30815. Chairman.—What is your address?—Doongeelagh. I first deal with the Doongeelagh estate. This estate is situate in the townlands of Doongeelagh and Coultalough, in the electoral division of Killadoon, in the rural district of Boyle Number 2. A particular grievance that the tenants have to complain is a multiplication of landlords, there being four landlords collecting rent off that estate.

30816. Sir Francis Mowatt.—Four landlords to the one estate?—Yes.

30817. How is that managed?—The estate is in the Land Judges Court, or the best part of it. There are four landlords, Mr. Robert Hamilton, Mr. Keogh Williams, Mr. James Shirley, and Mr. Robinson, of Dublin. He gets two parts of the rent from some of the tenants. They have the estate divided between them.

30818. Mr. O'Kelly.—Do you pay one landlord so much, and another so much, and four altogether?—The way it is with the landlords, they have the tenants divided, but at the same time the four landlords are on the property.

30819. You are a tenant on the property?—Yes.

30820. To how many landlords do you pay rent?—Two.

30821. How much is your rent?—£8. I pay £5 6*s.* 8*d.* to Mr. Robinson, and £2 13*s.* 4*d.* to Mr. Shirley.

30822. Do you pay to an agent?—Yes, lately to one agent, Mr Cox, and he gives me a receipt for each separately.

30823. It does not matter to you how much it is divided afterwards so long as you pay your £8?—It does; for he will come at me and process me. Mr. Robinson does not come at the tenants so severely as the other man. Mr. Robinson lets a year's rent run with us, while the other does not, and you have to pay one landlord up to the day or he serves you with a process.

30824. How long has this system been in existence?—I could not tell. The land is of the very worst quality, being extremely hard to till, and the crops, even in a favourable season, are deficient both in quality and quantity.

30825. Sir Francis Mowatt.—How much is your holding?—About fifteen acres, Irish. The tenants are unable to make out a living without constant remittances from their friends in England and America, and when those resources fall short, the tenants have to bear a very heavy burden in the shape of law costs as they have to bear those expenses at the suit of the four landlords. The estate is a portion of the Tawnagh grazing lands, at present let as ranches for grazing cattle.

30826. Do you know what acreage is let for grazing cattle?—About 100 acres. It is the desire of the tenants that the Estates Commissioners or some such public body would acquire the property, and if a scheme of migration was carried out by moving some of the smaller tenants to that portion of the property at Tawnagh now going to waste and the remainder of the holdings enlarged by the surplus land thus obtained and let to the tenants at a reasonable rent the tenants would be in a better position, and would not be so much at the mercy of a bad season or a shortage in the remittances from their friends in England and

America. This part of the property was formerly a barren waste, and a considerable amount of labour was expended on it by the tenants and their predecessors. One of the landlords made an offer to sell at the unreasonable price of twenty-four and a half years' purchase, which the tenants refused to accept. By a process of chicanery, that the landlords have resorted to, a good many of the holdings have been converted into future tenancies and the tenants in these cases are debarred from entering the land courts to have a fair rent fixed. The holding of one of these tenants, namely, James Conney, has been inundated by a small lake to the extent of five acres, and the landlords have refused any consideration. The four landlords are William Robinson, Keogh Williams, Robert Hamilton, and James Shirley. There are eight tenants under £5, eight under £10, and four over £10.

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Mr. Thomas Connor.

30827. Your object in coming before us is to state that you would like the Congested Districts Board or the Estates Commissioners to buy the land and migrate some of the poorer tenants on to the grazing land?—Yes.

Mr. Patrick Gallagher examined.

30828. Chairman.—What is your address?—Creevan, Killoran. I am a farmer. It is not necessary to take up so much of your time as some of the other witnesses. I just wish to give you a list of some of the non-residential farms in our district. On the Dodwell estate there are 253 acres of non-residential farms, and there are also Kilcullen, 53, Golden, 58, Conboys, 91, M'Carrick, 48, Phibbs, 108, representative of Stokes, 104, and Dane Heather, 305.

30829. Sir Francis Mowatt.—Where are all these farms?—In the parish of Killoran, in the Coolany division of the Tobercurry rural district. Major O'Hara has 357 acres, and Mrs. Geddes 126 acres.

30830. You are stating the amount of non-residential grazing land in the Coolany electoral division?—And the Carnaskea electoral division.

30831. What is the total acreage?—Over 1,100 acres.

30832. You say there are 1,100 acres of non-residential holdings in your district?—Yes, from which, of course, several families were evicted during the forties and the fifties. It is a very poor district. There are a lot of uneconomic holdings in our district, on the mountain slopes, bad, miserable patches, the occupiers of which come across the river to those non-residential farms and pay a high price for con-acre and grazing purposes.

30833. I gather you think these should be acquired by the Congested Districts Board?—Yes; or the Estates Commissioners.

30834. And the small holders in the neighbourhood should be put upon them or have their holdings enlarged?—If possible.

30835. Mr. O'Kelly.—Dodwells has 253 acres?—Yes.

30836. How is that land let?—Portion in grass and portion in con-acre.

30837. To the local people?—To a grazier on the eleven months' system.

30838. How far does the grazier live from these 253 acres?—About three or four miles.

30839. What is the extent of his home farm?—He is a mountain man. He has probably thousands of acres on the mountain, but he has no arable land.

30840. Has he any other grazing farm elsewhere in the county?—Not that I am aware of.

30841. Take Golden; is he a grazing tenant?—He lets it in con-acre, and takes in grazing cattle.

30842. How far does he live from that place?—About a mile.

30843. How many acres has his home farm?—Fifty or sixty.

30844. He lets this in con-acre or takes in beasts?—Yes, if able to stock it himself he would not do so.

30845. He does not stock it himself or till it?—He does not.

30846. How far off does Conboy live?—He lives in the County Leitrim. He is a grazing tenant

30847. Does he stock it himself?—He does, entirely. He takes in no beasts.

30848. What is the extent of his home farm?—I don't know.

30849. How far off does M'Carrick live?—About a mile.

30850. What is the extent of his home farm?—Fifty acres. He grazes it himself.

30851. What about Stokes; does he live far away?—The representative of Stokes is living there at present, but he has a home farm of his own, about 150 acres.

Mr. Patrick Gallagher.

30852. Major O'Hara, I suppose, lets his in grazing?—Yes, on the eleven months' system. He lives on his property within a couple of miles. Geddes lives about four miles away, and has a home farm of 500 or 600 acres.

30853. Are the districts which comprise these lands scheduled?—They should be scheduled, but are not.

30854. Would I be right in thinking that these districts contain uneconomic holdings which need special treatment just as much as the holdings in the scheduled districts to which the Congested Districts Board devote their attention?—That is quite correct.

30855. Are any of these men shopkepers?—No.

30856. You are aware that there are some men living in towns who have shops in a small way but who make their livings entirely by land out in the country; their land is there but they live in the towns?—Yes.

30857. Suppose it was shown that these shopkeepers in the town who have fifty or eighty acres in the country derive their livelihood from the land, and could not make their livelihood otherwise, would you be in favour of expropriating them from the country and taking up possession of the farms?—Certainly I would, so long as they had a good position in the town.

30858. I am suggesting to you that their livelihood is made on the land. We have cases of that kind all over the country; would you make a discrimination in favour of shopkeepers such as that?—Certainly I would.

30859. Mr. Kavanagh.—I suppose some of these men who have home farms till more on that farm than they would if they had not the outlying grazing farm?—They would.

30860. They use them in connection with their home farms?—They do.

30861. Would you think that the term non-residential would apply to them at all?—I think so.

30862. They are actually using those two farms, one in connection with the other?—No.

30863. My point was, I asked did they till more on the farm than they would if they had not the other farm to graze on?—Probably they might, but that class of men don't live by tillage or by farming properly, but by grazing.

30864. They use the two, one in connection with the other?—They do.

30865 Would you put them in the same class as a man who simply takes in grazing cattle?—Certainly I would.

30866. You make no difference?—I see no difference in it. Another matter is, there is an evicted tenant on a neighbouring estate in the Carnaskea Electoral Division who cost the ratepayers and the State a sum of £384 during the last sixteen years. She was ruthlessly evicted, and had to be confined in Sligo asylum ever since until recently when she died. Her name was Catherine Mullins, and I think the next-of-kin would be entitled to get the place back from which she was evicted.

Mr. Peter Cawley examined.

30867. Sir Francis Mowatt.—What is your occupation?—I am a farmer. I come from the same place as the last witness. My holding is about twenty-three acres. It is on Major O'Hara's estate. What I want to state simply is this. We want, if possible, to get the district scheduled as congested. There are 103 families in the Carnaskea division on the mountain side. The occupants of these small holdings were

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Mr, Peter Cawley.

evicted from some of the non-residential farms which the last witness gave evidence of, and we would like the Commission, if possible, to come and inspect this place. We have these 103 families there. You could compare them to nothing but birds in a cage. When the flood is in the river they cannot come across to go to fair or market with a pig, a heifer, or a firkin of butter. They have to come out the day before. They could not come out at night, and next morning if they want to take back a twenty stone bag of meal they have to make three parts of it and carry it on their back.

30868. You mean that there are no roads?—There are no roads in the mountain places. These same men have to come off that mountain and take conacre on this 300 acres at from £5 to £6 an acre, and the very moment they take the conacre at Christmas they have to sign bills in the bank to draw the money in November.

30869. They have to borrow the money to take the conacre?—No. They give the bills to the owner of the land and the owner draws the money. When these poor creatures have the potatoes taken out of the land they have to leave them in pits. They could not take them over until the flood goes down.

30870. You are putting the same point as the preceding witness, showing the necessity for the Congested Districts Board to purchase part of the estate in order to put these poor people, whose condition you have been describing, on to better holdings on the non-residential land?—That is my point; and regarding evictions, there are several cases of people evicted from those non-residential farms. There was one case in particular that the last witness referred to. The woman was evicted sixteen years ago off the non-residential farm. After the eviction, the agent, Mr. Robinson, ordered his bailiffs to set fire to the poor creature's home, which they did, and the poor creature fled and was found by the police eight miles away, in Ballymote, mad. She was taken from Ballymote station and brought into Sligo asylum. No one knew who she was, but I (as a governor of the asylum) made inquiries and found she was the woman who had been evicted. She died last Tuesday month, after remaining all these years in the asylum and costing the taxpayers £384. If she had been left her small holding of 3½ acres there would have been no expense to anybody. Another painful case of eviction was that at Culhouna, five miles from there. That creature is an inmate of Sligo asylum. The landlord who evicted her is Colonel Campbell, of Sligo. She has been there for nine years at an expense of £24 a year to the ratepayers. What I would suggest to this Commission to do is to call upon the Estates Commissioners or the Congested Districts Board, I don't care which, to investigate those cases, to restore these people or their next-of-kin to the little holdings from which they were evicted. I would ask the Commission to have this district scheduled, because the people were evicted from these grass lands and those who did not die were hurled into the mountains or had to go to America. God knows it would be well worth a drive in the motors to go down and witness the state of that locality.

30871. Mr. KAVANAGH.—The first district you mentioned was not scheduled, where there was no road?—It was not scheduled. If it was scheduled it would not be in the position it is at present.

30872. Is that Major O'Hara's property?—No; Thompson's, of Knockadoo, Sligo.

30873. We had evidence that Major O'Hara had made good roads, and I believe that to be an accurate statement?—He has good roads on his property, but when Major O'Hara was offering for sale he would not sell for less than twenty-six years' purchase and the sporting rights. There is portion of the parish scheduled, namely, where Mr. Gorman holds a farm of 250 acres. That portion is scheduled. The rest of the parish is not.

Mr. PATRICK M'MANANNY examined.

Mr. Patrick M'Mananny.

30874. Sir FRANCIS MOWATT.—You live at Cloonloo, in the Killaraught Electoral Division of Boyle No. 2 Rural District?—Yes. The division is divided by Lake Gara into two portions, Cloonloo, or the northern portion, and Killaraught, or the southern portion. The Cloonloo portion is mostly barren land, bog, mountain, and shrubberies, and is highly congested. The number of householders in the Cloonloo portion is 185. The gross valuation of those 185 is £720, or an average of about £3 17*s.* 10*d.* per householder. There are 96 of those 185 valued at £4 and under. There are 79 whose valuation is between £4 and £10; six between £10 and £15; and four between £15 and £20. A large number of those small farmers have to go to England every year to earn for themselves and their families, and were it not for their earnings and the money they receive from their families in America they would not be able to live at all. Killaraught proper, or that portion south of Lough Gara, is all rich land and chiefly composed of grazing ranches. My information is that there are 900 acres of untenanted land in Killaraught, so that the cure for the congestion in Cloonloo is at our very doors if only the proper steps are taken to relieve it. Those 900 acres would give 20-acre farms to 45 out of the 96 in Cloonloo whose valuation is £4 and under, and in a great measure relieve their condition. But even if the congestion was removed, a large portion of those left behind would never be able to make out a decent living owing to the quality of the land, and would require special treatment which should consist of money grants to enable them to reclaim and drain their land, and make roads, which in some places are also much required. My belief is, taking the half-parish of Cloonloo as a whole, that it is none better than the worst portion of the Dillon estate, which was bought at fifteen years' purchase. This Cloonloo portion of Killaraught division would be scheduled as congested from the start only for the ranches and large valuation in Killaraught. There are two men named Duke in Killaraught whose valuation is £413 15*s.* and £404 5*s.* respectively, or £88 more than the 185 householders in Cloonloo.

30875. Do those two men you mention hold the 900 acres between them?—No; they hold 683 acres.

30876. How are the 900 acres in the southern portion held?—They are untenanted and grazing farms. I thought there would be men here from the southern portion, and I did not get the valuations or the names of the men, but I can send them to the Secretary of the Commission. What I would suggest is that you or some members of the Commission would go visit the district to see for yourselves. I have anticipated a great deal of the evidence which was given here, and cut it short, but there are many grievances and many ways of relieving them.

30877. You say that in the north portion there is this very large number of poor people, and on the south side there are 900 acres of untenanted land, but you don't know whom they belong to?—No; I have not the names, but I could give you the names of the townlands.

30878. Mr. O'KELLY.—Is the Electoral Division of Kilfree scheduled?—Yes. I represent that on the County Council.

30879. They have only 202 holdings under £10 valuation, whereas in Killaraught you have 225. Does not that show that the law as it at present stands is defective and that the present definition of congestion is not altogether satisfactory?—Certainly. It is not satisfactory. Only for the large grazing ranches in the southern portion we would have been scheduled long since.

30880. Mr. KAVANAGH.—I suppose you would recommend migration as a cure for congestion?—Yes.

30881. Suppose you took away two out of three of those small holders would those left behind be any the richer by the amalgamated holdings?—Certainly.

30882. It would make them better off?—It would.

30883. How much can a man and his son till of that land?—As far as that is concerned a man and his son could do what they will do with a loy and a shovel.

30884. How much is that?—Two Irish acres.

30885. Is this a class of land that ought to be all tilled?—It is not. In the half-parish there are only fifty acres on which a plough could run. Therefore it has to be done by the spade, the loy, and the shovel.

30886. If you gave them two holdings would you make them better off?—Yes.

30887. They could not live on it?—They could to a certain extent. Take the case of a man with one cow. If he got a place to keep three cows he could live better.

30888. Would he then leave all the place in grass?—It would be mixed farming, and if you increased the holding of that man and his son it would improve their condition.

30889. How many years would that class of land stay in grass?—About five.

30890. Sir Francis Mowatt.—Then it would go back?—It would go back to its original nothingness. That is the point about the necessity of drainage, which is required very much.

30891. Is it on the hillside?—Part of it is and part of it is level. Part of it is almost the highest land in the County Sligo.

30892. Mr. Kavanagh.—Your opinion is it would improve the condition of the one that is left there to take up the holdings of the other two?—It would.

30893. Sir Francis Mowatt.—If you give a man the land of the next two holders, who are migrated, how many acres would he have?—As far as some of the portions are concerned he might have 100 acres of this mountain land. *Apr.* 20, 1907. Mr. Patrick M'Mananny.

30894. The holding, as a rule, is about four or five acres of land?—Apart from the grazing rights. They are all small farmers. Some of them hold twenty, twenty-five, and thirty acres, but still, owing to the quality of the land, they are not comfortable.

30895. Sir Francis Mowatt.—But to raise them to ninety acres, it appears to me, would leave them worse off than now. They could not keep ninety acres going?—I did not say that.

30896. Mr. Kavanagh.—Even forty acres?—That depends on the quality of the land and how it would be got. Of course, in some places if you gave them 200 acres of land they would not live on it, and in other portions on a twenty acre farm a man might live very comfortably.

Mr. Thomas Moran examined.

30897. Sir Francis Mowatt.—You live at Achonry, and are a farmer?—Yes. I am appointed by the Achonry Branch of the United Irish League to give evidence before this Commission. I wish first to refer to the Armstrong Estate. This estate was purchased by the Congested Districts Board about three years ago. The area of tenanted land is 3,524 acres; untenanted, 326 acres; purchase money for whole estate, £44,000; poor law valuation of entire estate, £1,783 11*s.*; number of years' purchase, 24¾ of the valuation. These are the figures given by Mr. Wyndham in the House of Commons in answer to a question put by Mr. O'Dowd, M.P., on the 5th July, 1904. Most of this estate is situate in Achonry, where there are about seventy tenants under £10 valuation, and would have been scheduled as congested only for the waste ranches which were let to graziers on the eleven months' system, thereby depriving the poor tenants of any assistance from the Congested Districts Board. This estate was bought over the heads of the tenants, and they were not consulted in any way about the matter, nor did they know how many years' purchase they had to pay for their holdings; but at the request of the tenantry the parish priest, the Rev. B. Quin, wrote to the Board to ascertain what price they would have to pay, and the reply received was twenty years' purchase on first judicial rents, twenty-three years' purchase of second. The tenants deem this price excessive for the following reasons:—A great many of these poor tenants never had a judicial rent fixed, but accepted three shillings in the pound abatement each year. They owed arrears and hanging gale, and when they spoke to the agent about having a fair rent fixed he told them he would process for all arrears, which meant ruin to the poor tenants, and thus they were deprived of the benefit of the Act. These tenants, had they a free hand, would have got five or six shillings in the pound. The majority of the tenants would not be able to maintain themselves for one-quarter of the years were it not for the remittances from England and America. There are about sixty migratory labourers who go to England every year to earn the rent and help their parents and remainder of family to eke out a living at home. The Congested Districts Board should make a personal inspection of each man's holding before purchasing, and see if the estate they were purchasing was security for the price they were paying. This was not done on this estate, and the price they paid for it is excessive when compared with the price paid for an adjoining estate purchased under the Act of 1886. Lord Norbury's estate, adjoining this estate, was sold at sixteen years' purchase. The land is far superior to the Armstrong estate, and the tenants will get a reduction of two shillings in the pound at the end of every ten years. The first two estates purchased under the Act of 1903 in the County Sligo were the Marginson Estate and the Armstrong Estate. The former was bought at 13¼ years' purchase and the latter at 24¾ years' purchase, although the number of acres of untenanted land on the Marginson Estate is comparatively larger. The following are the figures given in answer to Mr. O'Dowd's question in Parliament:—Marginson estate, 506 acres tenanted; 405 acres untenanted; £4,412 purchase money; £171 13*s.* 6*d.* rent of tenanted land; Armstrong estate, 3,524 acres tenanted; 326 acres untenanted; £4,400 purchase money; £1,899 11*s.* 2*d.* rent of tenanted land. The tenants on this estate feel aggrieved, for although the Board has purchased the estate nearly three years, the tenants have derived no benefit under the sale up to the present. This is the third year's rent the Board will have collected, and take the average reduction, the tenants would be entitled to 6*s.* 8*d.* in the pound, as five-sixths of the tenants are first judicial tenants. The Board will have extracted from the poor tenants one year's rent, or £1,899 11*s.* 2*d.* If the tenants bought direct from the landlord or from the Estates Commissioners they would get the benefit of the purchase since they bought, and nearly all the first judicial tenancies had expired before the purchase of this estate, and the tenants were prepared to go into court to have a second judicial rent fixed, only they expected to get the benefit of the purchase. It is very unfair of the Board to be demanding the full rent for the third year. The Board purchased all arrears on this property, some of which accrued twenty-five years ago, and the landlord found it impossible to collect them, as the people had no means to pay. The Board sued in all cases for the arrears, and there never was any combination of the tenantry against paying rent on this property. The people were indignant to see that the Board made a rent-collection machine of itself to collect the arrears, taking out decrees and sending sheriff's bailiffs and seizing on these poor tenants' cattle. Mr. Thomas Moran.

30898. Mr. Kavanagh.—Are they not getting the benefit of the improvements those three years?—Nothing.

30899. Has not the Board improved the place?—Nothing on the tenants' lands, only what they are doing on the ranches.

30900. Sir Francis Mowatt.—But they have handed over the holdings to the tenants?—They are handed over, but the tenants derive no benefit from these ranches and they are collecting the full rent all the same.

30901. Mr. Kavanagh.—They have not broken up the ranch yet?—No.

30902. They are grazing it?—I think they have it apportioned now into economic holdings. The Board should not buy the arrears from the landlord unless they get a grant to wipe them out. Another matter which affects the interests of the tenants is that tenants from County Mayo were put in on the ranches before the claims of the small landholders were considered. In answer to Mr. O'Dowd in the House of Commons, Mr. Long, Chief Secretary, and Chairman of the Congested Districts Board, promised that there would be no person imported into the district until all the uneconomic holdings on the estate would be enlarged. I can produce those documents, and yet, in violation of that promise they imported a certain party—I won't mention names—in on the demesne lands. Now, if the Board want to deal fairly with the tenants there is no room on the estate for importation. There are about seventy small tenants under £10 valuation, and, in my opinion, the land

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available will not suffice to give economic holdings to such a number. There are herds who were evicted on those ranches for refusing to herd for the graziers, also young men who left the employment of the graziers, and their claims should have been considered before the Board imported any person into the district. Only for the prompt action of the Nationalists of the district the Board would not have been the purchasers of the ranches, as the graziers were negotiating with the landlord to purchase the tenants' interest of those ranches at the time the agitation was raised against that pernicious system. Now, if Government is serious in its profession of planting the people on the lands of their forefathers, why not give compulsory powers to the Congested Districts Board to purchase those waste and non-residential holdings at a fair price and supply them with sufficient funds to enable them to carry out this project. They would be able to give an economic holding to every young man in Connaught and thereby prevent the bone and sinew of our land from emigrating to foreign lands There is no local industry, only lace-making. There is a nice technical hall in the parish, built by Sir Josslyn Gore-Booth free, and handed over to the Parish Committee. There is a competent teacher in this school, but the Committee are greatly handicapped for not having sufficient funds to work up this industry. I think the Congested Districts Board should give a free grant to this institution and provide a market for the work performed by the young girls attending those classes. Another matter that would benefit this district is the drainage of the Owenmore, as some of the tenants' lands are periodically flooded by tributaries of that river. To sum up my evidence in a condensed form I make the following suggestions:—(1) That the Congested Districts Board should inspect all estates before purchasing and see that the holding of each tenant will be purchased at a fair price. (2) That they get compulsory powers to purchase all waste land and get sufficient funds for to carry out that project. (3) That the Board should make roads for the tenants and drain the lands on every estate they purchase. (4) That the tenants should get the benefit of the sale since it was purchased and that a free grant be given to the Board for all improvements on the estate. (5) That the claims of all small landholders and eligible young men be considered before they import any person into the estate, as there is plenty of waste lands in Connaught to meet those requirements. (6) That the Board should have power to give a free grant to any industry which exists in the locality.

30903. Sir Francis Mowatt.—You say that the Congested Districts Board should provide a market for the work of the young girls attending the technical classes?—Yes.

30904. That is a difficult thing to do?—The Agricultural Department provides a market for other commodities and I don't see why the Congested Districts Board should not do it.

30905. Mr. O'Kelly.—What class of work is done in this school of Sir Josslyn Gore-Booth?—Lace-making.

30906. Must not it find its market as in the case of all other goods?—Yes, but it should not be thrown over for the want of a market at first.

30907. Where did you get the teacher from?—From Banada.

30908. Did you get her through the Department of Agriculture?—Certainly.

30909. Is the school conducted under the Department of Agriculture?—They have a grant from the Agricultural Board.

30910. Have you a grant from the local agricultural centre?—We have to equip the school ourselves.

30911. What did the equipment cost?—We left that in Father Quinn's hands.

30912. Don't you think it fair that the local people should do something to equip the school when a generous local landlord built it?—They did equip the school.

30913. Did they get any assistance in the way of equipment from the Department of Agriculture?—They got only the grant from the county committee.

30914. If you had more funds is that school capable of development; could you accommodate more pupils?—Certainly.

30915. How many have you at present?—Only about thirty or forty.

30916. How many could you have if your finances were more extensive?—There could be 100.

30917. Sir Francis Mowatt.—That is supposing they could sell the lace?—Yes. If there was encouragement for the work they would be able to do so.

30918. You say that the Congested Districts Board should inspect all estates before purchasing and see that the holding of each tenant will be purchased at a fair price. At present they can only purchase it for a price that they can get it at?—It was purchased over our heads. The tenants knew nothing at all about the price.

30919. What do you mean by waste lands which you say the Board should have compulsory powers to purchase—do you mean throughout the congested districts?—Non-residential holdings—the 11 months' grazing land all over Connaught.

30920. You think all non-residential holdings should be purchased?—Certainly.

30921. The Congested Districts Board should be given funds to carry out that project—that is to purchase all non-residential lands that are required for providing a sufficient number of economic holdings for the congests?—Yes, and for eligible young men.

30922. You suggest that the Board should make roads for the tenants and drain the lands on all estates that they purchase—don't they do that now?—They have not done it on our estate yet.

30923. Not on the Armstrong estate?—No, except through the ranches.

30924. We went out there yesterday, and went over a lot of new roads?—It was on ranches you went. You did not go on the old tenants' land.

30925. The ranches have become tenanted land now?—They are paying all attention to them.

30926. The ranches have been handed over to the tenants?—They have, by the Board, but not by the Commission yet.

30927. Mr. Kavanagh.—They collected the rent for three years?—Yes.

30928. Mr. O'Kelly.—Did you pay the rent in full?—Yes. The Board purchased three years ago. The tenants have paid the third year's rent in full. They did not sign the agreement.

30929. How did you get that information?—Through Mr. O'Dowd's questions in the House of Commons.

30930. Are the improvement schemes going on on the property?—They are giving grants in some cases.

30931. Are they expending money on improvement schemes?—Yes, on the ranches that they are handing over to those tenants, but not on the tenants' lands up to the present.

30932. Mr. Kavanagh.—Perhaps the tenants' lands don't want improvement?—They do. Part of the property is affected by the Owenmore.

30933. Sir Francis Mowatt.—When you suggest that the Board should have power to give a free grant to any industry which exists in the locality, you mean any industry that requires development?—Yes.

30934. You don't propose that any industry which exists in the locality should be permanently carried on unless it can be carried on profitably?—Certainly not. It would not be worth carrying on unless it could be carried on profitably.

Mr. Patrick Slein examined.

Mr. Patrick Slein.

30935. Sir Francis Mowatt.—What is your address?—Ballinafad, Boyle. I am a farmer.

30936. What is your holding?—About twenty-three English acres. It is in the Boyle No. 2 Rural District, Electoral Division of Aughanagh. I am anxious to lay before the Commission the following points:—1st. There are thirty-four holdings in the Electoral Division of Aughanagh, Boyle No. 2 Rural District, under £5, and, in addition, there are seventeen families who are unrated. The average valuation of those thirty-four families is £2 10*s*. Many of them live in huts with a few acres of barren mountain around them, and in order to sustain life these people have to send their children to England

and America to earn for them the necessaries of life. American remittances have been received directly or indirectly, I believe, by almost every person in the division. The total valuation of the division is £2,126 1s. Of this four people own £847 worth leaving the average valuation of the remaining 156 at about £8. Whilst this state of things exists there are 424 acres of untenanted land of the very best quality in the district. I consider it only in accordance with common justice that this land should be divided among those poor people. Another difficulty is that the people are paying big rents for bad lands, whilst they are surrounded on all sides by estates sold to the tenants, who in this respect have an advantage over them for the time being.

30937. What is the estate on which the holdings are?—The Phibbs and Ffolliott estates.

30938. The point you make is what we have had before; that the Congested Districts Board should be empowered to purchase the 420 acres of untenanted land and use this land for increasing the holdings of the small holders?—Yes. Offer what you reasonably may, the landlords on which this land is refused to sell. One would sell, but at a price so exorbitant that the tenants could not purchase at that price; the other man would sell at over twenty-seven years' purchase.

30939. So that in both cases the sum asked by the landlords was such as the tenants could not afford to give?—Yes.

30940. And therefore your hope is that compulsory power should be given to some authority, whether the Congested Districts Board or other authority, to compel purchase at a reasonable price?—Yes. Some of this land is very bad mountain land. For this land Mr. Phibbs, of Seafield, has demanded over twenty-seven years' purchase, and said it was more than the tenants had a right to expect. They could not give that. So the people must remain paying these big rents or leave it.

30941. That is what we have had forced on us very much; compulsion is absolutely necessary to enable grass lands to be obtained for increasing the holdings of the small tenants?—Yes. I believe compulsion is necessary. On the Phibbs estate a lot of parties are prevented from going into court. About thirteen years ago one townland was held in rundale. The landlord got this land striped, and fixed a new rent on it. These tenants had to sign new agreements. They found, when they went to get judicial rents fixed afterwards, that they were returned as future tenants and prevented from going into court; so they still have to pay exorbitant rent.

30942. Mr. KAVANAGH.—Was it fixed since 1896?—No. It was about twelve or thirteen years ago that this arrangement was made.

30943. Mr. O'KELLY.—Would you like to have the law so altered as to remedy the grievance?—Yes, so that those parties would have a right to go into court and have a fair rent fixed. One of the tenants who would not agree to the re-striping arrangement, and did not sign the new agreements, went into court and got seven shillings in the £ reduction. There is a lake which causes flooding, and I was asked to bring under your notice that there are about 200 acres in that electoral division which get flooded periodically and do great damage.

30944. Sir FRANCIS MOWATT.—Would you suggest the draining of that lake and relieving those floods as one of the works that the Congested Districts Board should carry out?—Yes. The water comes back from the lake and it costs a lot of money to the ratepayers to repair the road. If the drainage were done no money would have to be expended on the road.

Mr. EDWARD DURCAN examined.

30945. Sir FRANCIS MOWATT.—Where do you reside?—I live at Ballincurry, Curry, Co. Sligo, and am a farmer. I am a tenant on Messrs. Knox's Bellaghy estates, Curry, Co. Sligo. We wrote to Messrs, Knox on 15th May, 1904, asking them to sell their estate to the tenants. In reply to this letter we were told by two of the owners that if we were anxious to buy our holdings we might put the Congested Districts Board in motion. We wrote again to the landlords on the 12th September, 1904, asking them to sell to the Congested Districts Board. We also wrote to the Secretary of the Congested Districts Board, asking the Board to buy. On behalf of the tenants, I received the following letter in reply from the agent, Mr. Weldon Moloney:—"28, South Frederick-street, Dublin, 15th September, 1904; Messrs. Knox's Estate. Sir,—I beg to acknowledge receipt of yours of the 12th inst., enclosing copy of resolutions of meeting of tenants of above estate, and my clients having received similar letters request me to reply on their behalf, and accordingly I have to inform you that I have been in correspondence with the Congested Districts Board office on the subject of a sale, and have had interviews with the officials, and I understand that as the estate is circumstanced at present and owned in individual shares the Congested Districts Board would not purchase, but apart from this fact, having investigated the prices usually given for congested estates, where there are no grass lands on hands which could be included on the sale, the Messrs. Knox are not disposed to go to expense in furnishing all the detailed particulars required by that Board when they feel confident that the price that would be offered could not be accepted, unless there was some prospect of their being offered such a price as they would feel disposed to accept.—Yours faithfully, Weldon C. Moloney." Seeing that there was no prospect of a sale to the Congested Districts Board we wrote again to those landlords on the 7th of October, 1904, asking them what number of years' purchase they would sell the estate to the tenants for. I received the following reply from Mr. Moloney:—"28, South Frederick-street, Dublin, 10th October, 1904. The Messrs. Knox's Estate. Dear Sir, —In reply to yours of the 7th inst., asking what number of years' purchase the Messrs. Knox would be willing to sell their estate to the tenants for. The Messrs. Knox are not at all willing to sell their estate, and therefore they do not see why they should make a proposal; but if some person, who is duly authorised by all the tenants to bind them, makes an offer that is reasonable, I will submit it to the Messrs. Knox, but cannot say whether it would be accepted or not.—Yours faithfully, Weldon C. Moloney." We ask the Government to pass a compulsory purchase Bill in order to deal with landlords of this kind, otherwise the tenants are powerless to deal with them. In order to show the necessity for inspection of holdings I give the following sales under the Ashbourne Act, in the parish of Curry:—Coragan estate, purchased at from five to eleven and a half years' purchase, averaging about nine years. The tenants and landlord agreed at fourteen years' purchase on this estate. When the Government Inspector came on the estate he found it was not value for fourteen years' purchase. Other examples are the M'Dermott estate, purchased at eleven and a half and twelve and a half years'; Lord Norbury's estate, purchased at fourteen and sixteen years.

30946. Mr. KAVANAGH.—That is under the Ashbourne Act?—Yes. It is according to the value of the land, and we think that we tenants on the Knox estate should not be asked to pay more in 1907 than tenants on adjoining estates paid under the Ashbourne Act.

30947. On first term rents?—Yes. Most of the tenants on the Knox estate are first term rents. There may be a few second term rents, but not many

30948. Still the fact remains that you do not appear ever to have made an offer?—We did not. There is another estate adjoining the Knox estate, Sir B. Bromhead. He agreed to sell at fourteen years' purchase nine or ten years ago. He wants twenty years' purchase now.

30949. Sir FRANCIS MOWATT.—How did it fall through before?—Owing to some misunderstanding between himself and an adjoining landlord as to a bog the sale fell through. The greater portion of the land in this locality is very wet and swampy, and we request the Government to start a drainage scheme with a view to having the following rivers sunk:—The Cashill and Ballincurry River, the Drombane, Ballincurry, and Carrowinkeen River, and the Black River, running from Cloonmore to Bellaghy. Those rivers empty into the River Moy and the Corse River.

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Mr. Edward Durcan.

All those rivers overflow, and cause great damage to crops and loss to farmers.

30950. Your last suggestion is that the Congested Districts Board should undertake arterial drainage?—Yes.

30951. That would contemplate that the landholders should drain into the central drains which should be carried out by the Congested Districts Board?—Yes.

Mr. Michael Maye examined.

Mr. Michael Maye.

30952. Sir Francis Mowatt.—You are a farmer?—Yes, residing at Powellsboro', Tobercurry.

30953. What is the extent of your holding?—Fifteen statute acres.

30954. In what Electoral Division is your holding?—In the Tubbercurry electoral division, on the Powell estate. I am a small farmer on the Powell Estate, Powellsborough, Tubbercurry, the number of tenants being about seventy-five, the average tenantry valuation, as may be seen by the rate-book, being no more than £2 14*s.* per holding, three holdings alone being valued as high as £10, and the remainder ranging from 10*s.* to £6 10*s.* The landlord lives on the estate, which has not been purchased under any Act, and which, in my opinion, is one of the most congested in Connaught, and deserving of special treatment. Though there is a fairly large supply of bog on the estate, which by providing proper road accommodation could be made more valuable, there are about twenty-four holders of small farms on the property who are not in possession of any turbary, and who, for many years past, have had to obtain bog on adjoining estates, notwithstanding the fact that the landlord has been for years supplying outsiders.

30955. The landlord would not allow them to get turf on his estate?—No, and he supplies outsiders; and as those tenants on the Powell estate who have no turbary have even been refused turbary on the adjoining estates lately, they are in the unenviable position of neither having turbary nor being able to procure it in the district. There is a grazing ranch on the estate in the occupation of the landlord, and the division of this would in some measure relieve the congestion, but though the Congested Districts Board some twelve months ago was approached with a view to having them buy the estate, nothing came of the matter, as the landlord was unwilling to part with the ranch.

30956. What is the size of the ranch?—About seventy acres.

30957. Did the Congested Districts Board attempt to buy—did they make a proposal to the landlord?—I think they did. We sent a petition to them to come and buy, because we had no bog or road accommodation.

30958. Did you get any answer?—Yes. They said the matter was under consideration. He was unwilling to give up the ranch, and they would not deal with him, because they could not relieve congestion unless they got this. In my opinion this shows the absolute necessity of the Board acquiring compulsory powers to take over such ranches, otherwise the refusal of an individual to accept an equitable compensation will render efforts to relieve congestion in acknowledged congested districts futile. Relieving congestion is of essential necessity, and this can alone be satisfactorily and efficiently carried out by giving the Board compulsory powers, so that suitable grazing tracts could be taken over, and tenants from congested areas planted thereon. Much has been said as to the unwillingness of tenants even poorly situated to submit to this migratory scheme, but this unwillingness, I think, arises from a fear that from some circumstance, such as a greater depreciation of value of land, and keener competition under new conditions, they would run the risk of contracting obligations they would not be able to discharge. Besides, they feel it would be necessary to undergo a fairly large initial expense in fitting up a new home; but this difficulty could be overcome by making provision for granting a sum necessary in such cases, and I have no doubt of their willingness to enter into any such arrangement, should provision be made for the welfare of their new take. I know parts of the country where tenants were asked by the Board to remove, and they refused on the grounds that they had not the necessary means to provide stock, etc., to make the new farm pay, and they were afraid that in the course of a year or two they would lose the new take altogether. Some of the tenants on the estate during summer and autumn suffer much from want of water, so that provision in this respect would prove a boon. On the adjoining estate (Cooper's) a number of small uneconomic holdings at present exist, and this state of affairs was brought about by the arbitrary action of the landlord some forty years ago, he having evicted the then holders, and put in their stead "planters," and even after they had been removed land which they reclaimed was subsequently given over to those who were planted in their place. Congestion, of course, prevails here.

30959. That, again, is the general opinion we have heard through our sittings as to the absolute necessity of the Congested Districts Board or some other Government authority obtaining compulsory powers to acquire untenanted land for the purpose of improving the holdings of small holders—that is what you wish to put before us?—Yes.

30960. That is what we have had put before us by a great many witnesses?—My parish is greatly congested—it is mostly reclaimed boglands.

30961. It is scheduled at present?—It is.

The Commission adjourned.

SIXTY-SIXTH PUBLIC SITTING.

MONDAY, APRIL 22ND, 1907.

AT 11 O'CLOCK, A.M.

In the Courthouse, Manorhamilton, County Leitrim.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (Chairman); The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; Most Rev. Dr. O'DONNELL; CONOR O'KELLY, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.; ANGUS SUTHERLAND, Esq.;

and WALTER CALLAN, Esq., Secretary.

Rev. PATRICK M'LOUGHLIN examined.

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Rev. Patrick M'Loughlin.

30962. CHAIRMAN.—Would you kindly mention any points that you wish to bring before us?—I represent the Kinlough Rural District Council, and the Bishop of Kilmore. I would first make some observations as to the operations of the Congested Districts Board which, we believe, have been very limited in this county. The total amount of the funds which it has expended in the county shows the correctness of this belief. I think the fact that its operations in Leitrim have been so limited is partly due to the want of representation of the county on the Board. The Board threw too much of the work upon the people of the country. They left the initiation of works in the country too much to a simple people who were unable to think out the works that should be initiated.

30963. Sir FRANCIS MOWATT.—When you say you left it to the people to initiate, you mean they should not have waited for the country to apply to them to begin operations, but should have done it themselves of their own initiative?—Not precisely that, but they did not give sufficient assistance to the people in discovering the things that would assist them—then when the people, or their representatives, put before the Board schemes, the Board always found a reason why they would not accept the particular scheme presented by the people. I would consider when that state of things operated, the Board should have assisted the people to a reasonable and beneficial scheme. The reasons alleged by the Board generally were either that they had no funds for these particular purposes, or that their powers and funds were confined by the laws and rules which they had to obey, from which I would conclude since they have been unable to do anything, that their powers and funds should be increased. I think that another reason for the limited operations of the Board in the county is the fact that the county has no representative on the Board. I admit that some members of the Board have been most kindly disposed to the county, but I conceive that every man will take care of his own child best, and although members may have, I am sure, displayed a considerable interest in the county, I don't believe that they will have that enthusiasm, that intensity of interest in the county which a representative should have to enable him to work the different projects proposed by the people.

30964. CHAIRMAN.—I suppose you are aware that at present there are no such things as local representatives on the Board as such. There are people, of course, who live in particular districts, and who know those districts, but they are not appointed to the Board as representatives of any particular district—you are aware of that?—Yes, I admit that, but I would say that theoretically that is very good; but as long as human nature is in it, I prefer having a representative.

30965. That means to say you would like to see the construction of the Board changed in such a way that each district would have a representative?—At least each county.

30966. You would like to see an actual representative from each county in which there are scheduled areas on the Board as a representative of that county—is that so?—I would.

30967. How would you propose that those representatives should be appointed—elected or nominated—would they be elected representatives?—That is a question that I did not consider, but I think in the present condition of the world that elected representatives of some sort would be generally what men would look to, at least, if I am to speak as a popular representative, I would not deny the right of nomination. I believe it is a most necessary thing, but I think, generally speaking, for a position of the kind that an elected representative is the best.

30968. If he was elected, have you thought at all by whom he would be elected?—He might be elected in various ways, by representative bodies. I would not think that he should be elected by individual voters such as members of Parliament, but I would find some way of electing them.

30969. Anyway you would like to see elected representatives from each congested district county on the Board?—Yes, in some way.

30970. Do you think that it would be ever possible to grant to the Board a sufficient sum of money to meet the requirements of all the congested district counties at once?—I do not think it would. I think that these things should be done gradually. The work has to be built up from the foundation. You are concerned in a work in which several interests are involved. You are dealing with a body that has several arrears, and I don't see that you are going to establish things rightly all at once.

30971. You agree, however, that when the powers and income of the Board were increased, some places would have to be dealt with before others?—Even if that were so, the Board, having been twenty years in operation, may have dealt sufficiently in some places, and I think our time should now come.

30972. I am not talking about the past. I am talking of what might happen in the future. Even if you had representatives from each county, I gather from you that you are of opinion that, even so, some places would have to be dealt with before others?—I don't precisely mean that. As I understood it, the question you put me was whether the Board should receive, say, some few millions of money at once, and powers to deal with the questions that have been embarrassing them for a great number of years. My answer would not be precisely that way. What I would say would be this, that a great deal of good in each county could be done by taking the work piecemeal. For instance, I may have something to say by-and-by about the lands, and I may take a view opposed to the grazing system.

30973. Suppose the Board had at their disposal a given sum of money—it does not matter whether it is large or small—suppose it was considerable. Suppose there were things that they ought to spend their money on in County Galway, and there were other things in the County Kerry which did not seem so pressing as the things to be dealt with in the County Galway, would you suggest that there should be an arrangement by which part of the sum which they thought ought really to go to the County Galway

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should be diverted and spent upon the County Kerry upon matters which were not so important as those pressing for solution in the County Galway?—I don't think any reasonable person should consider that money ought to be spent on things that are considered practically unnecessary.

30974. I don't say unnecessary, but this is a pressing thing, more so than the other. Would you deal with the pressing things first wherever you found them?—I would to a certain extent.

30975. To what extent?—The pressure may be relative.

30976. What do you mean by pressure?—If a county is pressed, we may give it some relief without absolutely depriving another county, say Kerry, of what is requires. If the Board had greater powers and funds it might do a great deal of good in the several counties which are congested without doing all that the several counties required.

30977. My point is this. Has it not struck you that perhaps a system such as you advocate, namely, the adoption of two representatives from each county would have the effect of dividing the funds in the Board's possession amongst the various counties I do not say in equal proportions, but still, making a division to meet the pressure put upon the Board by those representatives, and thereby depriving a particular county where a great deal of immediate work was needed of the benefit of those funds?—I cannot conceive that the Board would allow any individual to rule it in such a fashion as that he could claim for his county a portion of the funds which it was not entitled to.

30978. But wouldn't he think he was entitled to it?—If he was entitled to it, then I think he should get it.

30979. If he was a representative, and the funds were common to all the congested counties, wouldn't he think he was entitled to portion of those funds, and wouldn't his constituents think they were entitled to portion of these funds whether they were or not—it would be impossible for those constituents to measure their need with the need and conditions of other counties, of which they did not know. They would look at their own necessities from a purely local point of view?—Quite so.

30980. They would, therefore, think that they should be entitled to have a certain share of the funds devoted to remedial work in their county, and would not that lead to a division of the funds such as I have suggested, and consequently the deprivation of money from a county in which every penny was urgently needed?—But that is a hypothetical case.

30981. I am only putting it to you whether it has ever struck you that that might be the result of the system you advocate?—I do not believe that as things exist that is a question that I should have considered. As things exist, I do not think the hypothesis is one I should consider.

30982. Sir Francis Mowatt.—You do not think each representative would try and get as much as he could for his county?—Of course he would, because on the hypothesis that I am to suppose a county which does not require assistance——

Sir Francis Mowatt.—Oh, no, I do not say that money would be spent where it was not necessary.

30984. Sir John Colomb.—Have you ever been in West Connemara, Mayo, or the Rosses in Donegal. Have you ever been in any of those districts I have named, and seen their condition as compared with your own county?—I scarcely have ever been out of where I am.

30985. Chairman.—As regards the second point, you say that the Board have failed?—I did not say failed, I avoided that word. What I said was that their operations, as judged by the expenditure of funds, have evidently been very limited, because they have left the initiation of work too much to the people.

30986. I do not quite follow what you meant by your answer to Sir Francis Mowatt. Would you mind developing your point a little further. Can you give us some concrete instance?—Well, in the first instance, with the exception of one or two members of the Board who took a very kindly interest in the county, we received no assistance. It is necessary that where there is a Board with officials and the correspondence and all that, you have to look to it to initiate works in a county or schemes to deal with problems. The peasantry cannot do that, and neither can practically a good many connected with them. Then when they come to inquire about these matters from the Board they are met by a number of objections and they get no assistance that I know of, and then, as I say, owing to the want of funds or the want of powers, whatever suggestions were made by the people or their representatives the Secretary of the Board was forced to tell them that they could not do such things. The people or their representatives could not find out other things to benefit them, and so practically everything fell through.

30987. Tell us what sort of things these were?—For instance, in the improvement of cattle.

30988. What year are you speaking of now?—I speak of all the years generally until the cattle scheme practically ceased as far as the Congested Districts Board are concerned in this county.

30989. You know that the Congested Districts Board do not do that work now?—I am aware of that.

30990. You are speaking of the time before that work was removed from them?—From the want of funds and powers the Board was forced to form a scheme, and the result of the scheme was that the farmers who took the leading animals were robbed by them.

30991. Robbed by whom?—By the animals they received until they had to give them up.

30992. Were they robbed?—Well, that may be a strong word. What happened was this. The price that the farmers had to pay and the system of keep they were forced to adopt and the sum that they received for the animals when obliged to dispose of them left the farmer in such a condition that he was a loser, and all for the sake of assisting his neighbours. The result was that they gave up these things.

30993. The cattle scheme issued by the Board was not satisfactory to the county or the farmers. Is that it?—As far as the Board's idea was concerned it was accurate enough, but when it came to work out it was found that the farmers who took these animals were unable to repay themselves, and so they gave the animals up, and as a consequence the scheme fell through.

30994. But then why was the Board's idea right. Where was the breakdown. To whom was it due?—The breakdown was in the financial system of the Board.

30995. Whose fault was it that the scheme did break down—the Board's or the farmers'?—The Board's.

30996. Then if it was the fault of the Board why do you say the Board's idea was right?—Because the Board's idea was right in their promotion of better cattle and consequent benefits to the people.

30997. You mean their aim was right, but their methods were wrong?—Their financial methods failed.

30998. Mr. Sutherland.—Is this the sum total: that they gave too little money?—Well, they gave an animal to the farmer that was suitable enough, and sometimes not suitable, because they would not pay sufficient attention to the farmer's ideas. For instance, this is a glen country, and you might put a class of cattle on that side of the mountain that would thrive admirably, and the same class of cattle on the lowlands would be of no use to the farmer.

30999. That is a different thing to what you were saying?—I am only making that remark.

31000. Chairman.—According to you the cattle scheme of the Board was unsatisfactory. First, because the financial arrangements were not liberal enough; secondly, because sufficient knowledge was not brought to bear upon the class of bulls that were placed here taking into consideration the varying lands on which these cattle were placed?—Yes, you might send to the county generally a class of cattle suitable to the county, but if you do not put them upon the lands and in the localities for which they are best adapted you spoil instead of improving.

31001. Of course that is all ancient history?—Oh, yes, it is ancient history.

31002. The Board no longer do these things for any congested county The Agricultural Department has taken over the whole of that work?—Yes. I selected this as indicating one of the principles on which they were forced to proceed.

31003. But you would not bring that charge against the Board now, would you?—The thing is out of

existence. Only the Department has changed a bit I would bring it against them.

31004. That is another matter, and does not concern us. You would not be disposed to-day to say that the Board had been backward in giving help to this district?—No; all I would say is that what happened in that case, as a general rule, happened every other project that was brought before the Board.

31005. Very well, now will you tell us another project. Tell us something that applies to the Board to-day?—Well, take the condition of the land, the congestion connected with it, the emigration that is going on.

31006. Sir FRANCIS MOWATT.—Emigration or migration?—Emigration—these were all matters for the Board to deal with. There is a large quantity of untenanted land in this county, though it would not be so great as in other counties in the midlands, but in my opinion a quantity of waste land, or what is practically little better than waste land, might be greatly improved if it was drained.

31007. Then you think the Board ought to do more here as regards drainage?—Yes, I think it ought.

31008. Do you know if that has been brought by the county before the Congested Districts Board, or are you suggesting that the Congested Districts Board should have sent down here and inspected the county and found that out for themselves?—No. The Congested Districts Board did take that question into consideration in the county.

31009. CHAIRMAN.—Did any communications or conversations pass between the local people and the Board on that subject?—Yes. Numbers of communications passed between the public bodies of the county, and clergymen, members of Parliament, and other representatives.

31010. All directed to the Board?—Yes, indicating particular schemes, and the replies all depended upon the very same difficulty, the want of powers and the want of money, knocked all these schemes on the head. Individual schemes were placed before the Board, and officers of the Board visited the localities sought to be benefited. There were engineers who estimated the cost of the schemes and who pointed out the number of acres of land that would have to be reclaimed. When speaking on that point I may say that I think and believe that if all the land in North Leitrim with which I am acquainted, by attention in the matter of drainage, was brought back to the condition in which it was thirty years ago—I know it wants more culture and more lime—you would have a different state of things. Dealing especially with the main rivers, because they act as it were as main drains——

31011. What do you mean by bringing the land back to the state in which it was thirty years ago?—Because the land has deteriorated since then.

31012. So far as water is concerned?—In every way. All the old drains are closed up, and the rivers are stopped and closed up, and there has been no lime, for instance, put upon this part of the country for over thirty years.

31013. Do you think there are more lands flooded now than there were thirty years ago?—Yes. There are half-acres of stones on the best land that is in Leitrim. There are mouths of bridges choked, and the floods turned out on the land.

31014. Sir FRANCIS MOWATT.—That was not so thirty years ago?—No, sir, it was not.

31015. Sir JOHN COLOMB.—That is a very remarkable statement of yours. You have, I understand, spent your ecclesiastical life in this county. You remember it from your early days, and when you speak of what was done thirty years ago and what is done now as regards lime, are you speaking of a matter within your own personal knowledge?—Yes. I am not very old, but I am over thirty years of age.

31016. You said that for the last thirty years no lime was put on the land, and the land has been going back. Is that right?—Yes.

31017. Now, it is twenty-seven years since the passing of the Land Act of 1881. Is it the case that, comparing the time before the Act of 1881, and since the Act of 1881, that the habit of putting lime and attending and keeping the land in heart has ceased?—Yes.

31018. Do I gather your evidence correctly that it is your experience that the land has been going back for about the last thirty years for want of attention?—Well, you are putting in the word attention.

31019. Well, I will take it out, and make it simply a question of putting on lime?—What I say is that owing to various circumstances the land has deteriorated. If lime is necessary for the country generally, you must suppose first the possibility of getting the lime, and in the second place that there is plenty of labour to put it on. For instance, about the time I speak of there was a large population in the country, and the people used two kinds of manure in this part of the world, lime, and what is known as blue sand, or gravel, and the people were engaged in the manuring of the land from this blue gravel in a way that human beings should not be engaged, but by this system they had the land in a state of cultivation which was very different from what it is to-day. I saw myself, for instance, when I was a boy, seven or eight, or even fifteen ricks of oats at the people's houses, and you would not get as much as that in the whole parish now.

31020. Leaving out the blue gravel, and taking the lime, you properly said that it involved the questions of getting the lime and the labour. Was it more easy to get lime thirty years ago than now? Has anything happened during the last thirty years to make it more difficult to get lime now than then?—Well, thirty years ago it was easy to get any quantity of corn in this place.

31021. But I am speaking of lime?—I know that. Thirty years ago it was easy to get any quantity of corn, but for various reasons since then you can get no corn now. In the same way with the lime. The lime has disappeared.

31022. Then is the limestone exhausted?—It is not, but fuel is exhausted—the means to burn the lime is exhausted.

31023. The turf?—Yes.

31024. Then do you attribute the falling off in the supply of lime to the fact of the diminution of the turf available for burning?—I do as one of the reasons.

31025. In this part of the country are the turf bogs worn out, and is there now a difficulty in getting fuel?—In a great number of cases you could get no fuel unless you went to the mountains.

31026. Then, is the Commission to take your answer that the reason the lime is not used and put upon the fields now is that the turf is gone which was formerly burned to produce the lime?—Partially so. If you go into any parish in North Leitrim, to put the case practically, I will ask you to find the farmer who is in such circumstances to-day that he could build a lime kiln and get limestone to burn in it, and find the fuel. In fact whatever lime kilns there are in the county, and there are only two or three, they are always fed by the remains of coal, turf is not used in them. It is quite a mistake to suppose that even in this county there is bog in any large quantity. A great number of people have six or eight miles to go for turf. How is a small farmer with a few cows to build and feed a lime kiln and bring turf seven or eight miles to it, whereas in the years I speak of the farmer had turf near his door.

31027. But you must remember that there were several lime kilns burning lime which the farmers bought. Isn't that so?—A great many more than we have now at all events.

31028. These lime kilns have now ceased to burn lime, and is it because all the turf near the lime kilns has been cut out, and so though the lime kilns are there they are of no use because the turf near them is all cut out?—That is one of the reasons.

31029. Mr. SUTHERLAND.—Prior to 1881 did the landlord supply the lime?—I never knew the landlord to supply anything in this place except the processes.

31030. Were the lime kilns on a man's holding always worked by the tenant in the old days?—What they generally did was this. The farmer set up the lime kiln and he had the turf on his own farm probably. In some places he might have five or six miles to go for the limestone, and in other places he might have it beside him. Sometimes he had to open a pit, and dig for it, and remove the clay six or ten feet, or more before he got to the limestone. That is a thing impossible now because of the paucity of labour.

31031. Then you consider the chief cause of the cessation of lime burning, is the diminution in the amount of labour now available, and therefore an increase in the price of labour?—If you ask me for the chief cause I say it is the poverty of the individual

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tenant and his inability to get together the several elements that are necessary for the production of lime.

31032. CHAIRMAN.—How did he do it in the old days?—In the old days everything was cheaper and everything was nearer at hand.

31033. Did they burn turf in the lime kilns in the old days?—Yes.

31034. And at present coal is burned merely because the turf is too far off—is that so?—The turf is too far off and too scarce. Those who have lime kilns might, of course, use a little turf at times.

31035. You told us that coal is now used?—Wherever I have seen lime kilns I have seen coal used.

31036. That is because the turf is too far away from the lime kilns. Is that your opinion?—Yes, too far away, and too scarce.

31037. And in the old days the people burned turf and not coal in the kilns?—Yes, twenty or thirty years' cutting will do a great deal with the bogs.

31038. Do you think the farmers were better off thirty years ago than now—were they richer then than now?—Well, I believe there were more fortunes for girls, and more money in one parish thirty years ago than in ten now.

31039. Mr. KAVANAGH.—I suppose artificial manure has taken the place of lime in this part of the country as in most other parts?—Artificial manure is used to a very limited extent in this place. Farmers use 2 cwt. or 4 cwt. for potatoes, and perhaps a few cwt. for a piece of meadow.

31040. But hasn't artificial manure rather taken the place of lime burning because it is cheaper in the long run to use it than to burn lime?—Well, I believe basic slag is.

31041. Because it is cheaper?—No, I cannot say because it is cheaper.

31042. Then why is it used—you would not suggest it is better than lime, would you?—Well, if it be true that basic slag has the element of lime in it to such an extent as is stated, together with other elements, it should be better than lime.

31043. Sir JOHN COLOMB.—You stated that thirty years ago if a person went into a farmer's stackyard he would see a large quantity of oats there, and that now he would not see that. Do you attribute the falling off in the production of corn to the deterioration of the land, or to what cause do you attribute it?—I attribute it principally to the condition of trade.

31044. Do you mean the price now paid for oats?—Sometimes to the price.

31045. But isn't it the case that the official returns show that the price of oats has rather risen than fallen?—The price of oats in this county has risen this year to £1 a sack. In each county there are different names for the quantity of oats sold, and when we speak of a sack of oats in this county we mean twenty-four stone.

31046. Most Rev. Dr. O'DONNELL.—I am sorry I was not able to reach here at the time your examination was begun by our Chairman. I recollect well that when Father O'Hara and myself visited North Leitrim some years ago you did your utmost to let us know the condition and requirements of the county in its northern parts, at all events?—Well, I did not wish to refer to that, my lord, except to say that the county always felt the peculiarly kindly interest of some members of the Board.

31047. The reason I refer to it is this. I am anxious to ascertain what happened to the projects we then talked over. How many years ago is it?—About six or seven.

31048. Do you recollect our talking over many projects for North Leitrim?—Yes.

31049. Have these projects matured or failed to come into existence?—They have all failed.

31051. You stated in answer to Lord Dudley that you would expect a body like the Congested Districts Board to take the initiative in a county like this?—Yes, to take partially the initiative.

31052. Do you refer to pretty large schemes for developing the resources of the county, or do you refer to commonplace and small schemes?—Well, to both, except in the case of very commonplace schemes. I would not expect that a Board like the Congested Districts Board should be brought into the minutiæ of things.

31053. You think the mineral wealth of the country should be explored by a body like the Congested Districts Board?—Yes, I think so.

31054. Schemes for drainage are much required in a place like this?—Yes, I think so. The Board should have charge of such schemes, because the Board alone knows its powers, and it has engineers at its command to advise it, while the rest of us are only amateurs.

31055. I think you said in answer to one of the Commissioners that Leitrim requires both arterial drainage and field drainage. Is that so?—Yes.

31056. You think both kinds of drainage ought to be promoted and encouraged?—I think so.

31057. Do you recollect whether the Congested Districts Board, after the visit of certain Commissioners, did propose to give a contribution to certain drainage works in the county?—Yes.

31058. And they informed the applicants that it would be necessary to form a Drainage Board?—Yes.

31059. They offered a contribution to the County Council if the County Council would do the drainage?—That is quite so.

31060. Therefore, at all events, it is true that the Congested Districts Board went so far to encourage drainage that they offered in certain cases a contribution to the County Council or to Drainage Boards, if they were formed?—Yes.

31061. But it was considered that the difficulties in the way of carrying out these schemes were insurmountable?—Yes, insurmountable. That is precisely the point I have been at from the beginning about the powers of the Board. There were such difficulties that we could not surmount them. Take, for instance, the question of a Drainage Board. The formation of a Drainage Board is a very expensive thing and involves a multiplicity of difficulties, and the result is that the humble parish priest minding his own business and the unsophisticated people cannot approach such a problem as that.

31062. Not only that, but isn't it very difficult for even a County Council to carry out drainage works?—Yes; and another thing I would say is, that the condition of the Board to contribute to a County Council involves the rates of the people and taxation, and that is a condition which they uncharitably say the Board know very well will knock the scheme on the head.

31063. Please explain that further?—What I mean to say is that the taxes in the county are already very high, and when the Congested Districts Board offers as it did in the case of the Largeydonnel River, £100 for the drainage of that river, it attaches two conditions. One is that the people should form a Drainage Board in a simple rural parish, and the other is that they will give the £100 provided the County Council give £200 towards the scheme. We all say that the Congested Districts Board know perfectly well that the County Council will not do that.

31064. Mr. SUTHERLAND.—But why should the County Council not contribute?—Because the people are overtaxed already.

31065. And the short and the long of it is that you want the work carried out altogether at the expense of the Congested Districts Board?—I would not say that. But I do say that whatever the Congested Districts Board intends to give for any particular scheme, great or small, it should give it on its own account, and have the power to carry out the work.

31066. But don't you think it a very desirable thing on the part of the Congested Districts Board to enlist public feeling and ascertain the *bona fides* of the persons making the proposal by the willingness of the County Council to contribute towards the cost?—I do not think public feeling or sympathy will ever be secured for any Board by imposing additional taxation.

31067. Most Rev. Dr. O'DONNELL.—Your point in the second place is that the contribution promised by the Congested Districts Board was not sufficient proportionately to that asked from the County Council?—It was not sufficient, and the condition was such as to cause any project of the kind on behalf of the Board to be a failure. The condition of getting a subscription from the rates will kill a scheme in this part of the country.

31068. At the period to which I have referred, when you went with some members of the Board into these things, do you recollect if there were large contributions offered for the making of certain roads in the district by the Congested Districts Board?—Yes, but

those contributions were also conditional on the rates of the people.

31069. No doubt, but isn't it a fact that when the contributions were offered it was ascertained in the locality that if such contributions were given very probably the local authority would provide the rest of the money necessary to carry out the work?—Yes, it was thought the local authority would provide the money.

31070. Of course, there could be a mistake about that, but don't you think that the Commissioners going around and suggesting certain contributions from the Congested Districts Board would be likely to ascertain whether, in the opinion of those who know the ways of the County or Rural District Councils, the balance of the money was likely to be provided by them?—Yes, I would think your lordship would find out something about that.

31071. Sir JOHN COLOMB.—Were the contributions voluntary contributions from the people living about?

Most Rev. Dr. O'DONNELL.—No. When the officials or members of the Congested Districts Board go through the scheduled area those who are rightly interested in doing something for that area bring under their notice certain projects. Then the question will at once crop up how much is the local authority likely to give of the total cost.

CHAIRMAN.—Then there were only the two contributors, the Congested Districts Board and the local rates.

31073. Most Rev. Dr. O'DONNELL.—Practically only the two. Very likely both parties considered that the work would go on, but it is quite possible that when the County or District Council met they thought that considering their taxation the amount demanded from them was excessive?—Yes, that is so.

31075. That must have happened?—Yes.

31076. Because I find that there is a sum of £2,000 offered by the Congested Districts Board for roads and drains on condition of certain contributions, and that money has not been taken up?—That is a fact I was not aware of.

31077. You gave the explanation that the balance required from the local authority was in their judgment too much; more than they could make up?—Yes.

31078. Taxation for the existing works in the county is very high?—Yes, and there is another thing. The County Council in dealing with roads consider two classes, roads already formed and new roads. The Council will take up the road already formed much more easily than they will a new road. The reason is that in the case of a new road the Congested Districts Board say to the County Council, make this road at a cost of, say, £1,500, and we will give you so much. But the County Council has to examine how many families this road will accommodate, and they will perhaps find not very many, although the district on account of its remoteness may demand it. Then again the Congested Districts Board in promoting drainage works or road-making practically say they will give a certain amount and will then have no more to do with the works and leave all the further responsibility on the local authority. The local authority is not willing to take this responsibility, especially of putting forward the scheme and running the risk of legal claims. They believe the Congested Districts Board should have the power to deal with all this and save them from this responsibility. Then when the work is carried out the Congested Districts Board look to the local authority to maintain it.

31079. CHAIRMAN.—Is that what passes at the meetings of the County or Rural District Councils when these matters are being considered?—When the project comes before the Council they debate it in the usual way, and that is what they generally say.

31080. Do I understand you to say that the Congested Districts Board say to the County Council, we will give you so much money in aid if you undertake to carry out the work?—Yes, and sometimes in the case of drainage they require the County Council to appoint a local Drainage Board.

31081. Are you of opinion that the County Council even if they had the money are not fitted to initiate works of that kind and carry them through?—I think that I should not give any evidence in reference to the County Council or its work, as there are representatives of that body here to give evidence.

31082. But you are an unprejudiced outsider, and much more likely to give us unprejudiced information than a member of the body we are inquiring about?—I am a most unwilling witness. I would not be here at all only I am commanded to attend.

31083. I only want your view as to how the matter should be carried out. Do you think the Congested Districts Board should provide the money and do the whole thing themselves or throw some of the expense of carrying out the work on the local authority?—I think the Board should have sufficient power to execute their own works, be they great or small, and sufficient funds for this purpose. Apart from everyone else they should have absolute powers as beneficiaries of the community.

31084. Does it amount to this, that you would rather see works such as drainage, road-making, and road improvement initiated, carried out, and paid for by the Congested Districts Board apart altogether from the local authorities?—In the question of roads especially, where there would be large projects, I say the County Council should have a look in, but where there would be small works involving an expenditure of only £30 or £40 or £50 or £100, I say the Board should have absolute power and ample funds to carry them out.

31085. What is there to cause the difference between large and small works. Why do you think there should be a difference?—The large work will involve an expenditure of £1,500 or £2,000 on a long road of 2,500 perches or so.

31086. But apart from the money question altogether, why do you think there should be a difference in the system adopted in the two cases?—Well, I will give you one reason. Where, for instance, there are old roads in existence, the rights in reference to them have been already determined. Where you have short cuts to bogs, they are not put in as rateable property—as works that the County Council is responsible to maintain and keep up.

31087. Does the District Council not look after these roads?—No local authority generally looks after these bog roads. The people have to keep them up themselves. If they get a small contribution from the Congested Districts Board for a bog road the people make that road and are done with it. I think that is a good system.

31088. In that case the people would initiate and carry through the scheme and not the Board. Who is to make the bog road—the Board or the people?—Well, there are, for instance, six or seven persons going to a bog, and they have a common roadway. These people will gather together some day and say the road is in a bad way, and requires foundations and repairs. They are not able to do this work themselves sufficiently well, and the Board gives a contribution of, say, £20 or £30. The road is then made and the County Council should have nothing to say to that as they are not responsible for further repairs. On the other hand, if you have a large project involving £2,000 for a long road, you cannot get rid of the District Council because they have of necessity to take over that road and keep it in repair afterwards. In a large scheme of that kind you cannot do without the County or District Council.

31089. Mr. SUTHERLAND.—And who do you think ought to keep up the road?—The County Council should keep it up, of course, but the Congested Districts Board gets off with the best of the bargain.

31090. What bargain? What return does the Congested Districts Board get?—I do not believe the Board should get any return.

31091. Do you maintain that the Congested Districts Board should first of all make the road and subsequently maintain it?—No.

31092. How far then ought they to go?—I am afraid we have gone a bit off from the question.

31093. I think you said that in the case of the roads to the bogs you did not want the District Council to have anything to do with them?—Yes, I say that.

31094. Mr. SUTHERLAND.—These are roads made at the expense of the Congested Districts Board and the people, and the people for whom they are made should guarantee the upkeep of them in the future. That is a most essential condition?—Yes.

Most Rev. Dr. O'DONNELL.—Perhaps Father M'Loughlin will answer that by saying that the people in the district will keep up such roads.

31096. Mr. SUTHERLAND.—But these people pay road rates?—They do for other roads.

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31097. Then they pay both for all the other roads and for the maintenance of their own roads?—They maintain the bog roads.

31098. Is there any other class in the community that does that?—I am not aware of it.

31099. CHAIRMAN.—With regard to the small roads, you think the Congested Districts Board should make the contribution and allow the people themselves to make the road, and then, having done that, throw upon the people the duty of maintaining the road?—Yes.

31100. That would be apart altogether from any reference to the local authority, but in the case of the large roads for which the County Council would undertake the upkeep after they are made, you think there should be direct communication between the Congested Districts Board and the County Council before the work is done. Would you suggest whether the County Council or the Board should do the work?—The County Council should carry out the work and keep it in hand.

31101. Sir JOHN COLOMB.—The Board should pay a sum of money to the County Council and the County Council should carry out the work through their engineer?—Yes. What I maintain is, that for the Congested Districts Board to pay one-third of the money and ask the County Council to pay the remaining two-thirds and also be responsible for the further up-keep of the road is a heavy responsibility on the shoulders of the County Council. I think the Board gets off too handy.

CHAIRMAN.—That is a question of finance. I was asking you about details of the method you suggest.

31103. Most Rev. Dr. O'DONNELL.—I think you have already said that there were no large grazing tracts in the county, or not many that could be acquired for the purpose of new holdings?—Well, there is a good deal of evicted land in the county.

31104. Is that land in the hands of the owners or of large tenants. I do not want the details?—Well, about equally in the hands of large tenants and the landlords. I do not wish to make reference to these grazing farms or evicted tenants outside my own parish, but if you wish to examine me on my own parish, which is typical of several parishes, I could give you an idea.

31105. It will be very interesting if you tell us of the condition of things in your own parish?—Well, before we leave the question of drainage, I wish to say that I am informed that the quantity of land and bog that could be reclaimed from the Largeydonnel River by the expenditure of £300 there would be several hundred acres. I regard that in the same light as places made out of ranches. I consider if this place were reclaimed and dried up it would be just the same as the purchase of ranches.

31106. And a much easier way of bringing great improvement to many occupiers?—Yes, my parish is a glen, and when the floods come they dash down in the usual way carrying all before them. One river runs through the parish in one part, and another in another part. Both rivers are stopped up by a few rocks and they have flooded hundreds and hundreds of acres of land. The crops are torn away in the harvest time, and what happens in my parish happens in practically all the parishes, because they are of the same geographical formation.

31107. Sir FRANCIS MOWATT.—You say the rivers are stopped by a few rocks. Do you mean rocks brought down by the flood or rocks which have always been lying there?—Rocks which have always been there. The rocks are there, and the flood being once stopped, it does whatever it wishes afterwards.

31108. Most Rev. Dr. O'DONNELL.—You consider that the example you have given is a good one. The river is in great need of a large scheme of drainage?—Yes, I brought before your lordship the question of the Bonet River, for instance, and nothing has been done with it. It rises in my parish out of a little lake, and just as it starts out of the lake there is a bridge, and the eyes of the bridge are completely filled. Of course there is not a bit of use in opening the eyes of the bridge as long as the outlet is as it is. The flood will go back, and recently there was a very sad accident by the flood getting further up into the country and crossing a road. A man lost his horse and almost his own life.

31109. The Commissioners might be able to see that place—it is quite close?—Yes. It is not in my parish, but other witnesses can speak of it.

31110. Mr. SUTHERLAND.—But isn't it the duty of the County Council to keep their bridges clear?—I am not representing the County Council, and I would prefer not to answer any question in reference to the County Council.

31111. Most Rev. Dr. O'DONNELL.—Are you not impressed with this fact from all your experience in the county that a considerable sum of money is required from some source to improve the local facilities and provide for drainage on a large scale?—Yes, I think all the schemes put forward by the Congested Districts Board require greater powers to carry them out. In the place I refer to a great deal of land could be made by the edge of the lake. The river there is ruining the health of the people, because at night one can see a mist rising over the whole place on account of its water-logged condition. The people are sleeping in that mist, and it is as bad as their poverty, as everybody can feel the result of the damp. One of the Commissioners has referred to the price of corn in the district. On that point I would say that one of the members of Parliament put a question on the condition of the potatoes in this part of the country and received an answer that things were dear, and that everything was at a high price, and the price of corn was instanced. It is true to say that corn, which was only 15*s.* a sack a year or two ago, is now £1 a sack, but it might be £100 a sack for all the good it would do this part of the country, for we have no corn.

31112. The land has gone a great deal out of cultivation?—Yes.

31113. You were going to tell us something of grazing tracts in your own parish?—Yes. There is another grazing tract, a townland, on which I am led to understand there were fourteen tenants, and all were evicted with the exception of two. I understand that the Estates Commissioners have at present restored those tenants except in the case of a large farm, which has been recently sold. I do not know of any other, but in the other parts of the county, about which other gentlemen will speak, you will find plenty.

31114. I shall not ask you anything further about that. As regards the animals sent to the district by the Congested Districts Board, I myself have very little knowledge, but are you sure that the representations of the people in the locality were not attended to as to the exact kind of animal that suited a particular district?—I do not say that, my lord. What I said was that the aim of the Board was all right, but that when they came to locate the animals they sometimes failed.

31115. Is that as regards the individual farmer that was selected?—The locality. For instance, they required to be very careful about the district in which they placed a Polled Angus, and also they required to be very careful about the milking strain in the cattle. But what was objected to principally was the financial conditions under which a farmer received the cattle.

31116. You think the terms were not sufficiently liberal?—The result seemed to prove that, because the farmers gave them up as unable to keep them at what they were receiving.

31117. It would look from the returns as if a very considerable number of these cattle had been placed in Leitrim?—In the first years there was, but for the past years they were falling away badly. The Board changed their schemes a little through time, and gave some more facilities in the end.

31118. Now, about the industries that ought to be started, you favour the Board taking the initiative rather than the local people. Do you recollect any suggestion to the local people and yourself about parish committees?—Yes.

31119. Was that taken up?—Well, for the last three years the Parish Committees have been working in this place.

31120. So there have been some suggestions from the outside of projects for the benefit of the people?—Oh, yes, there have been.

31121. How are the Parish Committees working?—The Parish Committees are working admirably. They are doing, what I might say without exaggeration is, an extraordinary amount of good, and if the work they are now doing is continued for some years—the people

and the Committees working honestly together—I expect the Board will be gratified to find a very pleasing change in the situation.

31122. You think these Committees are improving according to their means the condition of the farmers?—Yes, but I would like to point out some extensions. The Parish Committee gets only, say, £70, and it is not easy to improve much with that sum where there are so many bad houses. There are small windows in the houses and these should be taken out and replaced by good windows to admit light and air. There should no longer be the old flagged bedroom floors, or concrete or clay floors.

31123. These are improvements that the Parish Committees intend to bring about?—Well, in my parish that is what they are trying to do; they board the bedroom floors, and do precisely what the Board requires.

31124. In your parish is it a prize scheme or a scheme of subsidy that is in existence?—A scheme of subsidy.

31125. With reference to the point of initiative what has happened to the little industry at Kiltyclogher. Has it gone on?—I cannot say; I am away from there now.

31126. Do you remember making a suggestion about a teacher?—Yes.

31127. Was that suggestion carried out?—It was.

31128. Was it a crochet or lace-making industry?—A crochet industry.

31129. Until you left that district was the class a success?—It was.

31130. Sir John Colomb.—You spoke of your Parish Committee receiving £70. I see there are twenty-one Parish Committees receiving between them £700 and £800 a year. Taking your parish, your grant from that sum was, I presume, £70?—Yes.

31131. Can you give the Commission an estimate, such as we have had from other sources, of the actual amount of work you get done by the people themselves in your parish for that £70. Do you get £150 worth done?—We get three times £70 worth of work done.

31132. And the work is still going on?—Well, the year is closed now.

31133. I understood you to recommend to the Commission that the Congested Districts Board should have absolute powers?—Yes, for carrying out all its works.

31134. Do you include in those absolute powers the power of levying a small rate upon a district they benefit for the maintenance of works done by the money of the Congested Districts Board?—I suppose they might do that.

31135. Another question I would like to ask you is this. You spoke, when contrasting the condition of things thirty years ago with the present, about the burden of rates. Now, I see by a return that in four out of the five electoral divisions that make up the union of Manorhamilton, that the poor rates had fallen in 1891 as compared with 1881—in those four divisions the rates were lower. If the poor rate has fallen is it in county cess that the rates have risen?—As I told the other gentlemen I do not wish to speak on the question of rates or on those matters that concern a County Council representative.

31136. Another question is with regard to drainage. You spoke of the hundreds of acres of land that might be improved by drainage, and said that would be equivalent to taking up a grass farm. In the areas you have described as being flooded by these rivers I suppose the people that suffer are all occupiers. It is all occupied land?—Yes, all occupied land.

31137. And if drainage works were carried out by the Board, and the water all taken away, I suppose that would enormously increase the value of every man's holding?—I do not think the holding would be enormously increased in value no matter what you did with it.

31138. If the holdings suffer so terribly as you have described by these floods, would not the removal of the flooding greatly improve the value of those holdings?—It would improve the value of the holdings. But if you take my parish for instance, the holdings are so small that the farmers will have only about three cows and a little patch of potatoes, and perhaps some of them will have a little oats. It will be very hard to make any increase to the value of those farms to any great extent; all you can do is to make the most of it.

31139. But obviously drainage would increase the productive power of the farms?—Of course I say that.

31140. Then would you not say it would be a perfectly fair and reasonable programme for the Congested Districts Board when they undertook and carried out the drainage work that they should put a small amount of tax upon those people who benefited for the purpose of maintenance. Would you not consider that a quite reasonable thing?—I think if the Board had sufficient power to carry out its scheme of drainage in a proper way, and once and for all, the cost of maintenance afterwards would be of such a trifling nature that either the Board might consider it unnecessary to impose any tax at all, or impose a merely nominal tax. Take the river I have been speaking of. What has to be done with it is that it must be opened to the sea, and if this main river is properly drained and properly opened there should be little or no cost of maintenance.

31141. Most Rev. Dr. O'Donnell.—Where does this river enter the sea?—At a place called Bunduff. There is a salmon fishery there, and an individual like a parish priest will not be willing to get mixed up with a fishery company. It is only a Board like the Congested Districts Board that can deal with such a question. I do not advocate the Board doing everything for the people. I do not believe it is the duty of the Board or the Government to do everything that the people require. But there are things that the Government must do. What it has done in England to build up that country's commerce they must do in Ireland; that is, they must protect them by laws, give them facilities and remove the things that have destroyed them. That is a short cut to it. Now, in reference to this river there are these two rocks and a fishery, and until these two rocks are removed we cannot get rid of the water. I believe that if these rocks are removed the river will keep itself clean afterwards.

31142. Sir Francis Mowatt.—Do the fishery people object to that?—No, I never heard that they objected to it, but we all know what fishery people are.

31143. Sir John Colomb.—You mean by the fishery people the Board of Conservators?—Well, the Board of Conservators are one Board and the men who use the fishery are entirely different.

31144. But isn't the Board of Conservators a Board constituted by Act of Parliament for the preservation of fish for the benefit of the public generally, so that the fish shall not become extinct?—Well, I am not well acquainted with the legal constitution of the Board of Conservators. All I know is I would be afraid to touch a fisherman least I would get booked.

31145. Sir Francis Mowatt.—You drew a distinction naturally enough between main and bog roads, and you said, with regard to the large roads, involving an expenditure of thousands of pounds, that you thought it right that whatever the Congested Districts Board did with reference to such roads that the County or District Councils should have a look in because they would subsequently have to maintain them?—Yes.

31146. I understood you to say you thought it was no part of the District Councils' business to subscribe to the construction of these roads; that these large roads should first of all be made by the Congested Districts Board and that the District Council should afterwards keep them up?—Oh, no; jointly make the road.

31147. Then you propose that the District Council should contribute?—That both should join and make the road.

31148. Then in the cases you mentioned what you mean is that the proportion of the cost of making such roads offered by the Congested Districts Board was not sufficient?—I think not, having regard to the expenses subsequently arising.

31149. Chairman.—Is there anything more you would like to say?—The only thing I would make reference to is the condition of the people. The work of the Parish Committees in the congested areas is confined to a valuation under £7, and I think, as the work develops, that valuation should be increased to at least £10.

31150. At present the Parish Committees are not allowed to do anything for people whose valuation is over £7?—That is so, and if the funds in this respect were increased and the Board take partially the initia-

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tive in matters for the improvement of the condition of the people a great deal more could be done through the Parish Committees. For instance, they intend, in my parish, to ask the Board when the houses of the people are improved to give permission for the expenditure of one year's grant in planting alone.

31151. Most Rev. Dr. O'DONNELL.—Trees for sheltering belts and fruit trees? Well, sheltering belts and beauty spots. I am afraid fruit trees and bushes, with the exception of gooseberries and currants,, would not live in our part of the country. I am of opinion also that the present prices of the rents will be impossible for the tenants to pay in my district.

Rev. JOSEPH MEEHAN examined.

Rev. Joseph Meehan.

31152. CHAIRMAN.—You have already furnished a statement of your evidence*?—Yes.

31153. Will you please tell the Commission any points upon which you feel strongly?—There is a part of my evidence in which I refer to the neglect of this county by the Congested Districts Board, and I only gave the heads. From the Blue Books, the Reports of the Congested Districts Board, we are able to see how far County Leitrim has benefited. These reports are particularly well done, because they sum up the operations for all the years up-to-date, and then give what has been done for the year under consideration. I am taking the Fifteenth Report of the Board, which is the Report for last year, and turn to the Table of Expenditure, Appendix 5, page 47. The first point is administration costs. But I need not mind that because administration will, of course, be proportionate to the amount of trouble that is taken in a particular county. Then, there is technical instruction, and a good deal of the work going on for the last eight years in other counties is now disguised in that. But I come to the purchase of estates. You will see that the total amount spent on acquiring estates in congested districts is £557,847, and all that has been done in that direction in County Leitrim up to the present is the purchase of one estate at a place called Kilgariff, at a cost of £850.

31154. CHAIRMAN.—If the Commission will turn to page 27 of our Statistical Abstract† they will find the whole of the figures taken out so far as they relate to County Leitrim.

31155. Mr. O'KELLY.—It is given here as £1,205?—I cannot account for that because the Board's Report gives the amount as £850. I may say I know the estate very well. It was purchased in 1903. But perhaps the money spent in improvements is included in the larger figure?

31156. Sir JOHN COLOMB.—It is given as the amount of the purchase money?—Then it is for the compiler of the Report to reconcile the figures.

31157. Most Rev. Dr. O'DONNELL.—Do you say that estates in this county have been offered to the Board?—Yes, I do; estates and farms have been offered in the county. Take the parish I am attached to. We wrote to the Board asking them to buy a tenant-right farm in order that they might carry out the work of migration, and the Congested Districts Board refused.

31158. On what ground, do you know?—The ground they gave was that they were unable to buy tenant-right farms. I was not satisfied with the reason given because I see from the Reports of the Congested Districts Board that they actually did buy tenant-right farms elsewhere.

31159. In the particular case you refer to was it only the tenant-right that it was proposed to sell?—I have three cases in this parish, and in other parishes there would be a great many more. In one, Holmes' case, it was the tenant-right only. In another case in which they were asked to buy, it was a small estate in Lisnagowan, which contained three or four farms, and by purchasing it the Board could have done a great deal for the improvement of these farms, but it was not done. That place has been sold inside the past four or five years.

31160. Was it grass land?—Yes, good grass land and mountain ranches beside it, which could have been taken and added to the farms and so improve them.

31161. Were any of the holdings in rundale?—There are none in rundale that I am aware of in Co. Leitrim.

31162. CHAIRMAN.—What is your next point?—By one of the rules of the Congested Districts Board the Board can take up an estate alongside of, or anywhere in, a congested county. There was a splendid vacant farm which, consisting of about one hundred acres, could have been easily utilised for migration schemes. There was no tenant whatever on this farm, and it was immediately adjoining a congested district. The matter was put before the Board. They sent a circular and an acknowledgment, and stopped at that.

31163. Most Rev. Dr. O'DONNELL.—When was that?—Last year. I have the letters of the gentleman, Dr. Roden, here.

31164. CHAIRMAN.—Was this an untenanted farm; untenanted land?—Yes.

31165. Is it in that condition now?—It is.

31166. Where is it?—It is Dr. Roden's, in the district of Drumkeeran, Manorhamilton.

31167. Sir JOHN COLOMB.—With regard to the three cases in point which you are giving us, do I understand you that it was through you that the applications for purchase were put before the Congested Districts Board?—I suggested to the tenant farmer to write to the Congested Districts Board. He did so, and has the letters. That is Holmes' case. In the second case I wrote myself to the Board, and I have the reply.

31168. Is the second case that of the untenanted land?—No, it is not. It is the case where the Congested Districts Board were asked in the first instance to buy an estate with a view afterwards to benefiting the tenants living on it, as the Board are doing elsewhere.‡

31169. In the particular cases you are referring to did the owners or occupiers communicate with the Congested Districts Board themselves, or did they ask you to communicate on their behalf, or did you do it as an outside matter according to the wishes of your parish?—There were only two or three occupiers of the land, and they asked me to communicate with the Board, and I did so.

31170. Most Rev. Dr. O'DONNELL.—Did the owners communicate with the Board?—Not that I am aware of.

31171. Neither agent nor proprietor?—Not that I am aware of.

31172. Sir JOHN COLOMB.—Was any communication made to the owners by you on behalf of your flock, because obviously the Congested Districts Board has to deal with owners or occupiers?—There was not, because it did not occur to me it would be necessary, as I pointed out to the Board that the land was being sold in Court, and they could, of course, see to it there.

31173. You were aware that there were transactions going on for the sale of the land in the Estates Commissioners' Court?—I presume it was under the Estates Commissioners. There were negotiations for sale between some parties.

31174. Most Rev. Dr. O'DONNELL.—Did you make any representation to the owner that it would be well to sell to the Congested Districts Board?—No, I did not.

31175. Are you aware that the Congested Districts Board has not considered it advisable to take the initiative in approaching the owner?—I have not seen that in any of their Reports. These Reports are the sole means by which we came to know of the Board's schemes.

31176. You were dealing with the third estate, and told us it contained one hundred acres of land. That seems to be an interesting case?—Yes, that is Dr. Roden's estate. It is just lying along the congested district of Killarga. It contains at least a hundred acres of very good land, and in my opinion it would have been suitable for the migration of tenants from the adjoining district.

31177. Who brought that case under the notice of the Board?—Dr. Roden himself on my suggestion.

31178. You have that correspondence?—Yes, and

* See page 251.

† See page 347.

‡ *Note by witness.*—The failure of the Congested Districts Board to do anything in this case is mainly my own fault, as the plan of reclaiming mountain tracks had not then occurred to me.—J.M.

also a reply of Dr. Roden's written during the last week, when I asked for particulars of this.

31179. Most Rev. Dr. O'DONNELL.—I remarked that the Congested Districts Board does not take the initiative in inviting owners to sell, but it frequently does in an informal way when they have been aided by others. Without someone coming into contact with the owner the Board would scarcely consider it politic to approach him. But an officer of the Board, for instance, has frequently brought the fact of a particular estate being for sale under their notice, and the owner has been approached, and the sale carried through.

31180. Mr. KAVANAGH.—Don't you think the Congested Districts Board would be placed at a disadvantage by offering to purchase from the owner his estate?—I quite understand that, but I say however it has happened it is a pity that while a great deal has been done in other districts, practically nothing has been done for Leitrim, in the purchase of estates.

31181. Most Rev. Dr. O'DONNELL.—Give a few cases where the Board could have bought. That will be interesting. In the third case you mention the owner brought the case under the attention of the Board himself?—He did.

31182. Did he state the price?—There was sent a letter of acknowledgment, together with a circular. I looked down the circular very carefully to see did it contain any reason which would justify the Board in not looking into the matter. I could find none.

31183. Did the owner fill the circular?—He told me he got no further communication from the Board.

31184. But did he fill the circular and return it?—I cannot say.

31185. But isn't that the very essence of the preliminaries to a transaction? Isn't that the next stage when you get a series of inquiries?—I should expect if the Board were anxious to do this work that in the case of a person selling an estate they would fill up a little deficit of that kind.

31186. But how can the Board proceed? What would be the basis of negotiation unless these queries were answered?—Well, supposing they were not answered, as the gentleman might not be much of a correspondent, I should think that the Board, seeing there was an estate offered to them which they should purchase, would make further inquiries.

31187. But how are they to know it is an estate they should purchase until the inquiries are answered?—From the representations made by the gentleman and put before them that it was a suitable estate.

31188. Do you credit to the full extent all that everybody says in his own case? Isn't it well to sift the information given by definite inquiry?—Yes, but I still adhere to the point that there is a *prima facie* case made for the purchase of this farm or estate by the Board, and it should not have fallen through owing to the mere fact that the gentleman offering it did not go through a very elaborate series of replies.* The Board had other channels by which it could have obtained information, and it did not try them.

31189. Did any of these outside sources of information suggest to the Board to resume the matter?—This has been very recent. It happened last year, and I cannot say that they have. The next steps should, I think, have started at the other end.

31190. CHAIRMAN.—Before you pass away from this subject, when you speak of the Board purchasing the tenant-right of a farm, I suppose you are aware it can only do so out of its income?—Yes, I gathered that from the Reports.

31191. That makes a difference?—Yes, but it has sometimes bought estates in that way.

31192. That was some years ago. There is this difference, that if the Board purchases an estate it gets an advance from the Land Commission for that purpose, but if it buys simply the tenant-right of a holding it has to do that out of income. You are aware of that?—Yes, I am aware of that.

31193. Most Rev. Dr. O'DONNELL.—And the tenant-right would generally be purchased in the neighbourhood of estates with which the Board was dealing?—It is unfortunate that the purchase of estates, which is the great work of the Board, has not taken place in County Leitrim. The Board has done absolutely nothing, I may say, for the county in that respect.

31194. You may take it as extremely unfortunate that no estates were offered which the Board could acquire?—I urge that the initiative should not be put on the people. I came into the parish of Killarga, in which I am now living, in 1895. The Congested Districts Board was then in existence for four or five years. All the Board had done for the district up till then was to send down a sort of Spanish donkey. The donkey was particularly annoying, and I inquired where it had come from, and somebody said it was "a foreign donkey down from Dublin Castle." I thought it came from the Royal Dublin Society, as I had not heard of the Congested Districts Board at that time. Then in 1897 the Board after some trouble sent down a lot of fowl, but through some accident they were a wretched set. I happened to have taken a fancy for fowl for some time. These were Minorcas; some of the hens were grey, while others had spurs of great length, and this wretched set were sent to improve the breed of fowl in the county. There was some accident or other in it, and that was all there was about it. In 1897, when the Board was then six years in existence, all they had done for the district was to have sent down these fowl and an old donkey, which I found from Reports had come from Kerry, where it had been for years.

31195. CHAIRMAN.—Then it was not a foreigner but a naturalised donkey?—In 1898 and 1899 we got a flock of very suitable fowl, and that is all the Board did. Here is my case. I, perhaps, knew as much as the simple people round about me. I knew nothing of the Congested Districts Board before 1897, and how were they to know? No member of the Board ever visited the county until 1903, and then, for the first time, two members of the Board came motoring round on an outside car. (Laughter.) Well, that expresses it very well, as they ran down as quickly as they could, and got through the county as quickly as they could and that was all we knew of the Congested Districts Board.

31196. Most Rev. Dr. O'DONNELL.—What followed the motoring? Were any projects of yours put before the party?—It was by pure accident I happened to meet the party.

31197. Sir JOHN COLOMB.—With whom did they communicate locally?—They called on the parish priest, of course. I happened, by accident, to be calling on the parish priest at the same time, and by that accident I came into contact with them.

31198. Most Rev. Dr. O'DONNELL.—Would you consider it fair that they should call on the parish priest? Must they call also on every curate?—Decidedly fair. They did the correct thing.

31199. Then what complaint do you make on the score of their not calling on you?—I do not want to make any complaint or wish to imply a complaint. I am a bit indignant only at their not coming for twelve years. I happened, it is true, to be living in the congested district, and the parish priest was not, and I happened to have written numbers of times to the Congested Districts Board, but it made no odds whom they called on.

31200. Do you know were any projects put before the motoring party?—Yes; one was the making of a road.

31201. Were there three roads put before the party?—I think only two roads.

31202. Did the Board give the grant and subsidy that was asked for?—Yes, they did. But I should suggest that we say nothing further about these roads.

31203. Mr. O'KELLY.—You say in the statement of evidence you furnished to the Commission that you are a thorough partisan, and that you began the study of the land question, biassed, if anything, against the tenant?—Yes. But I did not say I was a partisan. There must be a mistake of transcription there.

31204. On which side are you?—I am trying my best to tell the truth.

31205. Quite so. That is what I expect; but on which side are you on, the side of the tenant?—I have tried my best to find out the truth from all sources.

31206. You say you began a study of the question biassed against the tenant. Tell me the facts that made you biassed against the tenant?—I refer you back to where I state that a brother of mine suffered very much as a landlord.

31207. Was it that fact that led you to be biassed

* *Note by witness.*—I am able now to say that the Query Sheet was filled up and at once returned. When giving evidence I was not sure of this. A succeeding witness who described this as an evicted farm must have confounded it with some other. At all events his remarks do not apply—J.M.

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against the tenants?—No, but on the contrary I thoroughly sympathise with them. The sentence means that I approached the subject with a perfectly clear mind. That would be a much better way of expressing it.

31208. I would like to ask you this. What were the reasons that induced you to be biassed against the tenants before you commenced to study this question?—I have stated that I am thoroughly in sympathy with the tenants, and I have given one reason already why I had opportunities of seeing the other side of the question. I am in thorough sympathy with the tenants, but I have left it to better men than I to be more energetic on their behalf.

31209. That is hardly an answer to the question I put. You say in your precis that you began a study of the question biassed against the tenants. I want to know the reason that induced that bias?—I have already tried to explain that. Translated into clearer language, and to express my mind more directly, it simply means that I approached the study of the subject with a perfectly clear mind.

31210. But before you approached a study of the subject at all you were biassed against the tenants?—I think I have fully answered your question, and I am afraid I cannot make it any clearer.

31211. Very well. I won't press that any further. The reason I put that question is that I notice in the precis you say:—"In Leitrim we have had no beneficent landlords. We have had some who were as bad as the laws allowed them, and the landlord evicted when a man showed independence, and had a notice to quit printed on the back of the receipt." You also stated that the tenants were treated mercilessly, and felt themselves in practical slavery. It was the fact that you had these things in your mind that led me to ask you how you could write that paragraph about being biassed against the tenants?—I have given that as exemplifying the way the tenants were treated, and I say something about the duties of the bailiff on an estate. I did not go on to develop that point. I will touch on what you are saying if I continue on that.

31212. CHAIRMAN.—Better finish the first point you were on—the definite point about the improvement of estates?—In the improvement of estates the sum total spent in Ireland is £480,362. The total spent in Leitrim, in Kilgariff, is £131 10*s*. I should say that the Board raised from that estate £147. Therefore there is no net loss to them in its improvement. Of course, that may happen in some of the other cases.

31213. You are aware that their receipts correspond with that expenditure?—Yes.

31214. And your general regret and complaint is that there have been very few estates bought in County Leitrim and consequently very little expenditure?—Yes, and I presume the improvement of estates would go as a rider to the first.

31215-16. Most Rev. Dr. O'DONNELL.—If estates could not be bought they could not be improved?—The third point I wish to make is with regard to the agricultural schemes, and I try to contrast elsewhere how Leitrim has been treated with other districts. If you take the population of the congested districts as the basis of comparison, or the number of scheduled districts as the basis of comparison, you will find that County Leitrim has not received proper attention. If you take the population of the congested districts as the basis of comparison, then for every £15 5*s*. spent by the Board in all the congested districts in Ireland, we fancy in County Leitrim that we are entitled to £1. The populations entrusted to the care of the Board will justify that proportion. Then if the number of electoral divisions scheduled under the Board as congested be looked to it will be found that there are 423 such divisions so scheduled. There are 78 electoral divisions in County Leitrim, and of these, 38, or one-half, have been scheduled as congested. The proportion scheduled of County Leitrim to the rest of Ireland is as 38 to 423 or as 1 to 11·02. That is to say, for every £10 spent elsewhere, on this basis of comparison, County Leitrim should have £1 spent here. But I particularly wish to bring out this—that it is not the money matter that we wish to principally draw attention to, but the absence of that wise guidance which the Board exercises elsewhere. We have had none of that guidance in County Leitrim. Of course the money spent is an index to the wise counsel and the trouble taken to improve the conditions of the people.

31217. Take the question of the money expended. Of course the people of Leitrim greatly need expenditure in many ways?—Yes. I do not think there is a county in Ireland where the capital held by the farmers is so small.

31218. The previous witness told us of the need for drainage, and that would require money. But, suppose we agree that a valuation of 30*s*. per head is a low valuation, would it not follow that a valuation of 6*s*. per head was very much lower?—Yes, certainly.

31219. Now if you were a member of the Congested Districts Board and found in Swineford Union or elsewhere that the people were valued at 6*s*. a head, would you not consider that their claims should come first?—Well, we are not patriotic enough in Leitrim to sacrifice ourselves for even the people of Mayo. To your question I would say certainly, if you look at the valuation of Swineford, which is the very poorest place in the jurisdiction of the Congested Districts Board. But let me point out that the sum of £375,000 has been there spent for the purchase of estates and only one-half of the union of Swineford is congested, or, to be accurate, 19 out of its 29 electoral divisions.

31220. Mr. O'KELLY.—How much of that represents the purchase price?—It will also include a large amount represented by the improvement of estates.

31221. The estates are improved out of the rents paid by the people themselves?—Yes; the Board drops 5½ or 10 per cent., and of course they also take a great deal of trouble in arranging about migration and striping.

31222. Most Rev. Dr. O'DONNELL.—You said Swineford was the poorest Union in Ireland, but on the other hand I gave the higher figure of 30*s*. per head because that is the limit of the Board's valuation?—I presume so. But comparing how Swineford Union has been treated with all Leitrim put together you will see that we have been extremely neglected. In the one parish of Kilmovee, in Swineford, there has been spent on parish committees' schemes the sum of £1,390, while for the total of Swineford Union under the same head there has been spent £7,855 13*s*. 6*d*. In County Leitrim the total expended under the same head for the same time was only £729. The same disproportion holds good for all items of expenditure. What I mean to say is that twenty times more money has been spent in Swineford Union than in all Leitrim put together.

31223. Are these figures up-to-date?—Yes.

31224. Are you perfectly sure of that?—I am taking them bodily from the Fifteenth Report of the Board.

31225. The figures for County Leitrim which you have given are for one year?—No; that is the total amount expended on Parish Committees in County Leitrim up to the date of the last accessible returns.

31226. Have you a Parish Committee in your own parish?—Yes.

31227. What is the grant?—£50.

31228. For how many years have you had that grant?—For two or three years.

31229. Did that grant come as a suggestion from the motoring party you referred to?—It did not.

31230. How did it come?—It came from my reading up the Congested Districts Board's Reports. I then put the matter before a little agricultural society we had to start it. I said to them, as an experiment, "Do this yourselves and do not throw everything on me." They did not do it, and I started it myself when I saw they would not do it.

31231. The Parish Committee work began in Mayo, and then came to Leitrim?—There is a great deal of money spent on what was practically Parish Committee work not included in "List of Parish Committee Grants and Expenditure" at all, because you will find they were working at that in other districts as far back as 1894, *i.e.*, before they formulated what is now known as the "Parish Committee Scheme." I refer you to the Fourth Report, p. 7.

31232. Would not you consider it was right to begin with the very poor district?—I would not consider it right to utterly ignore us.

31233. You were not utterly ignored, because through your own enterprise you came under the notice of the Board?—We were utterly unrecognised up to 1903. I am not sure whether this is the second

or third time we have had this committee grant. But let me say that I think the work of the Parish Committee is run on wrong lines. For this reason. The great work of the Board is to convert uneconomic holdings into economic holdings and so have farmers living on such holdings put into the position that they can live decently on them. The Parish Committee does not allow any grant to the person whose valuation is over £7. Consequently the committee are helping people to improve houses which they will be more loth hereafter to leave. They will be more reluctant to leave these houses, and you are therefore helping to stereotype congestion.

31234. Have you made any representation to the Board to the effect that the limit of valuation should be extended to £10 or £12?—It has been represented to officials of the Board several times.

31235. Has there been any suggestion that it would best suit this county if the limit of valuation were extended?—I am nearly certain yes. I am certain that fact has been indirectly suggested through the officials of the Board numbers of times. Then as regards the grant, the amount of money is so very small, £50, to Parish Committees, that naturally we think the very poorest people in the district have the greatest claim upon it. It would be useless to scale up the farms to £10, unless, at the same time the Board gave a larger amount of money.

31236. Is the whole of your parish congested?—Not the whole of it.

31237. And this £50 is available for the congested area?—Yes

31238. Do you thing any body like the Congested Districts Board have any reason for fixing the limit of £7 unless they had ascertained the wishes of the localities?—I should think that the Congested Districts Board ought to be able to form a better opinion on the matter than the people of the localities in which they would be working.

31239. Do you think would the people in your parish to-morrow be for extending the limit up to £10?—Decidedly.

31240. Most Rev. Dr. O'Donnell.—Why didn't you represent that to the Congested Districts Board?

31241. Mr. Sutherland.—Because he thinks the Congested Districts Board should come and find that out for themselves?—The Congested Districts Board in thinking this over and fixing the limit should have seen that the limit would be better at £10, and as to my opinion of the Parish Committee going on wrong lines and that the valuation should be fixed at £10 at least I should like to strongly bring out this fact that if the present sum is to be so small then in a district where the Board has done almost absolutely nothing, there is no good in extending the limit to £10.

31242. Most Rev. Dr. O'Donnell.—Would not £50 coming for a great many years do a great deal for your parish?—It would.

31243. Especially if you were able to represent to the Board that there were estates they could buy there?—Yes, of course, and provided the Board attended to our representations.

31244. So that the work of the Parish Committees would not stand alone, and if the estate work and the parish work went on together things would be pretty much to your satisfaction?—Well, there is this objection to the lines upon which the Parish Committee is run, namely, if there are estates to be purchased the Parish Committees are rendering it more difficult for the farmer who has made a pretty little place out of his home by the encouragement and assistance given by the money of the Parish Committee to leave that place.

31245. Do you then contend that the man valued at £7 may have a holding that will not become an economic holding by-and-by?—It will never become an economic holding looking at the way things are going on at present.

31246. Take the man valued at £7, if his land is drained might his holding become quite economic?—Not in County Leitrim.

31247. Up to what valuation then must you go?—The valuation, in my opinion, should be £14 or £15, particularly in the more backward parts of County Leitrim.

31248. And you say that the homes of those under the economic level of £10 or £15 are not to be improved at all?—Well, you are between the devil and the deep sea.

31249. Then make a selection?—I would say one does not like to deprive the very poorest people of this benefit.

31250. You have said that the economic level is £10 or £15: Now, I want to know are you going to leave those homes unimproved until land can be got for the people occupying them?—No; there has been too big a temptation put before us to improve them. We could not say to those people: "We won't give you any of this money." The prospect of getting more land through the mediation of the Congested Districts Board is not in view. It is not to be reckoned with.

31251. Then would you leave the people on an uneconomic holding without any improvement under the Parish Committees' schemes until by an addition to the land, got some way, the holdings are enlarged and made economic?—No, I would not. The prospect is too remote.

31252. It comes to this then, that whether you like it or not you have got to improve the homes of the people?—Some of them are extremely wretched certainly and should be improved in every possible way.

31253. Why would not the Parish Committee, if it does not like to improve the household, improve the drainage?—Because we think that the greatest necessity of all is the improvement of the home, because that directly affects the health, the welfare, and the happiness in every way, of the people. Of the two, it is the more important matter.

31254. Then you come to this conclusion, that the Parish Committee is doing exactly the right thing?—I do. I say the Parish Committee is doing the right thing under the circumstances imposed upon them, but there is that drawback to it. You may do the right thing and have a drawback in doing the right thing. The net result is good, but there is that radical drawback. The car has been put before the horse.

31255. Is there anything under the sun that has not a drawback attached to it. On the whole isn't the Parish Committee good for the small farmer?—It is particularly good for Leitrim, because in no other way are we able to reach the Board at all.

31256. Does it come to this, that you have been able to reach the Congested Districts Board through the Parish Committee because it is a feasible scheme. Has the Congested Districts Board ever turned its back on any feasible scheme put before it?—It has.

31257. What was it?—A scheme for drainage at any rate.

31258. The Board has no power to do drainage on a large scheme, I am sorry to say?—But it has done it.

31259. It is able to do drainage when it acquires ownership of a large area of country, but if it does not acquire the ownership of a large area, it has not the authority?—Then I am afraid I have been led astray, because I wrote about the drainage of a particular river running along a congested district. That letter was answered in six months. I wrote again and the correspondence went on for two years and nothing has been done.

31260. Mr. Kavanagh.—Does the Board own that property?—No; but it was perfectly aware that, as Dr. O'Donnell now informs us, it had no power to do the work, and why didn't the Board forthwith put that reason before me, and that would have stopped the matter? Why wasn't my letter straightway answered, and why state as they did that Mr. Doran was busy elsewhere and could not attend to the matter just then.

31261. Most Rev. Dr. O'Donnell.—It works out that way in practice when the difficulties of drainage are so great. In some cases it might be that these difficulties would be thinned down, and then the Board might be able to do the drainage, but in my experience they have not been able to do drainage on a large scale except where the property has been acquired by the Board?—Then all the worse for County Leitrim.

31262. Mr. Kavanagh.—What would be the valuation of economic holdings in County Leitrim?—As well as I can make out I am afraid there could hardly be an economic holding at a lesser valuation than £15.

31263. How many acres does that represent?—If you ask me how many acres a man should have in order that he might have an economic holding I will say that it altogether depends on the class of land he has. In County Leitrim where we have the particularly bad

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class of land that I have described in the first part of my notes of evidence, the amount must be very large, and in different parts of the county the holdings must be of different sizes to constitute economic holdings. In the mountain districts it should be a very large holding. In fact fifteen or twenty acres in the low lands from which the people were driven would be far better than twenty or thirty acres in the high lands.

31264. But you have not got very good land or very large low lands in the county?—It is very bad land as far as I have been able to gather.

31265. Sir John Colomb.—Taking a holding of £15 valuation, would a man with that valuation, generally speaking, keep a horse?—I expect he would. I have tried to bring out that there are almost no ploughs in this part of the county. In my parish I do not know of more than two or three ploughs, and working bad land with spade labour is particularly difficult. It is extremely difficult, and that accounts perhaps for the rather small amount of acreage that is cropped in County Leitrim.

31266. How many holdings in your parish, approximately, are of £15 valuation and upwards?—I am afraid I could not well answer that, but I have given you, in my notes, the fact that the holdings in County Leitrim that are under £15 valuation form 83 per cent. of all the holdings in the county, and in my opinion the holdings under £15 valuation are uneconomic. Taking the parish as an average one, 83 per cent. of the holdings would be uneconomic.

31267. What is the name of your parish?—Killarga.

31268. Of how many electoral divisions is it made up?—It is made up of Cloonlogher, Belhavel, Killarga, and part of Mahanagh.

31269. Chairman.—Is it possible to turn these poor holdings you have described from uneconomic holdings into economic holdings, merely by enlargement—by the addition of land?—Yes, if there is some land adjoining uneconomic holdings that could be striped and attached to them.

31270. Take this case. You have three men living on uneconomic holdings beside one another. In your opinion if you were to migrate two of these men to some other part of the country and throw the land they vacated into the holding of the man that remained would that make the enlarged holding of the man that remained there an economic holding?—I should expect so.

31271. Then would the addition of more bad land to an uneconomic holding of bad land turn that enlarged holding into an economic holding?—Yes, on the principle I have already stated, that by the addition of more land you run the valuation over £15.

31272. Well, the valuation might be anything?—I should expect in the case you state you would make the holding economic.

31273. Then in your opinion it is quite possible for a man to have bad land, and nothing but bad land, yet, if he has sufficient bad land, he has an economic holding?—He would have, by industry. Of course the difficulty is he would have no cropped lands, still if he had some good meadows——

31274. Oh, yes, but supposing there was none available. If you were able to carry out a large migration scheme and get rid of two out of every three of the men who have uneconomic holdings and enlarge the holdings of the men that remained by the addition of the vacated holdings, now unless there was some good land on the vacated holdings would the mere enlargement turn the holdings into economic holdings?—I should expect it would, because the man who remained would be in the position of having lived on his own farm for many years and having cultivated it all he could, so that there would be some good land on it. That would also apply to the vacated farms. There would be some good land on them, and I think all this taken together must render the enlarged holding economic.

31275. That assumes that on each holding there is some good land—I mean land fit to bear some cropping?—Yes.

31276. You think that giving a man three patches of tilled land where he had only one before would make all the difference?—Yes, assuming that the other farms were equally cultivated with his own he would be three times better off.

31277. That would entail three times the labour in order to keep up the land to the extent of tillage it was in before he got it all?—Yes; it is peculiar that unless you cultivate the land of Leitrim it goes back and is soon as bad as ever. I am looking at the case you mention in this way, that this man with the larger holding will now be able to labour all this land, because he may now have a horse, and so be able to use more than mere spade labour. As I have told you, it is almost all spade labour in County Leitrim.

31278. You think that if he got a bigger holding that would make it worth his while to keep a horse, and by the possession of a horse he would be able to do the labour three men did before?—Yes, I should think so.

31279. You don't think it would be necessary for that man to employ labour?—Well, not only himself but all the women and children would work.

31280. You think he could work such a holding with his own family?—I should think so.

31281. Supposing he could not, would it be worth his while, would it pay him to employ labour?—I am afraid that at the present time it hardly pays to employ labour on any farm in County Leitrim.

31282. Supposing a man had a large holding, treble its present size, do you think that the whole difference between profit and loss would lie in whether he could do all the work himself?—I do. I am nearly certain that if you employ labour on any farm in County Leitrim it will not pay to do so as agriculture is carried on at present.

31283. You do not think it would give a farmer any return to employ labour?—No; I do not think so.

31284. In enlarging such a holding it would be very important not to give a man more land than he could readily cultivate by his own and his family's labour?—Well, I not only look to the present, but to the future. If that man gets a horse he will be able to do a vast deal more than previously.

31285. I am taking into account the horse, and I ask would you give a man more land than he could really and properly till with the help of a horse?—I think that would be a good principle to go on.

31286. So that in carrying out enlargements of that sort you could make the mistake of going too far and giving a man too much land if you were not careful?—Yes, the principle might possibly lead up to that.

31287. Most Rev. Dr. O'Donnell.—How many families are in the scheduled area of your parish?—I am afraid I could not straightway give you the answer. I think there would be about 202.

31288. From a previous answer you gave me I think the remedy you suggest for most of these people is to migrate?—That would be one of the remedies. The other remedy I suggest is that mountain land would be brought into cultivation by the Government.

31289. How many of these families would you migrate?—I would first consider some scheme by which their uneconomic holdings could be rendered economic without migration, and that would be a much better plan, I think.

31290. It would be much better to improve the holdings, but I want to work out your point about the Parish Committees. You do not want to improve the homesteads of these people, because ultimately they will have to be moved. Now, how many are you going to move out of your parish?—In the first place I would move, if it could be done, the people back to the lands from which they have been driven. The people of two townlands, which would mean nine or ten, were driven from the very best land in the parish, which was taken over by the landlord, and their houses razed to the ground. These people were driven out without any compensation for improvement. One of these men, for instance, got 17 acres 1 rood and 4 perches of Irish measure, and it was completely tussocks and bog. I think he and his descendants have the first claim to getting back to the lands from which they were driven.

31291. That is one remedy. You would bring them back to the lands from which they were put away. What is the next remedy?—This man has converted the tussocks and heather on which he was planted forty years ago into a fairly good farm. What he has done could be done by others who had capital enough to expend.

31292. That means the improvement of the holding?—Yes, by a loan from the Government at a small rate of interest, which would be a first charge against the farm.

31293. Have you any other remedy. You have not migrated anyone out of the parish yet?—No; nor if it could be helped would I suggest it.

31294. What, then, is your objection to improving the homesteads of the people. You won't migrate them, and yet you have some objection to improving their homesteads?—I have the objection that when you have an uneconomic holding that by no means could be rendered economic, that it is not wise to fasten that man deeper in that uneconomic holding, and that is what is being done by the Parish Committee. It is both unwise and a waste of money and labour.

31295. We have to verify the hypothesis in your parish, because you are not going to move anyone out of it?—But it is migration if some tenants are moved from one part of the parish to another.

31296. How many would you move?—I could not be definite.

31297. I should like you to be pretty definite?—I think you could easily obtain the farms of eight or nine, at all events, who should be moved.

31298. Their places would have to be improved whether they are sent out of the parish or not?—I have not said that because the other remedy is forthcoming—namely, the improvement of the mountain lands and bogs which are adjoining.

31299. Which would leave them their present homes, and that would seem to indicate that their present homes should be improved?—In this case it would. But I have just expressly excluded this case.

31300. Mr. KAVANAGH.—You said a little time ago it would be possible to give too much land to some people. What family would you have in your mind's eye?—I do not think anybody would object to having too much land at a fair rate.

CHAIRMAN.—I do not think the witness had any particular family in his mind. It was only an academic point, and not a concrete instance.

31302. Sir JOHN COLOMB.—You have already told me of the divisions in your parish, and I gathered from your answer to the Bishop that you suggested moving tenants from one part of your parish to another. Now, it appears there are 1,020 holdings, and 90 per cent. of these are under £15 valuation and 335 holdings are under £4. You have stated that a holding to be economic should not be under £15 valuation. Now, I want to know as an arithmetical calculation how you propose to enlarge and deal with 90 per cent. of the holdings in your parish, and make them all economic without any migration out of the parish?—If we confined our attention exclusively to agriculture, and thought of no other industries then what you put before me might present a good many difficulties. But there are a good many other ways besides agriculture and the bye-industries of agriculture by which congestion could be remedied, and the people assisted to live in a decent manner. There could be a number of industries started which would enable the people to make something, and without going to a very great distance.

31303. Is not that an argument that you must look to other industries for giving employment and improving the small homes of the people. Does that not rather cut the other way to what you suggest?—Yes, it does; but we are to consider things as they are, and as far as I can see, except in one direction, there is no prospect of any great industry on which you could put any great value as enabling the people to live on the holdings on which they are at the present time. That one industry I hope to refer to before I leave.

31304. Sir FRANCIS MOWATT.—I understood you to say that as regards the schemes for the improvement of the houses of small tenants you are rather disposed to try hard to get them extended to economic holders?—To some extent, but I do not want to overstrain that.

31305. In cases where it is hopeless for the present to obtain economic holdings you do not question that it is better to make the present holding meanwhile as comfortable as you can?—I should be glad to see that.

31306. CHAIRMAN.—Isn't it a fact that quite recently the grants to the parishes in this county have been largely increased?—It is not quite correct to put it that way. The parish committee grants have begun only recently in the county. That is indicated by the fact that only £729 has been spent in that direction in this county up to the present. I am not positive that these grants have been increased.

31307. Take your parish of Killarga. From a return which I have here it appears that up to the 31st of March, 1905, a sum of £37 16*s.* 7*d.* had been paid to your parish committee. In the next column there is given as the gross grant for 1905-6 £50?—That would indicate that for the first year only £40 was given, and next year £50 was not given, but offered.

31308. I see that is so in every case. Take the parish of Glenade. Up to the 31st of March, 1905, the grant was £37 9*s.* 2*d.*, and the gross grant in 1905-6 was £70. Then, again, Glenfarne. Total grant up to 31st of March, 1905, £14 13*s.* 2*d.*; gross grant in 1905-6, £70, and so on all down?—If you take the last instance, £14, it does not indicate that only £14 has been expended. The accounts were made up for the financial year ending 31st of March, and there may have been a larger amount received in that year, because they did not understand things exactly, and were not quite in time, and there may be a larger additional sum which does not appear there.

31309. Why should it not appear here?—Because the return ends at the 31st of March, 1905, but perhaps there were instances in which the people had not quite completed their works and did not get the money, but might have got it later.

31310. For the year previous to 1905 or the first year of the establishment of the parish committees?—These committees were in existence a number of years before they came to Leitrim. The last time I made up these accounts was in 1905, and at that time only £50 had been expended in all Leitrim, although thousands had been expended in other counties—to be exact, £22,094 13*s.* 0*d.* altogether.

31311. How many years has County Leitrim had parish committees?—I think ours was the very first, and I think this is our third year.

31312. Then 1906-7 would be your third year?—Yes.

31313. And in your first year, 1904-5, you spent £37?—Yes.

31314. And the following year, 1905-6, you got £50?—Yes. That was the gross amount sanctioned.

31315. So that 1904-5 was the first year in which parish committees were established in County Leitrim?—To be absolutely correct, I should say there was one parish committee before that. It was established in Mahana, in the parish of Inismagrath, and it expended very nearly £50.

31316. That committee appears to have spent £21 7*s.* up to the end of March, 1905, so that they could not have been established very long, could they?—The committee may not have been under the same name, but I am certain this committee was in existence a year before ours.

31317. It had not spent anything apparently?—I am sure it did, because I remember seeing from the returns that there was a sum of £36 expended.

31318. They succeeded in spending £16 less than you did?—That was last year.

31319. No, up to 1905. This return shows not only the amount spent for the year previous to 1905, but the whole of the amounts spent by any parish committee up to 1905. The parish committee to which I refer, though existing in the parish of Dromkeeran, may have been known by some other name, because I am quite certain of the fact that they expended £36 before we expended anything.

31320. Will the parish of Tullycleevan explain it?—That is it—that is in Inismagrath.

31321. It does look as if it had been in existence for more than one year before 1905, but there is no grant for 1905-6?—No, because it has ceased to exist as Tullycleevan, and is now merged in the parish of Inismagrath.

31322. Most Rev. Dr. O'DONNELL.—You told us there was something over £700 as a total amount expended on parish committees in Leitrim?—Yes.

31323. Are you aware of the amount of the grant for the year ending 31st of March, 1905?—£729 18*s.* was the amount expended up to that.

31324. Are you aware in addition that for the year 1905-6 the sum was £1,090?—That covers the financial year 1905 and 1906, and the totals of that expenditure are not yet published. £1,090 is the gross grant sanctioned. There is nothing to indicate it has been obtained.

31325. That is a substantial omission?—No; I think it is natural and in accordance with the way

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these reports are brought out. I got last year's report on the 15th September, 1906, but the financial year was up in March—the report did not come on until the September following. In the next report the return of actual expenditure for the year 1905-6 will be given.

31326. Not to mention this year the amount spent on parish committees in County Leitrim is £1,796?—Well, I should like to compare that with what has been given to other counties in Ireland to see is it in the proportion of 1 to 15 or 1 to 11, which I claim County Leitrim should have. There is no use putting forward this county's subsidy by itself.

31327. It is not put forward except to correct your figures and bring them up-to-date?—I am not sure that I have brought forward any figures that are incorrect. Here is the last issued report of the Board; they are in perfect accordance with it.

31328. The figures you gave were for one year, but two years have since passed in addition to that, and the expenditure for past years was £1,796?—The figures I gave covered, I think, two years and they represent the total amount spent in Leitrim, whereas thousands and thousands had been expended elsewhere up to the same date.

31329. At all events the total amount expended up to a year ago was £1,796?—I accept your figures, as I presume you have a later source of information than the last published Report of the Board, but I have no way of knowing the relative amount actually given to Leitrim in comparison with other counties later than the date I gave. Your figures, I submit, should not be put forward by themselves, but in comparison with those for other congested counties.

31330. You are quite right, because if you get along with the other departments of the Board's work in equal proportion to what you have done under the parish committees' schemes you would be very well off indeed?—Well, I should like to go into these figures, but I should expect that to be the case for this reason, the Congested Districts Board's efforts were expended almost in no other way in County Leitrim except in parish committee schemes.

31331. That was the easiest way they found they could be of most use to you?—It was the easiest way for them to let us do all the work for the district and with very little supervision or assistance from the Board.

31332. Don't you think it is the best principle of enterprise in Ireland to get the local people to do as much as they can for themselves?—I do, but I want to bring out this fact that the Board's officers were experts in the matter and could have done a vast deal more than we, who were simply groping our way, could have done for ourselves.

31333. Mr. SUTHERLAND.—But don't you see if every locality was dealt with in that way what a huge staff the Congested Districts Board would require?—I do not know that they would require such a large staff. The present staff could sometimes come and see us. It is too bad that for years and years they never came near us at all.

31334. The general principle throughout the whole of your evidence is that you took a certain statistical basis of population and you say Leitrim has due to it so much in money?—That is substantially the basis.

31335. You are aware that in the administration of business like this there are a great number of circumstances that have to be taken into account that would modify that basis, such as necessities and opportunities?—I fully recognise that the Congested Districts Board must necessarily have been totally unaware of the necessities of Leitrim, because they made no effort whatever to remedy them.

31336. Most Rev. Dr. O'DONNELL.—Why do you say so?—Because they were not here at all.

31337. Mr. SUTHERLAND.—But is it not the duty of the people of Leitrim to let the Congested Districts Board know of their work and requirements?—Yes, but I think the evidence I have given will go to show that as far as the people of Leitrim are concerned the Board might as well have been in Mars, because they were unaware of its existence.

31338. Most Rev. Dr. O'DONNELL.—How could they be unaware of its existence with so many animals placed in Leitrim?—I have told you about that, and that I was not aware of the Board before 1896 or 1897.

31339. Mr. SUTHERLAND.—But the people of Leitrim should be like the people of any other congested district. You know the law assumes that every one knows the law? Well, if you do not see much of the Board or its officers, and you don't bother much reading the papers how are you to know about the Board?—I have had far more opportunities than the majority of the people for knowing about the Board, but if with my opportunities I was in a state of ignorance what must have been the condition of the humble peasant in the matter? From the outstart, from 1891, the other districts were overrun with their officers and instructors. That brought them into touch with the Board. They never appeared here.

31340. I have heard a great deal about the ignorance of the people since I came on this Commission, but I am bound to say I have seen none of it. All the small farmers who have given evidence gave it in a most intelligent way?—If you have 67 or 68 boards in Dublin how are you to expect the peasants of Leitrim to know the particular board to go to?

31341. These peasants have come here and have given as intelligent evidence as any person who has come before us. I cannot conceive that such intelligent people would not know of the existence of the Congested Districts Board?—Well, even if they knew of it they did not know that the Board is ready and willing to do any benefit whatever to County Leitrim, and I am afraid that all the work the Board accomplished in the county up to 1903 or 1904 would supply them with substantial grounds for holding that belief.

31342. I would recommend you, if I may make a recommendation, that you should try and strengthen the hands of the Congested Districts Board rather than be hypercritical about it?—I concur that the Board are doing their very best and working almost heroically, but it has not been in Leitrim.

31343. Most Rev. Dr. O'DONNELL.—How many domestic science classes were instituted?—I know of four.

31344. Under the Congested Districts Board?—Yes.

31345. Were they a success?—Yes; I think it was the very best work done by the Congested Districts Board, and excellent work of its kind.

31346. Do you know did any of the other parishes apply for classes?—I could not say. It is not in my power.

31347. Do you know of any place that applied for a class and was refused?—I cannot say that I do. But that throws us back again to what I was at, that a great many parishes did not know exactly all about these things. You cannot, I think, argue away that fact. It was not their fault, as they had no opportunity.

31348. Mr. KAVANAGH.—From your experience do you think the people would be willing to migrate from your parish to a good holding in another part of the country. How far would they migrate?—I have said that migration would be best if it could be done within the parish, and, furthermore, if there were lands in other parishes from which tenants had been driven, those tenants or their descendants should naturally have first claim on them or in any redivision of them, and that, I believe, is the case in all waste lands in County Leitrim.

31349. But supposing such lands were not available in the parish, how far, from your knowledge of County Leitrim and speaking in a general way, do you think the people would migrate?—I have put the question to numbers of farmers and they said they did not care. They would not mind going anywhere they got a good farm. I have seen it stated that farmers are reluctant to migrate, but if the people of the district they would be migrated to would have no objection, the migrating farmers would have no objection whatever to go.

31350. Even to moving out of their own county?—Yes.

31351. Singly?—Well, of course, it would be better if they went in colonies, but, as I have said, provided there was no objection in the other county the farmer would go anywhere. The man who is living on the top of a mountain and is not able to make ends meet is most anxious and prepared to better his condition in any way in the world. But I am afraid that the farmers of County Meath or Westmeath would hardly welcome the Leitrim farmers in the way that the Leitrim farmers on their part welcomed the farmers of Donegal, Fermanagh, and distant Kerry who were sent in on them in the

time of the Cromwellian settlement. We have men here from Donegal, some of its best, like the O'Donnellis, and men from Kerry and other parts of Ireland. The people of Leitrim divided their lands with them at that time.

31352. Don't you think the objection of the people of other counties could be got over by a little judicious management?—You would be in the position to know the people of Westmeath much better than I can. If lands which had lain long untenanted were bought and striped up I cannot see any reasonable objection, any genuine reason, why the farmers should object to that, provided, of course, that they got a fair price for the land. I rather fancy they would be glad to get rid of their land and see it turned into tillage, because everybody knows that the belief prevailed some time ago that grass land bullock walks were a paying concern, but that opinion is now exploded. The large farmers do not find that these bullock walks are paying them now as before.

31353. Is tillage going out of this part of the country, do you think?—Looking at the statistics issued by the Department of Agriculture you will see that the amount of tillage in Leitrim is practically stationary.

31354. I notice by a return in the "Freeman's Journal" that it is going down in the province of Connaught. Can you tell me whether you think in your locality tillage is decreasing or not?—In my opinion the amount of tillage is a constant practically, and that would be borne out by the figures I have referred to. Labour is becoming difficult to get, and on that account there would be a tendency for tillage to go down to some extent.

31355. I understand it is nearly all spade labour in this county?—It is almost exclusively spade labour, and, furthermore, the Leitrim farms are extremely hilly, and even on an economic holding, I do not think it would be possible to plough the land. It is bad land and practically all of millstone grit, and in a soil of that kind the material is very bad for cropping and extremely hard to work.

31356. You do not think they could work a horse on it?—In all parts of Leitrim, perhaps 50 per cent. would, I am afraid, find it extremely difficult to do so.

31357. In reply to Lord Dudley you said you thought a man would be better to have two extra holdings thrown in with his own, and then he would be able to work with a horse and would be able to till more than he is able to do at present by spade labour?—In giving that answer I must have had in my mind farmers who had, at all events, tillage lands that were not on the side of braes. Of course, if you had level or fairly level flats or fields a horse would be all right.

31358. Then your answer would not apply to those on the poor lands on the side of the hills?—Even in some cases if you have hills you might also have some fairly level fields, and then it would apply.

31359. Then why don't they use a horse more in this county?—One reason is that the farms are so uneconomic that farmers could not afford to do so—they could not afford to have a horse. Another reason is that the soil is not deep and it would not suit for a plough to go down and dig up sub-soil of such a bad nature.

31360. Aren't they good neighbours, and could have a horse between two or three of them?—They manage in some instances in that way.

31361. Sir JOHN COLOMB.—Do you find a good part of the work of the Parish Committee that of inducing people to remove manure heaps from the front of their houses?—Very little of that work.

31362. I notice that in the Union of Manorhamilton there is very nearly £50 a year paid out of the rates and State money for sanitary inspectors?—Yes.

31363. Do they do much work for their money?—I am afraid just now they are active enough.

31364. Is it the Parish Committee that quickens the wheels?—They are sporadically active—when an epidemic arises they are extremely active.

31365. And sleep the rest of the time?—Yes.

31366. Do I understand your general description of this district to be want of employment and absence of a demand for labour?—Yes, there is very little labour to be had. If you look into Fox's returns you will see that Leitrim is in the very lowest list of the wages of labour. It is only 9*s.* 3*d.* a week. There is a gentleman present who told me, and also said it in the House of Commons, that he could get any amount of labour for 6*s.* a week here, provided employment were fairly constant.

31367. I see that in the Union of Manorhamilton there has been a very considerable expenditure, nearly £2,500, sanctioned for putting up labourers' cottages?—Yes.

31368. They are uneconomic holdings, are they not?—Well, I am doubtful if you would call them holdings at all. It is only as a convenience, as a home for the present, and the labourer is expected to labour the land about. You would hardly class them so high as holdings.

31369. But money is being spent and great efforts being made to reduce the number of uneconomic holdings, and here is a considerable sum of money sanctioned and to be spent in the erection of labourers' cottages. Is that because the small holders want a supply of labour. Take the 335 small holders in your parish who are under £4 valuation, they are really in the position of labourers with allotments?—Well, I do not know whether any of these people would be able to procure employment.

31370. But they cannot be all the time occupied in working their holdings. They must have surplus time and energy if there was a demand for labour?—From the figures I have given you will see that tilling one acre of potatoes costs a man at least seventy-eight days' work, and if you follow out the suggestions made by the Department of Agriculture it will cost forty-eight days' additional. That is a large amount of tillage work, and tillage on bad land is much more laborious than tillage on good land. On bad land it occupies more time, and there is a less return for it. It should be borne in mind that at times it is constantly raining here, and the 78 fine days cannot be had just as wanted, but in bits and scraps.

31371. But surely the holder of a £4 valuation, if he is a strong man, cannot find absorption for all his energies and labour on his own farm; does he not go out to labour?—I do not know any instance of it. He would be delighted to go out if called upon, but there is no demand.

31372. Then where are those labourers for whom cottages are being erected at the cost I have given you going to get labour if there is no demand for it?—A great many of these men are tradesmen and they labour. The houses have been put up for them.

31373. Sir FRANCIS MOWATT.—Do tradesmen also go out and labour?—Yes, masons and carpenters. I would like to point out that we are practically a non-maritime county, and get no benefit from fisheries, and to those schemes the Board seems to have devoted a vast amount of attention. Of course if the officials are employed in that work then they have no time to spend coming to Leitrim.

31374. Mr. KAVANAGH.—How much of a sea coast have you in this county?—About a mile and a half.

31375. Sir FRANCIS MOWATT.—In the summary of the disadvantages which you gave you say Leitrim has at least half a dozen disadvantages; one is that it has no fisheries, and that you have explained. Another is that it has no public institutions of any kind or description, not even a jail. I should like to know why you put it as an annual drain in the county, not having a jail?—I explain in my notes of evidence that the asylum for Co. Leitrim is situate in County Sligo, and Leitrim sends out of the county over £8,000 annually for the support of that institution. That is a large amount, and I consider it a great drain. For the year 1906-7 the net charge on the county after deducting the "Rate-in-Aid" (£3,101) was £5,078. The previous year the Sligo Asylum cost the Leitrim ratepayers nearly £150 more.

31376. Would it be a drain supposing you spent the same amount in your own county?—No; because then we would have the circulation of money in the county and it is one of the great disadvantages of the county that we have not that. The whole £8,000 would then be spent in Leitrim.

31377. Then you go on to say you have double or treble the average amount of absenteeism, and you place that down as a loss of £100,000 a year. I think it would be well if you would develop that a little?—That is a very rough estimate, and it is based upon a return in Thom's Directory. Looking down that I can say that at least seven-eighths of the landlords are living outside the county and taking the rents away and spending them elsewhere.

31378. By absenteeism do you include those large

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grazing ranches that are left here with nothing but a herd upon them?—No, I did not include that in the £100,000.

31379. You mean by absenteeism the case of a landlord owning a country place in the county, but who does not reside in Ireland, and the rents are paid away out of the county?—Yes, that is what I mean. A few of the absentee landlords may have shooting lodges, but none have seats or residences, I think, in the county. At least, in all North Leitrim there is not a single one.

31380. Can you tell us whether that absenteeism includes the gentleman who has two estates, one in this county and another in another county, and he lives in that other county, or do you refer solely to men who are absolutely absent from Ireland?—I mean to say that of the estates in Leitrim the vast majority of the landlords live elsewhere, having an agent, an extremely clever man, and it is he alone who has to deal with the tenants.

31381. Do you mean by elsewhere out of Ireland?—For the greater part on the Continent or in England. Lord Massey, for instance, takes about £24,000 out of the county and no one has ever seen him in Connaught. Then there is Mr. Clements of Glenbuoy. I have it on the authority of his agent that even he only saw Mr. Clements once. That is a sample of absenteeism.

31382. I am not arguing the question; I wanted to know the fact?—Yes, and I want to bring out the fact that that is one of the great losses of Co. Leitrim, no money being spent in the county. If we had these landlords living here the money would be spent and circulated in the county. The rent raised would not then be a dead "loss" to the county.

31383. Sir JOHN COLOMB.—Isn't it a fact that Lord Massey lives and keeps a large staff in Co. Limerick?—If he does, that is no benefit to Leitrim.

31384. You mean Leitrim against the world. Is that it?—I should prefer he would live in Limerick rather than in London, and in London rather than on the Continent, but I should prefer, first of all, that he would live here and spend his money here.

31385. Comparing Leitrim with Sligo you consider that by reason of absenteeism Leitrim is a great deal worse off than Sligo?—Yes, a great deal worse off.

31386. The presence of the landlords who live in Sligo is a great advantage to that county?—Yes; one of the best landlords in the country, Sir Josslyn Gore-Booth, lives in Sligo.

31387. You consider that landlords living in their demesnes is a great advantage to a district?—Decidedly.

31388. Sir FRANCIS MOWATT.—You estimate the loss by absenteeism at £100,000 a year. I wish to understand how you come to those figures?—I take it on the valuations as given in Thom's Directory of the several estates in the county, and I include the landlords living in the county, and I find that the total valuation is something like £120,000. Then deducting the valuation of those residing in the county I say, roughly, that £100,000 is the amount of money taken out of the county and expended elsewhere. I have no better means of getting at it. It is a very rough estimate, and I do not rely very much on those figures. Checking this return by what I otherwise know, I am nearly sure it is not less, but it may be a great deal more.

31389. Mr. SUTHERLAND.—Is emigration from Co. Leitrim on the increase?—The statistics establish that. I have been watching Whittaker's Almanac, and the emigration from Leitrim seems to be about a thousand constantly. It was so every year between 1891 and 1901. In the ten years the population sank from 78,618 to 69,343, *i.e.*, by 9,275. Allowing for the natural increase of population, this would in fact average a good deal over 1,000 a year. Again the authority just named states that in 1903 1,082 abandoned the county. Of course, the population is going down, and 1,000 upon 69,000, or rather upon 67,000, which was about the actual population in 1903, is a far greater drain than 1,000 upon 78,618, the population of County Leitrim in 1891. In the last return—that for 1905—the emigration was 835, *i.e.*, 1·20 per cent. on the 1901 census return. It would be a much higher percentage on the real population of 1905. During the decade 1891-1901 the average annual decline was 1·17 per cent.*

31390. At what age do the people emigrate?—Just when they are strong enough to earn a living abroad.

31391. You consider that a very great drain on the energies of the county?—It is.

31392. Is that the principal drain?—It is certainly a drain of £120,000 a year on the county. Take the case of a thousand people who leave Leitrim every year, full of energies which go to the building up of another country. I think economists agree that each of these persons costs £120 to the county to rear and educate him until he is fit to leave it, and most economists say the figure should be £200. But if we take the thousand at £120 each, that gives us £120,000 a year. But that is hardly the worst feature of it, because the best and most energetic men and women go, and the wastrels remain behind.

31393. A great deal of the difficulty arises from the fact that it is the people least qualified to make the best of the country that remain?—Yes, and naturally the race will go down in a very short time too. Some people maintain that the Celtic race is not as good now as it has been, that this is already telling on it.

31394. CHAIRMAN.—I wish to ask you one general question that arises out of an answer that you gave to Sir John Colomb. You seem to hold the opinion that it is an advantage to the county that the landlords should live there and spend their money amongst the people of the county?—That is my view at the present time, but I should be very sorry to have living in the country a landlord such as we had in Killarga, who spent his money in the country, but who knew the state of every farmer, and whenever he saw a farmer able to bear an increase of rent he put it on. But with the landlords' power clipped we should be glad to have them in the country.

31395. Take it as a general proposition, you would think it a good thing that the landlords should live in their places, and spend their money in the country?—Yes, and not only that but take a leading part in promoting the welfare of the country, as for instance the individual landlord mentioned does.

31396. Would you be disposed also to agree to the general proposition that no man of energy and brains is likely to voluntarily reside in a place where he has nothing to do?—Yes, but I think he would be a very unfortunate kind of man who did not get plenty to do anywhere he is placed.

31397. Take an energetic man of intellect; he is not likely to live in a place where he has nothing to do. As a general proposition you would agree to that?—Yes; I think a man like that will go to where most life and work are to be found.

31398. Such a man would look for work to do?—Yes, and he would find heaps of it to do in this country.

31399. Now, if you buy from the landlord compulsorily or otherwise all the land that he possesses what is there that you can suggest for him to devote his energies to?—In the first place if you have a landlord, a member of an old family that has lived in the country for a couple of hundred years, I think he ought to have a taste for stopping on and improving the place known to him as his old family home. I think he should take a very great interest in elevating all the people round about him, and so on. If he lived in County Leitrim he would find a great deal to do ready at his hand.

31400. Many landlords are fond of farming in their own way?—Yes, and taking one instance, I know of a landlord who has devoted a vast deal of time to daffodil culture. Let a man develop any taste, and he will find plenty of opportunity for cultivating it. It is only a man with a want of intellect or energy that won't find enough to do.

31401. But even for daffodil culture you require some land?—Yes, but we are supposing he has not given away his acres, and the family home remains to him.

31402. Would you be disposed to agree that in order to retain landlords in the country that a certain amount of land on which they could do these things should be left to them. You would not be disposed to agree to the compulsory purchase of land right up to the front door of the landlord's house?—I should be reluctant to let them have land from which they evicted tenants and left them to live or die on the mountains and morasses. In any case experience shows they never prosper on such land.

31403. Where would you draw the line?—I am afraid you would have to take up each individual case, and draw the line in that way.

* "The number of emigrants from County Leitrim who left Irish ports during the [calendar] years, 1901–6 (inclusive), was—1901—597, 1902—817, 1903—1,082, 1904—976, 1905—835, 1906—1,005." (Return kindly supplied witness by the Registrar-General.) It will accordingly be found that the exodus last year on the genuine population reached 1·54 per cent., about the highest percentage on record. Leitrim's inhabitants have now shrunk to about 64,000 in number.—J.M.

31404. You do not think any general rule could be found to apply in all cases?—I am afraid I have not devoted any thought to this matter at all.

31405. Would you be disposed to support any claim that might be made to acquire land within the demesne wall?—No, I would not, except the landlord was making no use whatever of his land and these lands were going back. But where there is untenanted land going to wreck and ruin, and people at the same time starving for want of land or means of subsistence, then I think it becomes a question whether the demesne wall should not be invaded.

31406. You mean there should be a committee of experts in the country side who are to decide whether the place was properly or improperly farmed?—No, I would not decide it in that way. But if ever that be contemplated—and I do not know that it is—I certainly think there should be a Court of Appeal of some kind.

31407. You agree with the general proposition?—Yes, that the landlords should remain in the country and spend their money here, and the more good men of means and leisure we have in the country the better for the country.

31408. And in order to achieve that object it would be necessary for the landlord to retain a certain amount of land?—Yes, and a large amount of land.

31409. Sir John Colomb.—I know that this is a thorny subject, but it is somewhat important, that of sporting, and if you are attracting men to remain in the country sporting has, at all events, an influence with the young men. Now, do you not also think that if men are to be induced to remain and spend their money in the country, that sporting is an attraction for them?—Yes, certainly.

31410. Game and fish looked at from a national point of view are a national asset?—Certainly, but I would not reserve it exclusively for the landlords, because if you do, the result, I think, will be that the game will deteriorate. If the landlord, for instance, has the total game rights of hunting hares and can go on tenants' lands for that purpose as he likes, do you think the tenant will have any hesitation in killing a hare any time he comes across one? But if the tenant and the landlord have combined rights I think that would be a great advantage, because you are not excluding the tenant. Rural life, compared with town life is dark enough, and a great many people have a taste for hunting, and I think they should be allowed to indulge it.

31411. Mr. O'Kelly.—You answered Sir John Colomb that game is a national asset?—I may not fully understand the question. I should like to have a definition of national asset.

31412. Sir John Colomb.—Take the case of salmon fishing. That industry affects the riparian proprietors and the general welfare of the country. Do you propose that where a landlord had a salmon river passing through his land, and the land passed to the tenants, that then the exclusive right of fishing and preserving the river should cease to be the landlord's?—I should say that it would be far better that that exclusive right should cease, and that the tenant should be allowed an interest in the river and so be induced to assist in keeping up the fishing.

31413. Take the case of the property of a landlord who has a residence in the neighbourhood, and there is a salmon fishery going through untenanted land?—Perhaps I should simply say that the tenants have the first right to the salmon in the river going through their lands, and certainly the landlord should not go and grab all that right to himself.

31414. But the landlord now owns the property and exercises an exclusive right to the river and the tenants are not charged in any sense of the word for the river?—Well, in my opinion the tenants have quite as good a right to the river as the landlord. Of course the landlord took that and every other right he could gobble up.

31415. We were agreed on the desirability of attracting landlords to stay in the country, and I am now taking a concrete case to get your opinion. Before the sale of the land, the landlord has the exclusive right to a salmon river, but the property passes under the Purchase Acts into the hands of the tenants. The exclusive right of fishing has been in the hands of the landlord, and by the statutory terms of the agreement has been excluded from the tenants. Now when the property passes, do you propose that the tenants are to pay for their new right of fishing, or that it should be thrown in with the bargain of the purchase of the land?—My view is that since the landlord has the right, even his right is not to be confiscated. He has that right for, I suppose, the prescribed time, but he has that right, and it is a legal right, and he is not to be deprived of it. But, in my opinion, it would be much more wise for him to share that right with the tenants on some basis or other, because then he would get up a public spirit to preserve the fishing both for himself and all others. If that asset were run on economical lines it might be made a valuable property for the whole community.

31416. Do you mean that the landlord should have a right, but not the exclusive right, to fish, that the tenants and the landlord are to have the fishing rights amongst them, and that anybody can fish there who likes?—Decidedly not.

31417. I am glad to know that—what do you propose?—There should be some set rules so that anybody wishing to go there and fish must first get permission from some authority. Suppose the landlord and tenants had a committee and owned the fishing rights between them, then you would have the public spirit of the tenants trying to put down poaching for the sake of being able to fish there themselves when they got permission, and also in order that the fishing might be an economic benefit to the whole district. As things are they are running to riot. Of course it is now quite natural that any man who can get a fish takes it provided nobody is looking.

31418. Mr. Kavanagh.—You do not object to dual ownership in sporting rights?—They are not at all on the same basis, but on different principles altogether.

31419. Mr. Sutherland.—What you then want is a Board of Conservators, the same as there is in England, where the fishing is managed in the interests of the people and there is no question of private rights?—Yes, that seems to be what is wanted.

31420. Mr. O'Kelly.—Who derives the profits from the fishing?—As far as I know it is in the hands of some gentlemen in Sligo. At all events Leitrim people get no advantage out of it, except they nab an odd stray fish.

31421. Even in Sligo or Leitrim who derives the profits from the salmon fishing?—Well, I can only say that certainly it is nobody in Leitrim.

31422. Would you say it is anybody in Sligo?—I really am not aware.

31423. Do you know what the constitution of the Board of Conservators is?—No, I don't fish, and I know very little about it.

31424. Can you give any opinion on the matter?—My opinion on the subject would be very worthless.

31425. Do you know that the people along the Moy do not derive a particle of benefit from the fishing there?—I should expect they did not since the people along the river here do not derive any benefit from it, but if things were right they should derive some benefit.

31426. What description of things do you apply the right to?—That the people have the main right to all the fish that go past their doors. It is naturally God's provision for their food, and they should have it.

31427. Are you satisfied with the constitution of the authority that at present administers these matters?—I am decidedly of opinion that the rights of the people in the matter are in no way regarded. The natural rights of the people to these fish that go past their doors are utterly denied to them.

31428. Therefore you are not satisfied with the present constitution of the Conservators?—If the present constitution of the Conservators be of such a nature that this, which I describe, is legal, then I am decidedly against it.

31429. What are you describing?—Fishing on the Bonnet, on rivers about here.

31430. Mr. Sutherland.—Are you aware on what basis the right to salmon fishing rests in Ireland. Is it purely a prescriptive right?—All I know about it is that the people have no right to fish here, and if they tried to catch a salmon, unless they were very quick, they would get jail for it.

31431. Most Rev. Dr. O'Donnell.—Does this seem to be your view:—That game and fishing are great national assets in the sense that they could be made great and developed for adding considerably to the

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resources of the nation?—Exactly. That is precisely what I mean.

31432. And to do that the best plan would be to transfer them to the occupier on reasonable terms of compensation?—Yes, at least in part.

31433. Mr. SUTHERLAND.—That is just my point. If there is to be a transference of the fishing there is no need to compensate the man who had no rights to begin with, and hence I asked what is the foundation of the salmon fishing rights in Ireland?—I have stated I am unable to say, but in the case put by Sir John Colomb I understood him to make out that the landlord had prescriptive rights, and, of course, in that case I would not confiscate his rights

31434. Sir JOHN COLOMB.—That is one of the things in property which is called an incorporeal hereditament, which is a valuable asset to owners. All I wanted to know is, if you are going to take those rights from the owner who is legally in possession of fishing in the river and transfer them to numerous people who live along the river would you compensate the landlord in respect of that?—I would look at his right, and if he had a long tenure based upon a good right, I would compensate him for being deprived of it.

31435. In depriving the landlord of a valuable and lettable asset would you give that to tenants who had never enjoyed it, for nothing?—If you come to look at what rights the landlord enjoyed originally I think the tenants have the superior right. I think it is based on natural right, and nothing legal can do away with natural right. That is my opinion.

31436. Mr. SUTHERLAND.—But surely the tenant has no more legal right than the landlord if they enjoy the same fishing. The fishing should be used in the interests of the general public?—If it be natural rights. If the people have the right to live and God Almighty sends fish past their doors, I think they should have the first claim to them.

31437. Take the case of sea fishing, you would never think of making a provision like that in that case?—They are in quite different positions altogether.

31438. I do not wish to argue the point with you, except to point out to you that if the landlords' rights to exclusive fishing are bad in the case of a salmon river then the rights of the tenants would be equally bad?—I do not admit that. The landlord wants the right to sport, but the tenant wants the right to live.

31439. Sir JOHN COLOMB.—This is not a case involving the question of the use by public and the preservation of the fish. In that case in England there would be boards instituted for the purpose of regulating the fishing, and any income would go to the rates, and everybody would profit by that. If in this case the fishing is a natural right, would that not include the right of everybody to fish and not merely those who happened to have holdings bordering on the river. If you base the right to fish on natural rights, then why should the man who has a holding bordering on the river have the right to fish and the man with a holding not bordering on the river have no such right?—If that argument is to hold good, then it would also be the natural right of the French, Dutch, and Spanish to come within the three miles limit of the Irish coast and fish as they liked.

Mr. SUTHERLAND.—No, that is a conventional regulation.

Witness.—Naturally the people living along the shore have the first right to the fish.

Mr. SUTHERLAND.—Oh, no.

31440. CHAIRMAN.—Is there anything else you wish to mention to the Commission?—The last point I wish to put before the Commission is in regard to the question "What changes are suggested for bettering the people of the congested areas in Leitrim?" There are a number of points I want to bring forward. The first is that of railway making. I presume that the Congested Districts Board would not have funds to do railway making itself, but it should do as it did in the case of the Killybegs Railway, that is, get the Government to grant a sum of money for the making of the railway. That seems absolutely necessary for the betterment of particular parts of the areas entrusted to their charge. That is the principal need of the district I belong to. It was also the opinion of Mr. Tuke that the best thing for the improvement of congested districts was the making of railways and other means of communication. The case for the railways is made in an article I happen to have written for the *New Ireland Review*,* and I will hand in a copy of the article.

31441. Mr. O'KELLY.—You say in your memorandum of evidence, "Let it be clearly understood I do not favour confiscation—righting wrongs by other wrongs." Will you kindly explain what you mean by that language?—Suppose you decide to carry out migration, and that a man has a large farm which he has held for a number of years, and which could be utilised for the easement of congestion, I decidedly would not advocate taking that farm from that man unless it were obtained at a fair valuation.

31442. Would that be a wrong?—To seize upon a farm and take it would certainly be a wrong.

31443. I want to understand what you mean by saying you would not be in favour of righting wrongs by other wrongs?—The other wrongs to which I refer are the wrongs which were inflicted upon the tenants of the country by confiscating their property and driving them to the morasses and mountains: and by piling on rents whenever the tenant was seen to be strong enough to bear it.

31444. I am afraid we are getting away from the subject. You say "Let it be clearly understood I do not advocate confiscation; I do not commend righting wrongs by other wrongs." What other wrongs do you object to?—In my opinion, it would be a wrong to take from a man a large farm even if he did not need it without giving fair compensation for it.

31445. Quite so; but did anyone ever suggest taking a farm from a man without saying that fair compensation would be given for it?—Never, but it is well that our ideas on the subject should be perfectly clear.

31446. I quite agree; that is why I put the question?—I wrote that pretty hurriedly, and it may not be as clear as I should wish it.

31447. Did you ever hear a Nationalist Member of Parliament or any man on a public platform in Co. Leitrim suggest that if a grazing farm should be taken for the purpose of enlarging or improving the holdings of the small men, that they were not quite prepared to give full value for the land so taken?—No, never.

31448. And so there is no case in Co. Leitrim where righting wrongs by other wrongs was ever exercised?—Never to my knowledge.

31449. Therefore I dare say that sentence of yours is purely academic?—No, I do not know that it is that.

31450. I mean in relation to the actual facts of public life in Co. Leitrim?—The sentence is put in in order to enable us to have clear ideas on the subject.

31451. Then, again, you say†: "Personally I accept the situation, and I only urge." What situation do you accept?—As things are. You have numbers of tenants living ——

31452. I know, but might I suggest to you it is rather apologetic in the way you put it. Do you mean you are sorry for the present position?—I am utterly sorry, and thoroughly sympathetic with the tenants. I think no people in the world have suffered such wrongs as I know them to have suffered in my own parish.

31453. What is the meaning of "personally I accept the situation?" Doesn't that suggest that the situation that existed before would be more commendable in your view?—I am afraid not. I am afraid you and I are rather disputing all along on points of rhetoric, and not on points of fact.

31454. What do you mean by accepting the situation? You do not mean that you are sorry that the tenants have got a grip of the land?—Decidedly not. I am delighted that they have, and I think that is entirely due to their own exertions and the exertions of their leaders in Parliament.

Mr. GEORGE HEWSON examined.

Mr. George Hewson.

31455. CHAIRMAN.—You have been asked by the Landowners' Convention to give evidence here?—I have.

31456. You are a landowner in this district?—I am.

31457. What is the size of your estate?—I own about two thousand acres.

31458. Tenanted or untenanted?—All untenanted.

31459. Do you farm that principally?—I farm a good deal of it. The bulk of my land is mountain, and I keep Scotch sheep on it.

* See *New Ireland Review*, May, 1907.

† See Appendix V., p 259.

31460. You have no tenanted land at all?—Not in Leitrim.

31461.—Sir JOHN COLOMB.—You are also a considerable land agent?—Yes.

31462. CHAIRMAN.—What is the first point you wish to make?—That a blot in the present system is the present classification of congested districts. There are slums in Kildare and many other counties which want re-settling and re-adjusting as much as any other part of Ireland. The great tendency of the Congested Districts Board is to spend money on places which have in the past been advertised, to the exclusion of less known districts, where help may be wanted just as much. The time has not arrived for the transfer of the duties of the Congested Districts Board to the Land Commission. The latter has a great deal more to do than they can do, and any addition to their duties would probably lead to great confusion. In order to get districts properly represented, the Board might be increased by, say, three members, and half the Board should retire by rotation every three years, and not be eligible for re-election for a further period of three years. The outgoing members might be replaced by persons from different districts, and this should insure the wants of all districts being ultimately attended to. The Board would be the better of a small *ex-officio* element, which might be composed of those members who have been the best attendents at committee meetings since the creation of the Board.

31463. CHAIRMAN.—You mean by *ex-officio* members honorary members?—Yes. A great many members appear to attend every meeting of the Board, and the Board would be much at a loss without them.

31464. You would not allow them to retire?—No.

31465. Mr. O'KELLY.—You say half the Board should retire and not be eligible for re-election for three years. I suppose you are aware that the work of the Congested Districts Board is a highly technical work?—I think it is more practical.

31466. It is highly practical work?—Yes.

31467. I suppose you will agree that it is both practical and technical?—Yes.

31468. How long do you think it would take a man after joining the Board to understand the business of the Board?—If an intelligent man, I do not think it would take him very long. In addition to that the new members would be kept straight by the old members.

31469. Do you think it wise that just when a man had learned the technique, and had acquired a knowledge of the Board's work that then he should be disqualified from further service?—My object is to get the various congested counties represented on the Board.

31470. Do you think it wise to have a representative from each county?—Not from each county, but men from Leitrim, Clare and Mayo for one term. When these men had served their term of three years, and had seen that all the wants of their respective counties had been attended to to a certain extent, they would be replaced by men from some other counties.

31471. Have you any reason to be dissatisfied with the present personnel of the Board?—Not at all.

31472. Then why are you suggesting a change in the constitution of the Board?—Because I think the present personnel of the Congested Districts Board have very rightly and properly looked after their own districts very well, and other districts require the infusion of local blood to get their interests looked after.

31473. You say that the present members have looked after their own districts. Have you got any data to substantiate that statement?—Yes, I have, for instance, the Swinford district, which has been exceedingly well looked after, and exceedingly well worked. I think it is perhaps now time that the Board moved on elsewhere.

31474. Do you think that is due to the membership of Father Denis O'Hara, or due to the great and urgent need of the people living there in very great congestion?—I think that Father Denis O'Hara lived in that district, and knew the needs of the people and urged them perfectly rightly, and I wish there was somebody from here to do the same.

31475. Don't you think if there was somewhere outside Connaught so much steeped in poverty as Swinford, that Father Denis O'Hara would do as much for it as he has done for Swinford?—I am sure he would, but he has not got the local knowledge. I do not suggest for a moment that Father Denis O'Hara should retire from the Board, but I suggest some three members should be added.

31476. That leads us into a very big question. Do you think that the Congested Districts Board have paid so much attention to Swinford Union simply because Father Denis O'Hara belongs to that district, or simply because of the urgent needs of the district?—Both. I think Father Denis O'Hara on the Board urged the urgent needs of that district very properly, and I should like to see somebody from this part of the country on the Board to urge the needs of this place also.

31477. Suppose Father Denis O'Hara was not a member of the Board, do you think Swinford would have been neglected?—No, but possibly the Board would have begun with Leitrim if we had had a representative there.

31478. You won't be surprised to hear that long before Father Denis O'Hara was there at all a great deal was done for Swinford Union?—Yes, I know that—a great deal.

31479. Sir JOHN COLOMB.—Have you a personal knowledge of Mayo and other counties?—I have.

31480. CHAIRMAN.—Don't you think that a system of having men on a public board like the Congested Districts Board to a certain extent representing districts would lead to a division of the Board's funds?—A division or a diversion?

31481. Division and diversion?—Yes, quite so, and I should like to see that, because I think when you have thoroughly looked after a district as Swinford has been so thoroughly looked after, it is time to move on.

31482. There are eight congested counties, and do you think it would be a good thing to give each of these counties so much money no matter what the peculiar necessities might be in any one of them?—No, I do not think so.

31483. Would not that be the effect of having representatives from the different counties on the Board?—No, I do not think so. You must go in some sort of order. You could not change all the congested districts in Ireland at once. If you like to do the thing without any suspicion of partiality put the names of the different counties in a hat, and take them up one by one.

31484. That is assuming that each congested county is as badly in need of funds as another?—Personally I think certain districts are.

31485. Can anybody judge as to that except those who have all the details of the questions before them?—Quite so and that rather accentuates my point. If you have these three extra members on the Board who will retire by rotation, the claims of all the districts will be brought before the Board. The gentleman from Leitrim, for instance, would urge the claims of his county, and they would be thoroughly attended to by the Board. That is my point.

31486. Don't you think your object could be best attained if the Board were to hold a sitting more often than they do in the congested localities?—Possibly this would be of use, but the object would not be so well attained, as by having a representative from the county who thoroughly knew the county, and would urge its claims.

31487. Sir JOHN COLOMB.—Represent each congested county in turn on the Board?—Yes, that is my suggestion.

31488. CHAIRMAN.—What is the next thing you wish to say?—It is as regards the areas outside scheduled districts that ought to be dealt with as congested. All electoral divisions where there are fifty families or more whose average agricultural rent does not exceed £5, or whose holdings do not exceed ten acres, should be provisionally declared congested. The Board officials should by degrees visit these places, and make short reports on which they could decide whether they should be finally declared congested or not.

31489. Mr. O'KELLY.—What do you mean by provisionally declared congested?—I mean that you could get to know in certain districts whether there are congested spaces, and they should report to whoever the authority is that these slums—to use a short word—want re-adjusting, and they should be put on the schedule. Put it that way if you like.

31490. CHAIRMAN.—What is your opinion on schemes of migration?—Any question of migration

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must depend on whether the lands to which migration takes place are situated in a district where the habits of the occupier are of a similar nature to those of the migrant. You might as well bring a Meath man to live in Connemara, as bring a Gweedore man to live in Roscommon. Part of Roscommon could, perhaps, be suitably used to relieve congestion in that county, and there are large tracts in Mayo which could, no doubt, be bought to enlarge holdings there.

31491. Mr. O'Kelly.—Of course you know County Donegal?—Yes.

31492. And Connemara?—I do know it, but not very well.

31493. Whom have you in your mind when you speak of the Gweedore men?—I have any man who lives in a congested district, who has plenty of turf, seaweed, and mountain grazing; if you bring him to Meath he goes to an absolutely different class of life to that to which he is accustomed.

31494. But you talk of bringing him to Roscommon?—Yes, exactly the same thing applies there too. Their habits and nature are quite different, and you cannot successfully bring men from a country where they have had turf, etc., to a country where they will have none of the accessories to which they are accustomed.

31495. Who is the Gweedore man you have in your mind?—I mean a West Donegal man, if you like.

31496. What type of man is he?—Some of them live on a bog holding and others a holding along the sea shore. These people have large rights for grazing sheep and seaweed for their manure.

31497. Take the bog man?—He is the man who lives on a bog holding. He lives beside his turf; he has a grazing run for sheep, and seaweed for manure. All these things are to his hand, and if you transplant him to Meath you transplant him to a new country.

31498. Suppose he got a farm in Roscommon, why should he not be able to work it?—My opinion, for what it is worth, in the first place is, that he would not go.

31499. But assuming he does?—Assuming he does, then you land him on a farm in Roscommon where the ways of the people are absolutely different to his own ways. He has no turf and no water, and he has to look after a class of cattle he is not accustomed to.

31500. What do you mean by saying no turf or water?—Well, the bulk of the farms from, say, Carrick to Elphin are miles from bog.

31501. What I want to get at is would the man be so deficient in the knowledge of agriculture that he would not be able to work a farm there?—I do not suggest that, but I think he would rather be where he is than in a country which he does not know. The class of agriculture and the quality of stock is so different in these districts that I do not think a man removed from West Donegal to Meath or Roscommon could adapt himself at once to the altered circumstances unless he got assistance and instruction.

31502. You mean that he would be better steeped in congestion than go to where he could make a better living?—It is altogether a problematical matter if you can improve him.

31503. Then you say part of Roscommon would be suitable to relieve congestion in that county. Now, don't you think if you transplanted a family from Donegal to Roscommon, the head of the family having a knowledge of agricultural work, that they would get on well there?—I rather doubt it.

31504. What is the basis of your doubt?—The basis of my doubt is that life is absolutely different in Roscommon to life in Donegal. A Donegal man going to Roscommon would have to start afresh as if he was in a foreign country.

31505. Mr. Sutherland.—But all these disadvantages would occur in a greater degree in a foreign country?—Not in a greater degree, because in a foreign country the immigrant would probably get virgin soil and he would not be going into a place where the people were so absolutely different from himself.

31506. Mr. O'Kelly.—Then in your opinion a Donegal man would have greater difficulties going to live in Roscommon than if he emigrated?—I think it would be as difficult for him, at any rate.

31507. What class of land could you put him on there. Isn't there a great part of it what you have described as virgin land?—I do not suggest he should be put there, because I do not think he should.

31508. But suppose he is?—Suppose he is, I do not think he would get on.

31509. Why? Because he does not understand agriculture?—No. Because he does not understand that class of agriculture he would have to take up to keep going.

31510. What class of agriculture is that?—I understand he would be put on a holding of twenty-eight acres——

31511. I want to know why a man migrated from Donegal to Roscommon, a man who is able to make a living on the bogs of Donegal, why it is if that man got a good farm in Roscommon he could not make a living out of it?—I have not said that a man can make a living of bogs. I do not think he could.

31512. But if he is living on bogs it must be assumed that he makes his livelihood on them?—As a matter of fact, he does not. The man who lives on the bogs sends most of his children to Letterkenny hiring fair, turns his wool into cloth, and makes his own clothes, and lives there very cheap. His bog holding is merely a kind of accommodation letting—that is the only way in which I can put it.

31513. You know Roscommon very well?—I do, fairly.

31514. You know the man who occupies a fifteen to twenty acres holding?—Yes.

31515. Suppose you have a surplus of land in Roscommon why not migrate men there from Donegal, bearing in mind that the man from Donegal has a sufficient knowledge of agriculture to enable him to work the new holding he gets to advantage?—We were taking the Gweedore man as a type, and I do not think that that man has sufficient knowledge of agriculture requisite to get on in Roscommon from the first.

31516. Most Rev. Dr. O'Donnell.—In answering that question do you bear in mind that this man from Gweedore has gone as a young man to serve his apprenticeship in a very good agricultural district?—Yes. Very many of them do.

31517. Would that modify your answer to Mr. O'Kelly?—I do not think so, because, as I have said before, they are being sent from their own district to an absolutely different country.

31518. But on the mere score of knowing tillage?—On the mere score of knowing tillage I do not think there are any better farmers of their class than the industrious Gweedore man, who has fairly decent land.

31519. Chairman.—You admit that there has been no case at least that you know of where a man has been migrated in this way and has failed?—Well, I will tell you a rather curious case that I came across in County Donegal the other day. I saw when going over a townland there the names of a number of Leitrim men. It is a very well circumstanced estate, and these men, who had all come from Leitrim to Donegal, are all exceedingly poor, and they are called by the Donegal men planters.

31520. Were they moved there by the Board?—No, but as herds for these farms.

31521. They had not been put there on holdings arranged for them by the Board?—No.

31522. Do you know of any case where a man failed who has been moved by the Board to a holding which, in the Board's opinion, was economic and under conditions which the Board thought were favourable to him and would enable him to make a living?—Not where they have been moved from a distance, but I know of other cases. I do not know of any case where persons have been moved from one county to a new farm on another, and I cannot say whether they have failed or not.

31523. Therefore it is purely a matter of opinion. You have no actual case of experience to quote of a Donegal man who moved to Roscommon and failed?—No actual case, except a knowledge of the different classes of the two counties.

31524. Do you know of cases where men have been moved from a bog holding in a county to a grass holding in the same county?—I do.

31525. Do you know that in these cases many of them have succeeded perfectly well?—Many of them have.

31526. Is there any difference so long as the grass land is more or less of the same quality whether a man is moved to a grass holding in his own county or not? Is there any reason why a man moved to a

grass farm in the county he belonged to should succeed, but if moved to another county he should fail?—I think there is. The people are very clannish in this county, for instance.

31527. Then failure would not be due to the man himself, but to the attitude of his neighbours?—That is possible. I do not think he would be welcomed with open arms, and in the second place the style of agriculture in different parts of Ireland is so absolutely different that you cannot guarantee that the migrant will succeed.

31528. I do not think you quite understood my question. Take the County of Sligo, for instance. It has many grass lands very much like the grass lands to be found in Roscommon. Now, if you take a man from a mountain holding in Sligo and place him in a grass holding in County Sligo and find that he succeeds there, is there any reason why a man taken from a mountain holding in Sligo should not succeed on a grass holding in County Roscommon?—I think there would be much more chance of success in the case of the Sligo man moved to Roscommon, where the habits and class of farming in these two counties are much the same, than there would be for the Donegal man moved to Roscommon.

31529. If you find in both cases the quality of grass land is about the same, and you have experience of success in the first case, is that not a presumption for success in the second case?—Assuming that all the conditions are equal, yes. But if you bring them from a distance, and put them on quite a different class of land to which they have been accustomed, I am not so hopeful. You do not know what certain classes of grass lands are going to do for you.

31530. Leaving Donegal out of the question, is there any reason, in your opinion, why a man from a mountain district in Sligo, Mayo, or Galway should not succeed in the grass lands of Roscommon?—I should group Sligo and Roscommon, if you like. I do not see any reason why they should not succeed in that case.

31531. Won't you group parts of Mayo also?—Well, Mayo, as far as Tubbercurry.

31532. There is very little difference?—Quite so, but you have to know the country to get the type, and where they change. I do not think if you brought a Belmullet man to Tubbercurry he would be quite the same person. If you bring a man from a turf country, where he has always had fuel, you must put him into a country where he will get fuel.

31533. Mr. O'Kelly.—In the case of the Belmullet man, why not?—Because the Belmullet man is accustomed to a type of cattle you have not got in Roscommon.

31534. Chairman.—You assume that all these small farmers have turf?—The bulk of them in congested districts have it in one way or another.

31535. Do you know that in the Islands of Lettermore—for, although connected by causeways, they are really islands—that turf is non-existent, and they have to buy it?—Yes, they bring it over in lighters in exactly the same way as the people of Tory Island do.

31536. If they buy their turf, in that case, is there any reason to prevent the men moved to Roscommon buying it?—For people who are accustomed to it it is a much simpler thing to bring turf by boat than to go thirty or forty miles for it and cart it.

31537. It is a matter of supply and demand?—It is a matter of custom, where you had got it and where you had to buy it.

31538. It only means that the Roscommon man has got a new source of supply. Now suppose for the sake of argument that you break up a great deal of these grass lands in Roscommon into thirty-acre farms, and there was no turf on them, do you think a turf industry would not spring up and that some adventurous individual would not endeavour to supply these people with all the turf they wanted?—I do not think so, or he would have to supply it at such a rate that these people would not pay for it.

31539. Have you anything further to say on the question of congestion?—The problem of congestion as a whole can never be solved. The difficulty may be mitigated by migration in a small way, and the Board might also be given the right of pre-emption, as can be at present exercised by landlords. This, if judiciously used, might in some cases enable small holdings to be amalgamated. The Board should undertake main drainage in congested districts. Establish a bureau which would give all information as to employment to be got in England, Ireland, and Scotland. Small holders should be encouraged to shovel their drains in the winter, and the standard of cleanliness should be encouraged as far as possible. Subdivision should be strictly prohibited by law. Generally the great want is the circulation of money. Now that the landlords, who were more or less a spending medium, are gone, their place must be taken by somebody who will spend money for the general good.

31540. Mr. O'Kelly.—Give me your reasons for saying that the problem of congestion as a whole can never be solved?—My opinion is concerned with congestion *quâ* congestion. To begin with, the people won't migrate in shoals. There is not enough proper land to go round, and the problem of congestion, if it is to be solved at all, must be solved on the spot with the circumstances you have in your hands, and nobody can do that like the Congested Districts Board.

31541. You say the people won't migrate?—I do not think they will.

31542. Give some fact that will substantiate that statement?—I merely make the statement from my knowledge of the people.

31543. You make the very definite statement that the people won't migrate, and I want to find out your reasons. Have you any experience?—My reasons are my knowledge of the people, their habits, and my conversations with them.

31544. Have you any concrete case where the people have refused to migrate?—They have never been asked; it has never been said to them, here is a farm in Meath, will you go?

31545. Have you a case where the people have refused to migrate to any other district?—No.

31546. Therefore your suggestion is merely hypothetical and theoretical?—It is a pious opinion.

31547. It is not founded on actual experience, but is merely an opinion which you advance?—No.

31548. Well, I think the people would be only too willing to migrate if they got fair play. You say "Now that the landlords who were more or less a spending medium are gone." They are not all gone yet, but spending where?—Well, the fashion is to say that all landlords are bad, but I suggest that in a great many places the landlords spent money on their property and circulated money, and I say the Congested Districts Board should take the place of these landlords, take up main drainage and do the work that would have been done by a good landlord.

31549. There were a number of landlords spending their money at home. Are there many in County Leitrim?—When I came to the county there were comparatively a great many to what there are now.

31550. When might that have been?—Twenty-five years ago.

31551. Twenty-five years ago the landlords were spending their income on improving all their property and their tenants?—I say they lived in the county and spent their income in the county.

31552. How many are there at the present time living in the county and spending their incomes in it?—I can give you a return.

31553. Approximately, are there half-a-dozen?—Quite, and over it.

31554. How many absentee landlords are there?—I am afraid there are a great many.

31555. I am afraid there are a great many, too. What were they spending their money on?—On drainage and improvements, and they kept servants and money was circulated.

31556. What did they do in the improvement of their property?—I act for a landlord in Leitrim who spent very large sums in the improvement of an estate between this and Kiltyclogher, and even since the Land Act of 1881 I have personally, both on my own behalf and of my employers, planted over 100,000 trees, and spent a good deal of money in one way and another.

31557. Was that money borrowed from the Board of Works?—No.

31558. It was spent out of the landlord's capital?—Yes.

31559. Any part of it chargeable on the tenants?—No.

31560. Most Rev. Dr. O'Donnell.—The trees would not be planted on tenanted land?—No; I am merely giving instances how money was spent in the country. One gentleman, Mr. Wynne, spent £18,000 in the

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railway for which he got no return. Mr. George Marsham also spent £3,000 on the same work.

31561. CHAIRMAN.—Have you any general remarks to make regarding County Leitrim?—The Congested Districts in this county are not similarly circumstanced to those in other counties. There is no fishing population, and there are comparatively few large farms let on eleven months' system, hence there is not much untenanted land suitable for migration, and practically none suitable for the enlargement of small holdings. The Congested Districts Board have done very little for this county, no doubt owing to their energies being employed elsewhere. Most of the families in the congested districts have relatives in America. The rents of the holdings in the congested districts is not an appreciable factor in the occupier's yearly budget, but the system of dual ownership has (owing to legislation which did not go to the root of the question) become impossible. Owing to the conditions of agriculture, most farmers find it pays better to graze than to till land.

31562. Sir FRANCIS MOWATT.—You say that the system of dual ownership has, owing to legislation, which did not go to the root of the question, become impossible. Will you develop that?—The old cry that absentee landlords were the curse of the country was looked upon as the right one, and instead of trying to put a stop to that all legislation since 1881 has intensified that and has tended to drive the landlords out of the country and create a state of affairs in which the tenant has more interest in the land than the other party, and therefore we must go back to bedrock, and the only way is to purchase.

31563. To get rid of either the landlord or the tenant?—Exactly. The tenant hopes to get his rent reduced at the end of fifteen years, and therefore is not particularly anxious to improve his holding, and the landlord is only a rent charger, and cannot now be expected to spend money on improvements.

31564. Mr. O'KELLY.—Going to the root of the question would suggest compulsory purchase?—I do not think so.

31565. Do you mean that the landlord should have the power to evict, or that the landlord should disappear?—That he should disappear.

31566. But if the landlord is unwilling to disappear and you wanted to go to the root of the question, what remedy would you apply?—I do not think the landlord would be unwilling if he got a fair price.

31567. But assume that he is unwilling?—Show me a case where he is unwilling to disappear, and I will tell you.

31568. I want to find out what you mean by going to the root of the question?—What I mean is that the legislation which, especially in congested districts, gave a man 2*s.* or 3*s.* reduction in the £1 and nothing else, was no good.

31569. I do not think that is an answer. What do you mean by going to the root of the question?—I think the root of the question is what the Congested Districts Board are trying to do now, that is raise the status of the occupier, to raise his standard all round, and to encourage him to make the most of the opportunities he has at his hand.

31570. CHAIRMAN.—Is there anything else you wish to bring before us?—It is impossible to say what area, or what valuation, ought to be held by each small occupier. It depends on the size of a man's family and his industry. There is practically nothing done in this county with regard to giving occupiers new holdings. As to whether the introduction of strangers from a distance would be acceptable to present occupiers in the same district, the only case I know of is that of the Dromard farm near Mohill. This was bought by some philanthropists to provide houses for the Massereene tenants. The latter were not allowed to come near the place, and the land had finally to be given to natives, who, by the way, have cut down all the timber. Occupiers of congested districts would, in a few cases, if there was land vacant, no doubt go to farms ten to twelve miles off if let at a moderate rent; they would, of course, require houses and offices built for them, and they would require money to stock the farms if they did not sell the interest in their present homes. I doubt if there is sufficient suitable untenanted land in Leitrim to put up more than 100 families at the outside.

31571. Mr. O'KELLY.—In what electoral division is Dromard included?—In Mohill.

31572. Is it scheduled or non-scheduled?—I am not sure.

31573. Are there any uneconomic holdings in the Mohill division?—Oh, plenty.

31574. Anyway the people of Dromard resented the migration of people from a distance?—Yes.

31575. Was it because the people of Dromard said that their condition was not a bit better than the condition of those whom it was proposed to migrate, and that they had a prior claim?—They said they had a prior claim to the land.

31576. Was their condition any better than the condition of those whom it was proposed to migrate?—I do not know what was the condition of the people it was proposed to migrate. They were evicted tenants on the Massereene estate.

31577. How many of them were there?—I do not exactly know, but, as a matter of fact, part of the Dromard farm was let to people who lived in the town of Mohill.

31578. Supposing the farm had been divided among strangers, what land would have been left available for the improvement of the people who lived on the Dromard estate?—There was no land left.

31579. That is my point. Do you think it was reasonable to bring in people from a distance and give over to them a farm which was needed locally, and so stereotyped the congestion of the people of Dromard for all time?—I do not give any opinion. I do not know what induced them to bring these people there.

31580. Do you think the people locally were justified in resenting congestion being remedied in one district for the purpose of perpetuating it in their own district, congestion being remedied in a district at a distance at the expense of the local people?—But it was not congestion. It was the case of people who were evicted tenants.

31581. In any case, the philanthropically-minded man did not succeed?—No.

31582. You also say that the land was given to the natives, who cut down the timber?—Yes, unfortunately.

31583. It was their own, was it not?—Of course.

31584. You have no objection to people doing what they think right with their own property?—None whatever, but I think it is a pity that the timber was cut down.

31585. Mr. KAVANAGH.—Do you think that if this migration had been carried out by a public board like the Congested Districts Board it would have made any difference?—I do not think so, because the suggestion was made by people who would have had as much chance of success as the Congested Districts Board.

31586. CHAIRMAN.—Have you anything else to say about migration?—Yes. I do not anticipate that for years migration could be carried out on a sufficiently large scale to make any appreciable difference in the store cattle trade. If a serious attempt to prevent graziers taking grass lands was successful, it would certainly interefere largely with the store cattle trade, and once this was driven away it would be very hard to restore it. If the small tenants got "economic" holdings they would probably follow the example of their larger brethren and till as little as possible. The modern style of education makes the young disinclined to work land. Those with energy go to a foreign country; others look out for a job in this country; very few take to farming, and especially tillage farming, for the love of it.

31587. Mr. O'KELLY.—Do you consider the graziers necessary to the economic condition of the country?—I think a large infusion of them is.

31588. Could we do without some of them?—You could do without some of very nearly everything.

31589. It was suggested to this Commission that if the grass lands were divided among the people that they would be able to do for themselves what the graziers are doing now: that they would be able to finish their stores, and in that way do away with the middleman's profit, which is the grazier's profit. Do you agree with their view?—I do not.

31590. What is your ground of difference?—First of all you have got to have on the farm a cow which in a dairy country rears a calf, and if a good farmer feeds that calf he will get £7 or £8 for it when it is a year old. I do not see how a man with a twenty-acre holding, half of which is in tillage, is going to keep a calf and stores until two-and-a-half years old. He has not got the room.

31591. Do you think it is possible by a different system of farming for a small man to finish his own stores?—I do not think so. They do not do it in tillage counties at present.

31592. May it not be done in Ireland?—It is not done in Ireland in any place where that class of holding exists.

31593. Don't you think the grazier is the middleman making a middleman's profits?—So is the man who breeds the calf. The only one who is not a middleman is the man who eats the beef.

31594. I see you also refer to education. What do you mean by the modern style of education?—Where the children sent to the National Schools learn about the waving fields of South Africa and to play the piano.

31595. CHAIRMAN.—What is the next matter you wish to deal with?—I want to say that creameries are the principal industry started in this county. They have their good and bad sides. The good side, that proper butter is made, when before the small farmers had not appliances to make it. The bad side is that a source of employment has been taken from the women, and nothing put in its stead, and that, undoubtedly, the breed of cattle is deteriorating from the want of proper feeding of calves. In congested districts in Leitrim, where tenants have mountain grazing rights, much could be done by draining and fencing these mountains, and, incidentally, enhancing the value of sporting rights. Planting is also largely required. There is a considerable quantity of coal, flags, and iron ore in the Arigna district which cannot be properly worked for want of easy access to a port; an outlet to Sligo would most likely largely develop the resources of that country. The Arigna Mining Company was started some years ago by a few others and myself.

31596. Sir FRANCIS MOWATT.—You mention a mining company. Is it a coal mine?—Coal and flags.

31597. Sir JOHN COLOMB.—Is it working now?—Yes, and near Drumkeeran some enterprising gentlemen are also working coal mines, but they are very much handicapped for want of means to get the coal away.

31598. That is their difficulty?—That is their difficulty and our difficulty.

31599. CHAIRMAN.—What is your next point?—That I have advised several clients to sell outlying farms in other counties.

31600. What is the point of that?—Merely that it is stated that the landlords have been unwilling to sell. I would like also to say that the late Right Hon. John Wynne spent large sums squaring farms, making roads, planting, etc., in Counties Sligo and Leitrim. The present Mr. Owen Wynne has done much planting, and spent a large sum in opening up backward districts with a new railway. I have on behalf of owners expended considerable sums in drainage, etc. An uncle of mine altered the whole face of a district in County Kerry in the seventies, squaring farms, putting up buildings, etc.

31601. Mr. O'KELLY.—Did Mr. Wynne make the railway?—Forty-two miles of railway were made. The money was raised by local guarantee, and he spent £580 a year over it for very nearly twenty years, and for that he never got a penny. Three or four other landlords practically took the place of guaranteeing baronies.

31602. Is there any prospect of their ever getting any of their money back?—There never was any prospect of their ever getting a copper back.

31603. Most Rev. Dr. O'DONNELL.—Did some of the occupiers join in that guarantee?—I do not think so.

31604. I was speaking to one yesterday who said he did?—I think he must be a landlord.

31605. He belongs to Ballintogher?—I think I know the name, but he is as much a landlord as an occupier.

31606. CHAIRMAN.—Has not all that railway scheme been rearranged?—Yes, it was swamped with a paper capital which we reshuffled altogether, and the guarantees expired last year. The line was financed at the time of the Glasgow Bank smash, on bad lines, *i.e.*, by paper instead of sovereigns, and these people had to pay on their guarantee.

31607. It is now arranged with certain blocks of debentures?—It is just in the same way as certain classes of stock on other railways, and is doing very well now.

31608. Most Rev. Dr. O'DONNELL.—As regards the fixing of rents, don't you think the rents would have been very much lower along that line if the railway had not been built?—When I mentioned that fact to the Commissioners it was always jeered at. I do not know whether they take the railway into account or not. It never appears on the pink schedule.

31609. CHAIRMAN.—What is the next thing you wish to tell us?—I may say that on small properties on which I am agent for the last ten years I have received the year's rental one year with another in Mayo, Leitrim, and Donegal. As an investment I would rather have a large property of small holders if fairly circumstanced than large tenants. In the latter case, if a tenant is insolvent the loss incurred by his failure is much greater than by the failure of a small tenant. On many congested estates for which I have been agent I have almost invariably collected the year's rent one year with another except under special circumstances. The fact of arrears being allowed to accumulate is generally the result of mismanagement.

31610. Mr. O'KELLY.—That is a grazing ranch?—No, that is a different thing.

31611. CHAIRMAN.—The next point is?—I do not think that the price at which the Board has bought can be taken as a basis on which they can expect to buy other estates. The Board get cheap lots of what may be called bankrupt stock, but there is no reason why others who do not wish to sell, except for public reasons, should be compelled either directly or indirectly to accept such prices.

31612. Mr. O'KELLY.—What do you mean by public reasons?—Reasons for the public good—to change the occupier into the owner.

31613. Do you think many of the landlords would subscribe to your views on that point?—I am perfectly certain that they would be prepared to sell at a fair price.

31614. What do you mean by a fair price?—At a price that will not involve them in too much loss.

31615. Have they accepted a price that would involve them in any loss?—Yes, I have done so myself, unfortunately.

31616. Under the Act of 1903?—Yes, I have sold very nearly thirty estates since the Act of 1903 was passed.

31617. And the result was a loss to the landlord?—Yes.

31618. In how many of the thirty cases?—I will send you in a return if you wish it.

31619. I would rather you gave it now if your memory can help you. In how many of the forty estates has the landlord suffered by the sales?—There are six estates that I have actually got through, and certainly in four of them the landlord has suffered.

31620. Then you have not sold forty estates?—No, but I have lodged agreements for the sale of so many estates.

31621. Out of the six sold you have had four losses?—Yes.

31622. Notwithstanding the bonus?—Yes.

31623. CHAIRMAN.—By loss you mean that the landlord is left with a reduced income?—Yes.

31624. Mr. O'KELLY.—In what did the loss consist?—Well, the landlord investing his money at trustee rate got less than the average net rental.

31625. What percentage did he get?—About 3½ per cent. I will send you in a return if you wish.

31626. This is very important. You say that out of the six estates you sold you had four losses, and that when the landlord invested his money the return at 3½ per cent. was less than the net income he was receiving before the sale?—That is so.

31627. Why did he sell?—There are a great many reasons that induce a landlord to sell.

31628. Will you give the reasons that induced these particular landlords to sell?—They considered that the Act of 1903 having been passed, and sales being general over Ireland, they might as well get out. In the bulk of the estates where a landlord sells at, say, the middle price between the zones, he must make a loss. It is only in a mortgaged estate that he can make money.

31629. Most Rev. Dr. O'DONNELL.—What deductions did you make in these cases? Did you deduct the local rate?—I know what each landlord has been getting every year from his estate. The remittance I make to him every year I take as his net income.

31630. But did you deduct the local rate, because when a landlord sells out he has not to pay it?—He has not to pay it now.

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31631. Except as occupier?—Yes, that is so.

31632. In the case of untenanted land he had to pay it?—In untenanted land he had to pay it.

31633. Mr. O'Kelly.—Can you give any reason why the landlord sold? He was getting a certain income from his property, and he turned round and sold his property at a sum which meant a less net income to him?—Because the Act of Parliament has been passed.

31634. The Act of Parliament has got nothing to do with it. Here is the case of a man who has been getting £1,000 a year from his estates, and he determines to sell them although he knows he will only get £800 a year in future. Why should he do that?—Because he prefers the money and security in the other case even to money invested in Irish land.

31635. Is it because he knows that the income from Irish land is precarious, and depends a good deal on many circumstances, and he prefers a fixed income?—Yes.

31636. Don't you think there is no loss involved in a case of that kind?—I tell you there is.

31637. Why did he sell then, if there was?—For the same reason that a person may sometimes sell Consols or anything else at a loss.

31638. But I do not see why a landlord should sell a profit of £1,000 a year in order to buy a profit of £800 a year?—You have bought Consols at 114, and sometimes sold them at 88, and you could not help it.

31639. Mr. Kavanagh.—What is the number of years' purchase?—They vary in a number of cases.

31640. Chairman.—Could you give us details on a couple of those estates?—I could.

31641. Most Rev. Dr. O'Donnell.—It would seem from your evidence that, although in these four cases there has been a loss in actual income, there has been no loss in prospective income?—I do not say that at all.

31642. You rather anticipate that when the landlord has sold out?—I anticipate nothing.

31643. I gathered that you anticipated a fall in the value of this security?—I do not know; I think it is a toss up.

31644. Chairman.—Well, proceed, Mr. Hewson?—If it is accepted as a fact that all Irish tenants must have "economic" holdings, an impossible state of affairs is created. In every class most members of the family have to leave home to earn their bread, and it would be disastrous if the money earned by labour in England and Scotland was lost to this country, besides possibly seriously dislocating the agricultural labour market in England. That the question of rent is not at the bottom of the trouble is instanced by the fact that the average rent of a holding of several acres does not come to more than from 1*s.* to 3*s.* per week. By the recent Labourers Act, Government are creating thousands of uneconomic holdings of an acre each, the rent of which cannot be much less than 2*s.* weekly. Small farming cannot be started in this country on a large scale without protection. The present system of education makes most of the young people unfit, and disinclined to work the land, and the result is that the more energetic go away, having a better chance elsewhere.

31645. Mr. O'Kelly.—What concern is it to this country whether the agricultural labour market in England is dislocated or not?—I do not care a rap about that, but I do object to having the money earned there lost to this country. There are a number of places like Swineford where the people send their sons over to England to earn money, and if you alter that it would be a serious thing for this country.

31646. What do you mean by protection for small farmers?—I am afraid that is a large order.

31647. Are you a tariff reformer?—I do not know what I am.

31648. Chairman.—What is your opinion about getting land to relieve congestion?—There would not be any difficulty in County Mayo in getting a reasonable amount of land to assist in relieving congestion at a fair price. I have offered land for sale in that county, but though papers were sent in four months ago the lands have not yet been inspected. I have sold an estate in Mayo where the tenants of a congested district are on the fringe of it, and I have split up a large farm alongside farms of those tenants, and I hope it will work well.

31649. Mr. O'Kelly.—What part of the county is that in?—It is near Ballina.

31650. By whom was the sale conducted?—By myself.

31651. Through the Estates Commissioners or the Congested Districts Board?—To the tenants direct.

31652. Are there any uneconomic holdings on it?—There are, and I am enlarging these uneconomic holdings by adding fresh land.

31653. Would you tell me the name of the property?—Just at the moment I would rather not, but I will let you have it later on.

31654. You are enlarging the holdings from grass land on the property?—Yes.

31655. Are you charging any fines for the grass land?—Not a copper.

31656. Don't you think it would be more fair to the tenants if you sold the property, grass land and unoccupied land, direct to the Estates Commissioners or Congested Districts Board?—Why?

31657. To allow either of those two bodies to carry out improvement schemes necessary on the property?—Why?

31658. Why not?—Because I think if you make a bargain direct with a man and he is satisfied, I do not think anything could be fairer.

31659. That may be so, but you would not be able to carry out the improvement schemes the Congested Districts Board would carry out?—I do not think it will be necessary in this case, as the tenants are very industrious, and all that will be necessary will be to till the holdings that adjoin their own and make fences between the stripes.

31660. Was it any excess of generosity that urged you to do what the Congested Districts Board could have been called upon to do?—Not at all. It is a pure business matter.

31661. It is not to be traced to philanthropic motives?—No. I am not a philanthropist.

31662. Would it not have been easier to sell the whole property to the Estates Commissioners or Congested Districts Board?—I do not think so.

31663. Why?—Because, in the first place, you do not know what you are getting.

31664. Is the price that you are getting within the zones?—Yes.

31665. Is that the explanation of your direct sale?—Yes.

31666. There has been no inspection of the property?—There will, no doubt, be an inspection.

31667. Has there been no inspection as to security for value in relation to the tenants' holdings?—There has not.

31668. Do you think that is wise?—The State has taken the responsibility on its shoulders, and I have got nothing more to say. If the tenants are satisfied with the reduced annuities and I am satisfied with the price, I do not know that there is anything more to say about it.

31669. You know that in the case of improvident bargains the ratepayers are the security and have to bear the ultimate responsibility?—I am not sure of that.

31670. Have you read the newspapers and of what has happened in County Longford and Kildare?—I have. That is not a case of improvident bargains; it is quite a different story.

31671. Don't you know very well that if there are a few hundred defaulting annuities that their responsibility will have to be borne out of the public rates?—No. I am not a financial expert; but as I understand it those defaults of the annuities will have to be made right, but the country gets that back at the next payment.

31672. Let me assume that the tenants upon a property make a bargain that by and by has very serious consequences for them, as they are not able to pay their annuities?—In that case the whole country would go to the dogs.

31673. Is not that an argument for inspection for value, and should not the ratepayers of the country, who are the ultimate security, be consulted as to whether the bargain is provident or improvident?—I am not going to make any suggestion about an Act of Parliament.

31674. But you are selling a property in County Mayo, and it would be far more easy for you to give that property over to the Congested Districts Board or the Estates Commission?—Yes.

31675. Instead of that what you do is to add on all the grass land you have on the property to the farm holdings, and simply to get you over the question of inspection?—No; not at all. These half-a-dozen tenants were just round that grass land, and if I sold to the Estates Commission or Congested Districts Board there is no guarantee that the tenants would get these grass lands at all.

31676. Is this a scheduled area?—It is.

31677. Then why not sell it to the Congested Districts Board?—Because the tenants and I prefer to know what our bargain is to be

31678. Why would you not know that if you sold to the Congested Districts Board or the Estates Commission?—Because the Congested Districts Board might as well bring in our friend from Gweedore that we have been talking of. In the other case the tenants know where they are, and I know, and we are much happier.

31679. To be frank. Is it not a fact that this proposed procedure is due to getting over inspection?—No; because the principal value I am selling is this land in hands.

Mr. O'Kelly.—The tenants have informed me otherwise.

31680. Chairman.—Have you anything else to say on that point?—Some system should be devised by which a landlord who is willing to sell untenanted land should get his cash in reasonable time, at present he may have to wait four years for it. If he does not get cash, the State should give him interest on the purchase money equivalent to his average income out of the lands pending its final distribution. He cannot let his land in the interregnum, as he has no idea when the Land Commission will want to take it up. I have been in communication with the Congested Districts Board about selling to them a farm in County Kerry; negotiations are suspended in view of the sitting of the present Commission. Another financial difficulty that has to be faced by a vendor is that the Land Commission invests your money in certain securities pending allocation, and if these securities drop at the time you are going to distribute you drop your money. I lost a thousand pounds in one case. One possible means of raising money would be to allow tenant purchasers to pay off the balances they owe the State in land stock. Many large farmers who bought early would take advantage of its present low price, and buy enough land stock to extinguish their annuities, *e.g.*, a man who bought his farm for £1,500, and still owed Government, say, £1,200 of the capital, could buy £1,200 land stock for, say, £1,068, which would be a good business for him, and by broadening the market would probably raise the price of the stock. It has been stated in evidence that a landlord selling at twenty-three years' purchase with the bonus, would get more than his present net income if invested at 3½ per cent. The witness apparently forgot that the vendor has to redeem head rents, etc., pay all the costs of his sale, amounting to at least 5 per cent., live for three or four years on at least 25 per cent. less than his income, assuming all interests are paid, of which he has no guarantee, and he has also to submit to any loss that may occur in selling out of securities in which the Land Commission invest his purchase money pending distribution. A point that is somewhat overlooked when the question of the sale of a landlord's estate is considered is the fact that, with the sale of his tenanted and untenanted lands, he loses an asset which in many cases brings him an additional income. For example, an owner who has been accustomed to let his demesne, temporarily or otherwise, will find difficulty in doing so when he has parted with his sporting rights. The cost of selling a small estate is nearly prohibitive. I have sold a very small property where the total purchase money was under £500, where the solicitors' costs alone came to ten per cent. on the purchase money. The tendency of all modern Governments in dealing with Ireland seems to be somewhat on the principle of a child pulling up a plant by the roots to see how it is growing.

31681. Mr. O'Kelly.—When you refer to the tendency of modern Governments in dealing with Ireland, does that remark apply to Tory and Liberal Governments?—Yes.

31682. To all Governments?—Yes.

31683. Would you like to see a change. If the Government dealing with Ireland did not understand it properly would you like to see a change?—I shall not touch upon that thorny topic, which is outside the terms of reference.

31684. Doesn't that paragraph of yours suggest that you would?—No. It suggests to the Government to be cautious as to the carrying on of the principle of pulling up a plant by the roots to see how it is growing.

31685. Chairman.—Your next point is?—That it is a dangerous thing to do to attempt to revolutionise the whole of Ireland's system of agriculture by doing away with the large grazing farms and putting in their place a large number of twenty-acre holders, who will be attempting a system of farming to which they are not accustomed, on land which may not be suited to tillage, and with all the countries in the world competing with them in the growing of foodstuffs. Till you break land you do not know what it will do. For example, I manage a large mixed farm in Kerry, and on the whole of it only one field will grow oats. The experiences of the Famine times should be a warning.

31686. Mr. O'Kelly.—What are these experiences of the former times?—There were a large number of farms very much of that description that were tilled, and one bad year smashed a large portion of Ireland, and the people had to run away.

31687. Chairman.—Is it your opinion that the Famine was due to the failure of cereals?—To a great many causes.

31688. Was not it due much more to a failure of the potato crop than to cereals?—It just shows how a failure in agriculture may damage the whole country. If you had the whole of Ireland again turned into twenty-acre holdings, each growing crops, and each supposed to feed their families, and if these farmers had store cattle and the crops failed, and there was nothing to feed them with, where would they be?

31689. Mr. O'Kelly.—Why do you say twenty-acre holdings? Has anybody suggested that?—I have seen it suggested by many.

31690. Most Rev. Dr. O'Donnell.—Is not it supposing very unlikely things? Might you not as well suppose all the land turned into grass land, with beasts upon it liable to die by cattle plague?—It is not altogether the same. You have now an admitted success, the grazing system of Ireland, and you are going to revolutionise that and turn it into twenty-acre mixed tillage and pasture. Assuming that you put a man into a farm of that class, and he starts to grow oats on it, and tries the whole of it and finds none of it will grow oats, where is he?

31691. But a mere repetition of the Famine would scarcely affect that man?—I am merely suggesting the Famine as a terrible thing that happened and likely to smash up holders of this class.

31692. But a mere repetition of the Famine would not so much affect that man?—By no means, but it might make it impossible for that man to pay his instalments.

31693. Chairman.—Is not it a justifiable assumption to make that the very fact of this tremendous increase of grazing is in itself putting the country in a position of the greatest danger? Doesn't it mean that the whole agricultural interests of Ireland are centred in one particular kind of trade?—I do not think so.

31694. Why not?—Because of the greater amount of tillage in the North. I am not taking the farms for eleven months, but all the large farmers, and I say it would be the ruin of the country if those men's farms were cut up into twenty-acre holdings.

31695. Therefore your statement is this. In the old days tillage was proved to be unprofitable, and that is shown to some extent by the experience of the Famine?—Yes.

31696. You say that grazing is now profitable and successful?—Yes, I do.

31697. And you think that breaking up the grazing lands and going back to tillage might have the effect of bringing back to some extent the conditions of the Famine?—I do not want to put it so far as that.

31698. At any rate, it might endanger the agricultural prosperity of this country?—Yes.

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31699. Isn't the reverse the case, and isn't it a fact that so long as you continue the grazing system, and so long as it goes on increasing at the rate it has been going on, that all the agricultural eggs of Ireland are being placed in one basket, and that the whole prosperity of the country depends on it?—I want to differentiate between the large farmer and the large grazier. I think it would be a ruinous thing to do away with the large farmer, who is the backbone of the country. You will get plenty of land on the eleven months' system to do what you like with.

31700. In your opinion is grazing, no matter whether it is carried on by an eleven months' tenant, a judicial tenant, or by someone else, a profitable trade?—Yes.

31701. Is it not a fact that this particular form of agriculture has largely increased in recent years—that tillage has gone out, and that there is much more land gone down into grass?—I would not call it recent years actually.

31702. Well, within the last fifteen years?—Statistics will show that, but in the counties I know I do not think it has done that.

31703. In Ireland, generally, has not the last fifteen years seen a tremendous addition to the grazing lands and a tremendous diminution of tillage?—I should go further back and say there was a great deal more tillage forty years ago.

31704. There has been a gradual tendency to increase the land under grass?—Not to a very appreciable degree: unless you have statistics to show that is so.

31705. Does not that mean that in proportion to the amount of land put under grass that more and more attention has been paid to the cattle trade as against tillage?—Yes, because it pays.

31706. And does not that mean, therefore, that the tendency has been a great deal to concentrate the agricultural prosperity of Ireland in the cattle trade?—Very largely so.

31707. If, therefore, anything was to happen to the cattle trade, if it were suddenly to meet with a big slump, would not an enormous proportion of the agricultural prosperity of Ireland be threatened?—Yes, but I do not think that is likely.

31708. But is not it more likely if you have all Ireland practically interested in one trade?—I do not think so at all. All Ireland is not confined to one branch of the trade. The tillage farmers in the North largely buy their stores in the South and West. Ireland is a small place, and with all the granaries of the world at your door more money is made by utilising the land fit to carry grass than by tillage.

31709. Are you one of those people who believe that the importation of Canadian store cattle would be a bad thing for this country?—I think it would be an exceedingly bad thing for Leitrim and counties like it, and I should resist it to the end; but I think the ordinary grazier would make money by it, because he would buy his stores cheaper.

31710. Do you think he could buy Canadian stores cheaper than Irish?—If he could not, then Canadian stores would not do us any harm. It will ruin the small breeder in this country.

31711. Sir Francis Mowatt.—The small breeder being a small holder?—Yes.

31712. Chairman.—The small breeders in the West of Ireland would suffer great loss?—Yes, enormous loss.

31713. Would it be better if the small men of Ireland were encouraged to depend on other things besides rearing young stock?—Well, if you have the information that Canadian cattle are to be let in, perhaps so.

31714. Can anybody say for certain that they won't come in?—No more than anybody can be sure that the Famine times will not come back, but there is not a likelihood.

31715. If Canadian stores came in, it would be a serious blow to the small man who breeds cattle?—Yes.

31716. Would he suffer such a loss if he had other things to depend on?—If you put him on a twenty-acre farm prepared for the advent of Canadian cattle; if he had his crops ready in the next six or seven years, and Canadian cattle then came in he might be all right and if Canadian cattle did not come in he might be all wrong.

31717. But if he is put on a twenty-acre holding and his crops are ready, he would have security for possible loss resulting from the importation of Canadian cattle?—If you are going to tell him that Canadian cattle are to come in this time three years, then shunt him to twenty-acre holdings and let him learn farming and be ready for it.

31718. Then if anyone has the belief that Canadian cattle are to come in, the policy of putting these men on twenty-acre farms is a good one?—Apart from the conditions I mentioned before, it might be. In my experience, in most of the congested districts, the bulk of the real distress consists of cases where an old couple are left without a family; where the husband or wife dies, leaving a family of young children; or where one of the senior members of a family is in an asylum. These factors will occur under any circumstances. Unless something is done to give the country an outlet other than agriculture, no amount of creation of 20-acre holdings will solve the problem. Surplus stock belonging to these twenty acres holders cannot be kept without being sent to grazing farms, and, assuming that compulsion was resorted to, how are you going to decide what farm is to be bought and what left out? A great injustice would be done to those whom you compel to sell, as owing to the restricted market for land the value of the farms not sold by compulsion would be greatly enhanced. Further, the country is likely to be impoverished, not enriched, in the future. You cannot get a worse absentee landlord than the State. The purchase money of tenants' interest in farms sold is likely to go out of Ireland. The management of estates and collection of rent from a Dublin centre will put a stop to the local circulation of money by landlords, agents, &c. Further, as regards the breaking up of grass lands—it is an acknowledged fact that the class of cattle in the north, where tillage is carried out on the best principles, is far inferior to the class of cattle in the grazing districts. This is admitted on all sides, and the reason given by Northerns is that their tillage farms, laid down in temporary grasses, will not turn out good stock in the way they should be turned out for the market. I do not put forward this view for the purpose of damning migration altogether, but to utter a note of caution.

31719. Mr. O'Kelly.—How are you going to assign what farms are to be bought and what left out. That is a very difficult question?—Desperately so, I think.

31720. Tell me how are you to get over it?—Well, you come to a centre where you want to get some farms from the tenants, and one man wants his farm as much as his next-door neighbour. How are you going to make one man sell and not use compulsion with his next-door neighbour?

31721. Wouldn't you leave that to the discretion and impartiality of the Board that does that sort of thing?—I do not see how the Board can be impartial under the circumstances, because they would have to say to one man that he must clear out and leave his neighbour there. I do not see how they are to get over the difficulty.

31722. You do not see how they are to get over the difficulty?—No; not in the way suggested of cutting up large farms held by farmers.

31723. Let me assume that the Congested Districts Board have purchased the property and have so many acres that they wanted to add. Don't you think they would select the nearer rather than the further away farm?—Assuming it was near them they would certainly select it, but wouldn't that be exceedingly hard luck in the case of the man whose farm was selected?

31724. I do not care what the character of the stock in the North of Ireland is, don't you think if we broke up the grazing ranches in the West of Ireland we would have the people upon them?—I am most anxious to see the people upon them.

31725. Wouldn't that be more important than having cattle upon them?—I do not know if it would be if the people are not to succeed.

31726. You do not think it is more important?—I am quite with you if you can prove the thing would be a success

31727. Would you be willing to give it a trial?—I am afraid you would be uprooting one good thing to put in a doubtful.

31728. The people were on the land before?—And did not succeed, unfortunately.

31729. Oh, they did, but they were driven from it?—By the Famine.

31730. By the Famine? Are you not aware that there are a number of landlords in the West of Ireland who, for the purpose of consolidating their holdings, drove the people from the land and turned the holdings into grazing ranches?—In a good many cases, I am sorry to say, they did do so, but in most of the cases it was natural causes that turned the holdings into grazing ranches.

31731. You are aware that in a great many cases the people were driven out in order that bullocks might supplant them?—I admit there were a great many hard cases, and cases that never occur now, but there were other causes that drove the people out.

31732. Sir JOHN COLOMB.—As an Irishman born and bred, you are as anxious as anybody else that the people should remain in the country, but your evidence is to show the many elements that have to be taken into consideration in arranging to induce them to remain so that they may prosper?—Quite so, that is my whole point.

31733. CHAIRMAN.—It is difficult to prove it unless by experiment?—Exactly, and by following it up and seeing what is to succeed.

The Commission adjourned.

SIXTY-SEVENTH PUBLIC SITTING.

TUESDAY, APRIL 23RD, 1907,

AT 11.0 O'CLOCK, A.M.,

At the Courthouse, Manorhamilton, County Leitrim.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (Chairman); The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; Most Rev. Dr. O'DONNELL; CONOR O'KELLY, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.; ANGUS SUTHERLAND, Esq.;

and WALTER CALLAN, Esq., Secretary.

Mr. GEORGE HEWSON further examined.

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Mr. George Hewson.

31734. CHAIRMAN.—What is the next point that you wish to deal with?—I would like to refer to Mr. Finucane's interesting evidence. A few remarks as to some of the points that he raises may be useful. In question 15585,* Mr. Finucane states that he thinks it would not do for either the Estates Commissioners or the Congested Districts Board to approach the landlord of a congested estate and ask him whether he objects to any of his tenants migrating. Well, personally, I don't think any landlord on a congested estate would object to the removal of any tenant to better surroundings. They would probably rather cooperate with the Estates Commissioners than otherwise. I will illustrate that by the only case of the kind that occurred in my own knowledge. The Congested Districts Board approached me as regarded a tenant on an estate I manage whom they proposed to migrate to a better farm. I replied that I was perfectly agreeable, and suggested that the tenant, if he got this better farm, should sell his holding on my estate to the adjoining tenant. In fact I personally, and as representing a great many landlords in this district, should welcome any suggestion of that class.

31735. It would not be such a satisfactory method as enlarging holdings when the Board has got possession of the whole estate. There are very often other things to be done as well, like re-striping?—There are a great many things of that sort, but what I mean to convey is that these should be subsidiary, *i.e.*, done after the tenant had bought out his landlord's interest. There are a great many cases in which the landlord could not sell the whole estate at the price the Board might offer, and that landlord, I am personally certain, and I speak for a great many in this county, would not have the smallest objection to being approached with a view to tenants who wished to migrate doing so. Personally, I shall undertake to welcome any suggestion of that sort, and I am agent for nearly twenty congested estates in this county.

31736. You are aware that was the process contemplated when the Act was first passed, but I think it was found that unless the Congested Districts Board bought an estate it was not very easy to do it?—I think that is so.

31737. Most Rev. Dr. O'DONNELL.—Quite so. Perhaps, Mr. Hewson, your point is that the owner or agent would not object to reducing the number of tenants on the property, even if the migratory tenant went to one of the Board's estates?—Certainly, and I am perfectly certain that is the general view of the landlords I have spoken to on the subject. I think it is a thing that ought to be done. I now go on to refer to questions 15595 to 15598,* and I say that the point raised in these questions would be easily met by allowing the migrating tenant to sell his interest to an adjoining tenant. He would thereby get sufficient capital to work his new holding. A difficulty will be found in migrating tenants from districts in Leitrim, where occupiers have plenty of turf and water, to districts of, say, Roscommon, where turf and water are scarce. There is no reason why notice should not be put in congested districts to say that any tenant who wishes to go from an uneconomic farm to an economic one should apply to the Board. I do not see how anybody could object to that being done, and thus set the ball in motion. As I have said before, the difficulty would be found in migrating tenants from Leitrim, where they have plenty of turf and water, to districts where both are scarce. I think you will find it very hard to move any of the congested people in mountain districts to a farm in, say, Elphin, where the great question of fuel would come in.

31738. Sir JOHN COLOMB.—I take it, Mr. Hewson, that in carrying out the policy of the Board with reference to acquiring land for migration, you attach extreme importance to proximity to bog and a plentiful and well-distributed supply of water?—Yes.

31739. You regard that as a vital necessity to the suitability of grass land or lots of grass land for settlement?—Yes.

31740. Mr. SUTHERLAND.—Were these grass lands ever occupied before?—The grass lands in Roscommon?

31741. Yes?—As far as I can say, I am certain they were. There are traces of houses.

31742. Are you aware if there was any scarcity of fuel and water then?—There must have been certainly in a great many of them.

31743. Did they manage to subsist all the same?—Of course it is a very long time ago, and I could not tell how they managed or how many bogs have been cut out since then.

31744. But if they lived there before, is not it probable that they would have a supply of fuel and water again the same as before?—My point is this. If you have people living in a country where they have had little or no fuel or water they do not feel the lack of it, but if they have been accustomed to it they do.

31745. That is not the point. What was there before will be found there again?—In many places the bogs all over the country have been cut out.

31746. And the water?—Possibly there was water.

31747. And there is water still?—I do not know the size of the holdings in Elphin and Roscommon. All I can say is that in driving through Elphin you see traces of where people evidently lived; but while there might be an abundant supply of water for a large grazing tract there might be a supply for only one or two people if the said tract was cut up.

31748. Most Rev. Dr. O'DONNELL.—It comes to this that the body promoting migration should carefully attend to the need of the migrants for a supply of fuel and water?—Quite so.

31749. Is there any canal running through the district to which you have referred?—There is not, as far as I know.

31750. You have sometimes seen turf sent by rail to a district?—I have more often seen it sent in boats. I have seen it sent to Tory Island, and turf boats go from Clare to Limerick.

31751. Unless the bridges obstruct, there is no reason why turf might not be sent by train?—There is the reason that it would be exceedingly expensive to do so, and the bulk of turf that could be put in a wagon would be so little that it would have no appreciable effect as regards supply. The country I have in my mind for migration is Elphin, and I do not see how you are to get turf distributed there by rail unless a railway is made between Carrick and Roscommon.

* See Appendix to Third Report of the Commission [Cd. 3414 1907], page 117.

31752. The Great Western Railway pierces an immense bog before it crosses the Shannon?—Yes.

31753. If that bog could be made available, there would be ample fuel?—If that bog could be made available and brought twenty miles and distributed among the people ten or fifteen miles from the railway, there would be ample fuel, but I believe that the cost would block the whole proceeding.

31754. Have you any information on the subject of compressed peat?—I have seen it made in several places.

31755. Do you think that would be a possible means of meeting the difficulty?—I should be very glad to see it futher tried, but most of the compressing of peat has been a failure.

31756. You do not think it has gone much beyond the experimental stage?—We can hardly say it has, because it has failed for want of outlet.

31757. Sir FRANCIS MOWATT.—For want of a market?—Yes, and for cheap means of transport to market.

31758. Most Rev. Dr. O'DONNELL.—The migrants might help the market?—Yes, certainly, if it could be supplied cheap enough.

31759. Mr. KAVANAGH.—Outside the question of fuel and water, you see no other objection to migration to Roscommon, for instance?—There is the great difficulty if you brought people from Garrison and all that class of country to absolutely new surroundings and placed them far from a town and market. I think they would find it very difficult to accustom themselves to their new surroundings. I would be delighted to see it tried and to be told that my view is wrong.

31760. In answer to Mr. Sutherland you said that all these lands were at one time occupied?—I did not say they were. All I can say is in driving through the country it looks as if people had lived there. I do not know what sized farms there were. They might be forty, fifty, or a hundred acres.

31761. Don't you think that Leitrim and Sligo men are good enough farmers to adjust themselves to the new circumstances in a few years' time?—It is not altogether a question of farming, it is also a question of environment, and I should like to see it tried. I should like to see a few men from Rossinver shown such a place, brought to the nearest market town, shown everything they could get and what they would have, and if they liked to take it I would wish them joy of it. My opinion is they would not take it.

31762. It is not suggested that migrants should be brought down there and given a holding without first having an opportunity of considering all the circumstances before they were asked to settle there?—That is what I say. When they have considered the circumstances I think you will find it hard to get them to move.

31763. I hope your opinion may be wrong?—I hope so, too, if you are going to try it.

31764. Sir FRANCIS MOWATT. — You say the point raised by Mr. Finucane's questions would be easily met by allowing the migrating tenant to sell his interest to an adjoining tenant, and that contemplates that the adjoining tenant would thereupon become possessed of that holding as well as his own?—That is my contention, and then the migrant would have some capital to start in his new place. The point Mr. Finucane makes is, if you take a tenant away you are leaving his holding and its improvements to the landlord to do as he likes with. My point is you need not do that, because the tenant who is going away can sell his interest.

31765. CHAIRMAN.—I cannot conceive that, because there would be no object in migrating. At least one of the objects in migrating would be lost if you moved a man to better land and did not benefit anyone in the district he left?—Yes; but I think the argument as regards congested holdings is that they are too small and require enlargement. If you take one tenant away and buy the interest in his holding, you send him away with a little money in his pocket to start with.

31766. And then throw that holding into that of the adjoining tenant?—Yes, that is my point.

31767. Sir JOHN COLOMB.—I want to ask your views as to the probable difficulty of getting migrants to leave very congested districts. Do you think that means for modifying their objection to leave might be carried out somewhat on these lines, say the Congested Districts Board purchase grass lands in Roscommon or elsewhere, and to do preparatory work for the settlement of these farms they drew from a district from which it was thought necessary to migrate people, the eldest sons of tenants as migratory labourers to that district where these new farms were to be laid out and work there and so get accustomed to the place, do you think the expense would be very great?—I will touch on that a little later on. Where the Congested Districts Board have done well, in my mind, is where they have taken farms adjoining congested districts. There labour has been handy and they have been perfectly well able to get plenty of hands to do their work. If you transplant a number of workmen into the middle of what we may call a prairie, you have to arrange to house them, feed them, give more money than to men living on the spot, and the expense would be very much increased. That would be a direct difficulty, to my mind.

31768. CHAIRMAN.—What is the next question to which you refer?—It is number 15606.* If the Act of 1903 prevents the Land Commissioners providing money from the Reserve Fund for the improvement of estates where holdings are sold direct from landlord to tenant, power should be given to do so; but this power must be in existence, as free grants are made to evicted tenants in direct sales.

31769. Most Rev. Dr. O'DONNELL.—The Act makes special provision for evicted tenants?—It does as regards direct sales. I think power should be given to the Estates Commissioners to provide money for betterment, but to my mind Mr. Finucane must have made a mistake, because I know as a matter of fact that free grants are given in case of direct sales, where evicted tenants are sold to direct.

31770. On all estates the Commissioners are free to make advances to evicted tenants, whether the sale is to the Estates Commission or direct from landlord to tenant?—Well, if that is so, it is a blot in the Act that they cannot make advances where there are direct sales between landlord and tenant, and this should be remedied.

31771. For the improvement of small holdings; that is your point?—Yes.

31772. CHAIRMAN.—The position is that the Estates Commission can give a grant out of the Reserve Fund, but they could not make a loan or an advance and get it back from the tenant. It has to be a free grant from the Reserve Fund, and the Reserve Fund is limited?—Then the question is confused as I read it. It may be wrong, but he said they could not give a grant.

31773. They can give a grant, but it is absolutely out of pocket, and they can never get it back?—I think that could very easily be met by arrangement. If the landlord and tenant agree on a price, and do it quite fairly and above board, the tenant to get a certain proportion (on which no bonus has to be paid) to improve his holding, I do not see why that should not be done.

31774. We have heard something of that?—It is exactly the same thing as the Commissioners propose to do in cases of sales to them.

31776. Mr. KAVANAGH.—Lend money at lower interest than anybody had it elsewhere?—Well, they do it in indirect sales, and why not in direct?

31777. Most Rev. Dr. O'DONNELL.—The solution of this question is that when holdings are being sold to the tenants at that stage care should be taken to improve the small holding, and you do not see why it should not be done?—Certainly, I do not see why it should not be done.

31778. CHAIRMAN.—And the cost to be repaid by an addition to the annuity?—You do it in the case of the Estates Commissioners, and why not in every case?

31779. If the Estates Commissioners allowed an arrangement of that sort to be carried on between landlord and tenant, without any sort of control on their part, you might have tenants tempted for the purpose of getting an immediate sum of ready money to agree to pay annuities out of proportion to the capacity of the land?—That could be perfectly easily guarded against by having the form of the agreements varied to a small extent by putting in the price the tenant is paying for the holding and the addition which he is providing for improvement purposes, so that the thing would be quite clear and above board. Where the holding on which an improvement advance was applied for the Land Com-

* See Appendix to Third Report of the Commission [Cd. 3414, 1907], page 118.

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mission could decide whether the advance should be made. My point is, I do not see why advances should be made to one class of tenant and not to another. I now go on to deal with question 15608. Statistics are not quite reliable, as in many cases two or three holdings have been sold to the same tenant, and the aggregate of the holdings so bought would make a so-called economic holding. As to statistics being not quite reliable in respect of uneconomic holdings, I know of two instances, which must be included in the seventy-nine in that schedule for Leitrim, where I sold apparently uneconomic holdings to tenants, but I had sold other holdings to those same tenants under previous Acts which would bring them up to the term economic. As regards question 15618,* I wish to say that, assuming improvements to be made, and that the capital sum expended is added to the tenant's purchase-money, the sum might still eventually be practically lost if no provision is made that these improvements are properly maintained. That is a point where I think the Congested Districts Board might very well step in. If money is spent in drainage or similar works, unless there is some controlling or parental body like the Congested Districts Board, there is nothing to prevent improvements such as drains being choked up inside the next twenty years and the value of the capital sum lost to the tenants.

31780. There are no rules compelling the maintenance and keeping open of the drains?—Exactly, that is the point.

31781. It comes to this, that while the annuities are being paid there should be some State provision to insure that the holdings are being kept in a proper condition?—Yes; that the main drainage of the district be kept in proper condition. I go now to question 15623, and I say that when a tenant is absolute owner of his farm he can get money from the Board of Works for purposes mentioned. In regard to question 15630, I say:—The migrating tenant is in no worse condition by migrating than if he stopped at home. The point is if a man has been on a holding and has paid twenty-five instalments, he is a long way towards getting rid of the thing altogether. Personally I do not see that he is in any worse position if he migrated, because we assume that he gets an enhanced price for the holding on which he has paid the twenty-five instalments, and it is no harm to him to begin again the 68½ years on a better holding. I may, therefore, put my reply to these questions as follows:—Question 15630—The migrating tenant is in no worse position by migrating than if he has stopped at home. He is given a free grant of land by the State, and has sold his interest in the old holding, presumably for an enhanced price, if he has paid twenty-five instalments. Question 15632 does not apply to Leitrim. There are practically no congested estates with large farms adjoining. Question 15700—I think the Estates Commissioners would be put in a difficult position by assuming that they would not depart from a price they had already fixed. Take a second term rent of £15, on which a third term rent of, say, £10 is fixed, on which they had originally fixed a price of 25 years' purchase, *i.e.*, £375, this would represent 37½ years' purchase of the new rent, which would be outside the zones, and the annuity would be higher than the third term rent. That would mean a general howl as to the terrible number of years' purchase the tenant with a third term rent of £10 was paying? That shows the absurdity of this question of years' purchase. I next refer to Question 15720, etc. The suggestion as to cutting up farms of over £50 valuation would, in many instances, be unworkable. Assume a farm valued at £60. How much of it would be cut off to form an economic holding, and who would undertake the apportionment thereof?

31782. Most Rev. Dr. O'Donnell.—You would fix the limit at a higher figure than £50?—My point is, we have no right to take any of these farms from tenants who have been living in occupation of them; they are the backbone of the country and ought to be kept there and kept in the state in which they are.

31783. You are speaking of residential holdings?—I am speaking of holdings resided on by tenants. Mr. Finucane says everybody should be treated alike, and if the landlord's land does not go round then go to the big tenants. I say that would be an impossibility.

31784. Mr. Finucane began with untenanted land, and in this category he placed land held on the eleven months' system, then non-residential farms, and finally he said if under these two heads you do not have enough land to go round you should take land from the large graziers?—Yes; the large tenants who are residential tenants.

31785. It does not follow that the power would be exercised, but don't you think it would be well that a body charged with relieving congestion should, in exceptional circumstances, have the right to say to a man with a large acreage of grass land that some of it should go at a reasonable price for the relief of congestion?—I do not think so, for this reason. Here is a tenant farming a hundred acres of land at a valuation of £75. He is farming on the basis that he has got that farm and knows what it can make. I do not think you have any right to cut that man off from any part of his living, and by restricting him you would throw his whole farming operations out of gear.

31786. You probably make the case in which that size of farm would be necessary for a man's family. But what would you say to a much larger holding, one of 500 acres?—I say still you ought not to take it.

31787. Mr. Sutherland.—What about a farm of a thousand acres?—I do not think you will find very many farmers in Ireland who have a thousand acres.

31788. What is the limit of the largest. Do many go above 500 acres?—I do not know very many.

31789. Most Rev. Dr. O'Donnell.—Your objection seems to be touching the residential man?—Yes; the residential man who is living in the country and is of use to it.

31790. You do not equally object to taking non-residential farms?—If you give a fair price I think that a person who has a non-residential farm would likely sell it. It is a question of price as regards that farm.

31791. Mr. Kavanagh.—Even if the tenant was working it in conjunction with another farm on which he resided?—I would call that residential.

31792. Two holdings of, say, £25 each?—I would call that residential.

31793. The only non-residential farm then is that held by the man who lets it at eleven months?—That is so in practice.

31794. Most Rev. Dr. O'Donnell.—Or a man who had a second farm at a distance of three miles, where each of the farms was large?—I would not touch that tenant at all. I think if I acted for a landlord in that position, and he was offered a fair price, I would advise him to sell. But if you, as a State, try to do the thing on the cheap, you won't be able to succeed—that is, to get things for less than they are worth unless by confiscation.

31795. Mr. Kavanagh.—But if a tenant lets part of his farm on the eleven months' system, don't you think that would put him in the same category as the landlord doing the same?—If a tenant has let part of his holding on the eleven months' system, and it is a merely temporary arrangement, and he has sons growing up, I would be very slow to move him. If he was a tenant living away and not likely to come back there might be some excuse for touching him, because he is exactly in the same category as a non-residential landlord.

31796. Sir John Colomb.—What about the big farmer who lets in con-acre. Do you put him in the same position?—I do not. He is a tenant, and because temporary necessity compels him to let his land, I do not see why you should take it away from him.

31797. Most Rev. Dr. O'Donnell.—Take another case. Suppose on the hillside there is a population of small men, who out of necessity must take land. But owing to that necessity the large sum of £7 or £8 a year is charged. Don't you think it would be reasonable to stop that system of allowing him to make a great lot out of the land through the necessities of the hillside people?—It is really a question of market, and once you interfere with markets and political economy I do not know where you will stop.

31798. But you would not necessarily interfere with the market by proceeding on the ground that you give him a fair price for his land?—I must decline to go

* See Appendix to Third Report of the Commission [Cd. 3414, 1907], page 118.

into a hypothetical case like that, because it is so far off you may not reach it. It is time enough to discuss that when you find there is not enough land to go round.

31799. You mean the hypothesis that you might not be able to find land for these people elsewhere?—That is so.

31800. And if that were so?—Give me a concrete case and I will try and answer it.

31801. A few days ago we had abundant evidence at Tubbercurry that all round there there is a population such as I have described; they are under the necessity of taking an acre or an acre and a half of the rich land in the plain for con-acre, and they pay at the rate of from £7 to £9 for it?—Well, I personally would not interfere with the tenant who is living in the country in that case; certainly not.

31802. Mr. O'Kelly.—Don't you think it justifiable to apply compulsion to the tenant of non-residential land?—You are talking of compulsion now.

31803. Don't you think it would be as justifiable to apply compulsion to him as to the owner in fee?—Personally I do not agree with compulsion at all, good, bad, or indifferent. I do not think compulsory powers should be exercised except as a very last resort.

31804. Suppose the voluntary principle failed purposely, you would have no objection in the interests of the country to the application of compulsion?—At the next Commission sitting here twenty years after this, I will reply to that question if the voluntary principle is unworkable.

31805. Let me assume that the compulsory system has failed?—If you are going to ask hypothetical questions I fear I must ask you to reply to them yourself.

31806. Most Rev. Dr. O'Donnell.—You must have a view on this question. If the Congested Districts Board provides for these small men at a distance, then apparently this market, which the tenant who lets his land at £7 or £9 an acre has, will disappear, and isn't it as broad as it is long? If the small tenants are removed and go elsewhere the large tenant won't be able to get as much for his land?—He might by taking it out of the land himself. The small man won't pay £7 or £9 per acre for land without getting some profit, and if he is able to do that, the large tenant might be able to do that himself, but land does not make that average price if let for a number of years in succession.*

31807. But if the taking of this land for the small man is a necessity, necessity knows no law?—Quite so.

31808. Sir John Colomb.—I take it you mean that where the market demand for the con-acre of the large tenant has been removed by the migration of the small tenants then if there were no applicants for con-acre letting that would probably drive the large tenant to tillage?—It would, perhaps.

31809. And that would probably lead to the employment of labour?—It would, but I personally do not know any district where there is such an enormous demand for con-acre as that. I know, in Donegal, the other day, a large price was given for odd farms that are taken like that for odd cropping, but not as a constant thing.

31810. Most Rev. Dr. O'Donnell.—I understand it prevails in Tyrone and also in parts of Donegal, the con-acre being on large farms?—In East Donegal, such as Ramelton, you will find a man will take the whole of a small farm for con-acre if the owner happens to be away in America, Dublin, or elsewhere. Other people let land for con-acre, but at nothing like that price.

Most Rev. Dr. O'Donnell.—The price I have given is that to which witnesses testified to at Tobercurry.

31812. Chairman.—Is there anything else you wish to say?—Yes. I refer further to Mr. Finucane's evidence as follows:—Question 15756—There is no sign of a crash in the letting of grazing farms; on the contrary, grazing farms are letting at a better price this year than last, and the importation of Canadian stores would probably make them let even better. Paragraph 3 would mean the spoliation of a certain class of tenant farmers, who would resist such a policy to the last. Question 15821—The improvement of estates is more than a question of staff. The Congested Districts Board have hitherto carried out their work in districts where labour is plentiful. Assuming that the Estates Commissioners cut up and square an estate, say near Elphin, the cost of imported labour would be enormous. Question 15885—Mr. Finucane appears to estimate his figures on the assumption that the landlord has not got to redeem any charges, has no costs of sale to pay, not to speak of the fact that he loses 20 per cent. of his income at least for four or five years while the sale is going through, and his risk of loss in selling out securities in which the Land Commission invest his money pending distribution. Question 15890A—It is quite true that the causes mentioned by Mr. Finucane may have originally created the congested districts, but up to a short time ago the people had not had any chance of learning how to make the best of the material they had at their hand. Taking him all round the Irishman will work well and hard when he is putting in his potatoes and saving his hay, but in most cases he has not seen that by steady industry, in work such as draining, shovelling his land in winter, and the like, he will make much more of his holding. I think that this could be changed by a very cautious system of migration when possible, but more especially by raising his standard of living where he is at present by making him in the first instance owner of his holding, and in every possible way encouraging him to improve it—a class of work that has been most excellently done by the Board in other counties. Question 16051—I do not see on what ground Mr. Finucane can take twenty-six times the tenement valuation as a fair price to be given for land. He gives no reason for his assertion, and further (Q. 16077) he appears to refuse to accept as evidence of value the rent that an owner or occupier may have received in the open market for a number of years for his land. A grazier does not take land for the benefit of the landlord but to make a profit out of it himself, and the Land Commission (Q. 16087) fix a rent, taking into account the fact that there is a sitting tenant in the land. The gross acreable rent in the Pink Schedule is never the full rent that could be got for the land if let to a solvent and respectable tenant who took it to make a living on it. Statistics of untenanted land in Leitrim (in Mr. Ginnell's Parliamentary Return) are quite unreliable, as the bulk of the land called untenanted is mountain. A further reason why the Congested Districts Board should be left to carry out their work is that further duties are being thrown on the Estates Commissioners by the Bill of 26th February, 1907, in which they are charged with the development of mines and minerals, which, by the way, would be probably much better done by the Department of Agriculture.† The Congested Districts Board no doubt have made mistakes, and would be the first people to acknowledge the fact, but they have much more experience than the Estates Commissioners could possibly have, who, if they took up their work, would have to learn the business from the beginning. I am a landlord, a tenant, and a land agent. I own over 2,000 acres of land in Leitrim, most of which is mountain, on which I keep Scotch sheep. I pay £300 yearly in labour, and generally keep a pedigree bull for the use of my neighbours. I have a small estate in Limerick, most of which I farm. I live on an uneconomic holding, and have to send out my family to earn. I superintend farming on an estate in County Kerry, where we do a great deal of tillage and dairying, and pay a labour bill there of £450 yearly. I also superintend the management of a large demesne in Sligo, on which we pay an average labour bill of £1,200, not taking into account the wages of watchers, etc. I manage estates in most of the congested districts in Leitrim, and also in congested parts of Mayo, Sligo, Galway, Cavan, and Kerry, and have had considerable experience of the management of congested estates in Donegal and Clare. I can show rentals comparing the rents of congested districts before 1800 with the present time, and can depose to landlords' expenditure in main drainage, planting, etc. I hand in list of prices received for holdings within the last few years.‡ As regards the list of prices, it is

Note by Witness.—I was not informed by the Commission as to how much land was let at these rates, whether with or without manure, and whether this was a regular price obtainable for a particular plot of land.—G. H.

† *Note by Witness.*—I should like to say that time prevented my giving any evidence as to the stage at which, in my opinion, the Department of Agriculture could profitably take up some of the work of the Congested Districts Board.—G. H.

‡ See p. 264–9.

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rather interesting to note that in one or two cases where a holding has been sold twice the price the second time is always in excess of the first sale. I will give one instance. There was a holding sold in 1888 for £60, and in 1895 it was sold for £180. There was another holding sold in 1898 for £437 10*s.*, and in 1901 it was sold for £465.

31813. Most Rev. Dr. O'Donnell.—Doesn't that show a most extraordinary demand for holdings?—It does. I have a most interesting return showing 40½ years' purchase. I have rather interesting statistics as to the price of commodities in 1735.

31814. How is that record kept?—It is a book that was handed to me with other documents of the estate. It shows that 37 tons 14 cwt. of straw was sold for £24 10*s.* 5*d.*, and thirty sheep and a cow for £4 10*s.* 3*d.*

31815. Taking that price for the straw and considering the value of money then and now, the price then would not be much lower than now?—I should say as regards the sheep it would certainly.

31816. One cannot know what exceptional circumstances entered in?—You can look it right through here.

31817. Sir John Colomb.—I see you yourself spent £300 a year in labour in one estate of your own?—Yes. I still spend it.

31818. Do you find, as every class of men here and on the other side of the water find, that although you may spend £300 a year in labour in Ireland you have to emigrate your own family—your young people have to go elsewhere?—Yes.

31819. That is the universal experience with all classes in the United Kingdom?—Yes. I had not time to look over Mr. Bailey's evidence carefully, but there is just one point I should like to draw your attention to. He says (Q. 16386) everybody knows as regards a great deal of land in the West of Ireland that were it handed back to the owner he could make nothing out of it.* I do not at all agree with him. If a congested estate was handed back to the landlord, I think the landlord could do a very great deal more with it than probably he is getting for it.

31820. Most Rev. Dr. O'Donnell.—Such an estate as the Hill estate could not be made much of in the absence of occupiers?—I think it could. If you were to migrate all those Hill tenants to a good country, I would very much rather have the whole estate in sheep than occupied by people who are paying 5*s.* to 10*s.* in the year.

31821. That was tried, and did not succeed very well?—But was the whole place cleared?

31822. Well, there was a sufficient quantity of it cleared?—The place was not fenced or properly worked, I am sure. Further, to Question 16386, the witness says we all know as regards a great deal of land in the West of Ireland if it were to be handed back to the owner, and if he could not get a tenant to cultivate or pay rent he could get practically nothing out of it. Well, if you could not work it or get a tenant, of course you won't get anything out of it.

Rev. Francis O'Hara examined.

Rev. Francis O'Hara.

31823. Chairman.—You represent the United Irish League?—Yes, I represent the Ballaghameehan Branch.

31824. What particular point is there that you want to bring before the Commission?—The parish priest of the parish was to have represented the place here on yesterday, but was unavoidably absent, and he asked me to come here. I happened to be here yesterday, and I was greatly surprised to hear evidence that was given against the Congested Districts Board. It is the only Board that has ever done anything for the country.

31825. Sir Francis Mowatt.—Country or county?—I would say both one and the other. It has the confidence of the people, and very justly so, because it has benefited them as far as it possibly could and as far as the people could receive the benefit from it. I was greatly surprised to hear that anyone would have said anything against it, or that it did not do this or that. There was one case mentioned—the case of three properties that were put before the Congested Districts Board for purchase. The last of those three at least I had certain knowledge of. Probably twenty years ago the land was taken over, and if I do not mistake, the land was evicted land. It was an evicted farm, and it was left there for years, and a gentleman came from Scotland, took over this land, and built on it; and then, inside of twenty years he turned round and, I suppose, wanted to make capital out of it, and sell it to the Congested Districts Board. Very probably some of the tenants, some of the people of the neighbourhood in whose knowledge this was went away and gave private word to the Congested Districts Board about it—that it was evicted land. From the evidence of Father Meehan, who made the complaint in this case, I should have assumed that the correspondence was attended to, but the would-be vendor failed to answer the queries of the Congested Districts Board, the correspondence dropped, and the sale fell through.

31826. You say probably they did that?—I don't know anything about it except what I heard on yesterday, but I know this of my own knowledge. This land was for years and years there until this man came from Scotland and took it over and built on it. It was not the residence, and did not belong to the family. It was because no other one would touch it he got it conveniently. He wanted then to make more profit out of it at the first opportunity he got.

31827. Most Rev. Dr. O'Donnell.—You think that is not the class of man to receive a big price?—He is not the man entitled to what we would call the benefits that would accrue.

31828. Chairman.—What particular reason was there that the Congested Districts Board should not buy the evicted land?—We say this, if a man were unjustly evicted from a home that he could not pay the rent of, that he could not do it from force of circumstances, and from the times and from everything else; it was his deepest interest to keep it if he could, because it was the home of his fathers, and if after all these causes he could not keep it, he would naturally like to return to it on honest and just terms.

31829. Is it not a great deal more likely he would get it if the Congested Districts Board bought it than if it remained in the hands of the gentleman from Scotland?—Oh, after twenty years it is hard to say where he would be.

31830. If he was no longer available of course that is different. Then he probably would not get it?—He might be available if the other man had not interfered.

31831. In your opinion where land is what you call evicted land that has become vacant owing to the eviction of the tenant, and that somebody has stepped in and bought that land, the Congested Districts Board should not buy it. I want to know why they should not buy it? It seems to me if your object is to get back the evicted tenant that object is much more likely to be achieved by the Congested Districts Board buying than if they do not. I notice you say that the man was evicted, and the other man came in and interfered with his going back?—He interfered with his going back by grabbing his farm, and he encouraged and materially aided an evicting landlord in his nefarious work—grave acts of such glaring injustice that should not commend themselves to the Congested Districts Board, but cry to heaven for vengeance.

31832. Most Rev. Dr. O'Donnell.—Did he pay any money to the evicted man?—Oh, I don't believe so.

31833. You would not consider he paid the price for this evicted holding?—No. I believe whatever he paid it would be only arrears of rent to the landlord.

31834. He did not pay for tenant-right?—He did not.

31835. That is your objection; and you object to his getting the price of the tenant-right?—Yes.

31836. Because if the Congested Districts Board paid him for the tenant-right and restored the tenant it would have to pay twice over?—Yes.

31837. Sir John Colomb.—You said that twenty years ago a Scotchman came?—Yes.

31838. Do you think the tenant was evicted while the Act of 1881 was in operation—had his rent been fixed by the court?—I could not say that. I do not believe that the rent had been fixed by the court. I could not say exactly what time the man had been

* See Appendix to Third Report of the Commission [Cd. 3414], p. 165.

evicted. I would say he came into possession about the early eighties—about 1881 or after 1881.

31839. Then he came into possession while the Act of 1881 was in operation to protect tenants and to enable them to have their rents fixed?—Exactly.

31840. Tell me, do I understand you to say this Scotchman built a house on the place?—I would say he restored and built the house.

31841. Did he do any improvements—was the farm in a better state than when he went into it?—Oh, I believe so. He had capital—the other man had not.

31842. Did the Scotchman bring Scotch labour or was the labour supplied in the district?—I am afraid he was an Irish Scotchman.

31843. Most Rev. Dr. O'Donnell.—We gathered yesterday in that case whoever he is he did not answer the queries of the Congested Districts Board?—It would be hard on him, if he had honestly and truthfully answered their queries. The Congested Districts Board would fight shy of him. I thought it as well you would know of this case, because it was put forward.

31844. Sir John Colomb.—As I understand you, there was a feeling against a man who came here, employed labour, and raised the value of the land with the labour paid for by him. Yet you think that he should not get the advantage of the increased price due to him?—Well, if everything else was all right they would be delighted, but if the foundation was wrong and unjust, no matter what money he would expend there would be no sympathy.

31845. Simply on the ground that it was originally evicted?—Unjustly evicted, I would say. I would not say evicted. There might be cases otherwise, but they would be very rare.

31846. Unjustly evicted, although the Act of 1881 was in operation?—I only speak about the time the man came in. I do not know exactly what time the eviction took place or when the man was evicted. I am not able to say that. I do believe the tenant was unjustly evicted before the Act of 1881.

31847. Chairman.—I gather from what you have said already you are quite satisfied with the action of the Congested Districts Board in County Leitrim?—The only thing I would say is, as Father M'Loughlin said, I would give more powers to the Board and more funds. I think that would be about the sum and substance of it.

31848. Most Rev. Dr. O'Donnell.—You would expect the Congested Districts Board now should pay considerable attention to Leitrim?—Well, I do not believe they ever neglected it when there was a fair case put before them. I do not believe that Leitrim is, after all, exceedingly congested, and I do believe all the cases put before them were fairly attended to.

31849. You think the cases were well considered?—The people are well satisfied.

31850. Chairman.—You see no reason why Leitrim should have a representative on the Congested Districts Board?—I would rather suggest if the Board had an inspector who would go round and see and report on the representations made to the Board by the Parish Committee. I think the result would be as satisfactory as to have a great number on the Board.

31851. You think the present land inspector of the Board is too much confined in certain districts—he does not travel about enough?—I would think that. I know we suffer a good deal from the want of drainage. Our rivers are in a very bad state. Sometimes the houses are flooded, and the people have to leave the houses at night, with danger to their own lives, in the County Leitrim and in the parish I come from.

31852. Would you like to see the Congested Districts Board holding meetings in County Leitrim?—Nothing would be more satisfactory to each district of the county and to the Board itself.

31853. Mr. Sutherland.—Would it take much money to remedy the drainage?—There is one river—it is called the Kilcoo River—running from Kiltyclogher, in the county of Leitrim, to Garrison, County Fermanagh. There are two rocks in this river.

31854. Those are the rocks we heard of yesterday?—It is a different place entirely. I do believe about one hundred pounds would remedy the whole business and do a great amount of good. It would save the arable land along the banks on both sides or banks, and some hundred acres of bog could be drained and reclaimed as a consequence on the Leitrim side. There are two other rivers, surrounded by the only fairly good land in the parish, that do an incalculable amount of damage to the farmers. Some time ago the landlord borrowed money, as was usual for the landlords at the time, at a very cheap rate, with the intention of remedying these rivers. One ran zig-zag for a quarter of a mile where it flows into Lough Melvin. The landlord made a straight bed from the bridge to the lake for this river, thus affording a straight run for the salmon in the spawning season. He intended to remedy the other river which does the most damage by taking a foot and a half or three feet on either side of the bank for a good distance—perhaps for two miles, the whole length of the valley. Some of the people, perhaps one or two, objected. That is one of the reasons why I say that the Board should have, as was said yesterday, absolute power to do whatever they would go in to do—absolute power, so that no one could oppose them. Though the money was borrowed to do this work, nothing was done except to cut a straight bed for the river from the bridge to the lake.

31855. Would those same people object now?—I am sure they would not.

31856. They have seen the need of it?—They have.

31857. Sir John Colomb.—As I understand you, you meant that this farm having been unjustly evicted, it was natural that the Congested Districts Board should refuse or ignore it, and not take up or buy the land—do I understand you correctly?—Perfectly so—that they would not like to have anything to do with it when there was contention and feeling in the country against it. They would say let us settle that amongst ourselves.

31858. Because this land had been at some date in the past unjustly evicted?—And that injustice had been done that had not been repaired.

31859. Tell me this, if that is to be the principle of the Board how would you answer this question. We have it in evidence from several sources that the grass lands of Roscommon are due to clearances and unjust evictions in the past. Do you say that because that is so, the principle is to apply that the Congested Districts Board ought not to touch the land of Roscommon?—Well, I don't know. I think that is a very big question.*

31860. But there is the principle. I am picturing myself on the Congested Districts Board, and having to deal with this question?—I think in this, that is in the Roscommon grass lands, those in possession have prescription and all the rights prescription gives; but in the case of this unjustly-evicted farm, there was no title—he had not paid for the tenant-right—no prescription, for the tenant protested before and after his taking over possession, and afterwards legal societies or combinations, like the old Land League, the United Irish League in his name.

31861. It is just the element of time?—The element of time.

31862. After a certain time the thing must be accepted?—Very probably all the parties have passed away. Very few of them could be had to make the business so glaring as it was even ten or fifteen years ago.

31863. Can you tell me has the case of the evicted tenants of those lands come before the Estates Commissioners now that all these inquiries are being made?—I am removed from it. I am sorry the question was not put to the gentleman yesterday. With regard to the Congested Districts Board speaking of Leitrim, it is peculiarly a county for good butter. Perhaps in the United Kingdom or in Europe I do not believe you would get better butter than in the County of Leitrim, and it came to my mind frequently if the Congested Districts Board put before them to have dairies, to make an allowance or to make grants to have dairies built. Where they are giving grants under the seven pounds valuation—and it was put whether it should not go to ten or fifteen—we have too many applications for what we can get, even under the seven pounds valuation. I think nothing could be done that would benefit the people more than to have dairies built for them.

* *Note by Witness.*—What I meant by a big question was that Sir John Colomb might as well have made a comparison between the case I put forward and the confiscated estates, as between this case and the evicted grass lands of Roscommon.—F. O'H.

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31864. Most Rev. Dr. O'Donnell.—Cottage dairies?—Yes, cottage dairies.

31865. Sir John Colomb.—You suggest to increase the amount in working cottage dairies through the parish committees?—Yes.

31866. Chairman.—What is your parish?—Ballaghameehan and the Electoral Division of Ballaghameehan. We have two congested districts in it, Rossinver and Glenariffe.

31867. What union is it in?—Manorhamilton.

31868. Any other point you would like to make?—I remember meeting with Professor Baldwin. He was out on the Sub-Land Commission, and he told me that he had been in Leitrim before—perhaps fifteen or twenty years before. It was during Griffith's valuation. He said he knew Ireland very well, but that he did not know any part of Ireland or any county that had suffered so much as Leitrim.

31869. In what way?—From climatic influences—from the nearly constant rain we have in it. He said that the surface of the land had fallen. I could not say whether it was two or three feet from the time he knew it first up to that time. It is the practical experience of the farmers in the country that the land has deteriorated at least a fourth in the last thirty or forty years.

31870. Sir John Colomb.—Am I to understand that there has been such a diminution in depth of soil by falling?—The surface of the land has fallen as if it suffered from an earthquake.

31871. Might that not be accounted for by taking everything out of the land and putting nothing into it?—The late Colonel Tottenham, M.P. for North Leitrim, once said in the House of Commons that the best manure that land could get was to salt it well with rent. If that be so, Leitrim got plenty of it and more. The people of Leitrim are industrious and hardworking.

31872. Mr. Sutherland.—I presume what the professor meant was that denudation by rain had carried away the soil?—No. He meant the land had fallen of itself.

31873. Most Rev. Dr. O'Donnell.—Mr. Sutherland suggests what Professor Baldwin meant was that the lowering had occurred through the washing away of the soil?—I don't know. I don't think that would happen. In grass lands the soil would not be washed away. The substratum of the land might be such that the rain would make the land fall.

31874. Mr. Sutherland.—The drawback is excessive rainfall owing to your having more mountains than other counties?—Yes.

31875. Sir John Colomb.—Do you know if the rainfall is greater in Leitrim than other parts of Ireland?—In the mountainous districts and bog there is bound to be rain.

31876. Chairman.—I am afraid we cannot labour that point, sad as it is?—I only gave it for what it is worth. Though Professor Baldwin was one of the greatest authorities in the United Kingdom, when he gave his decisions and reductions in rent, in every case his decisions were appealed against, and when they came to the Head Commission the rents were raised back again, even on the Professor's decisions.

31877. Sir John Colomb.—He was well known, and had great agricultural experience in Ireland?—That is so.

31878. Was he not looked up to as a great authority upon the economic and agricultural conditions of Ireland?—Yes.

31879. Is it not a fact that he urged on the Government in Committees of the House and elsewhere the importance of establishing some Board exactly like what the Congested Districts Board is now—are you aware of that?—No, I was not.

31880. That is so?—We thought it very strange that when a man with his authority and experience and knowledge would go and give a decision, that afterwards the Head Commission would come in and a party would drive through, never visiting the land and never examining it, and raise it one-half at least of whatever reduction he had given.

Rev Terence C. Connolly examined.

Rev. Terence C. Connolly.

31881. Chairman.—Whom do you represent?—I have been asked to represent Manorhamilton Rural Council here and the fishermen at the Leitrim coast.

31882. What points do you particularly wish to mention?—I wish, as the other witnesses have been doing, to put a few ideas before the Commission. I would like to point out that North Leitrim is a portion of the country that requires the most parental care from Irish public boards. It has been represented again and again that it is a very poor district. In the past, from various causes, social and political and natural causes, it has suffered a good deal, and very little has been done for it. We are losing about 900 per year of our population in North Leitrim, and our average valuation is the lowest in Ireland, I think. We have lost eighty-six thousand (86,000) people from this county since the year 1841. The people in that year were eighty-six thousand (86,000) more than at the last Census.

31883. Most Rev. Dr. O'Donnell.—What is it now?—The population at the last Census was sixty-nine thousand (69,000), and we lost an eighth of the population between 1881 and 1891, ten years. Now, some years ago we had industries in this county. Flax was a very important industry in North Leitrim some years ago. The flax industry has disappeared from us—absolutely disappeared. In the year 1905-06 there were only three acres of flax in Leitrim.

31884. Sir Francis Mowatt.—Is there a market for it when it is grown?—Well, of course, I expect the market follows produce—not produce the market. If you started a market at present I am afraid it would be a very empty affair.

31885. You don't think that flax is produced to sell in the open market, but that the market is created to buy flax?—I don't think so. The sprigging industry was an important industry for women some years ago, but it has almost disappeared.

31886. Most Rev. Dr. O'Donnell.—Is it what you mean to convey that if the flax were produced there would be a market?—Certainly.

31887. Chairman.—If flax were produced without a demand for it it would create the demand?—Yes. If produced here a market would be available.

31888. What makes you think that?—We had nineteen scutch mills in North Leitrim about thirty-five years ago, and not one to-day, as far as I know.

31889. Does not that look as if the demand for home grown flax has fallen off?—Is there not a market in the North of Ireland—in Cavan and Monaghan, and if there it can be here.

31890. There is very much less grown in the North?—But it has absolutely disappeared here, which cannot be said of the North.

31891. It is grown very much less there, and would they not be the first people to increase production if there was a market?—I am not touching on the question of increase, but absolute disappearance.

31892. Would you suggest that people should start growing flax without any sign that they are likely to be able to sell it when grown?—No.

31893. What do you propose?—You assume there would be no demand, which I respectfully deny.

31894. The only point is this, it looks as if every year more and more flax is being imported from abroad as against home grown?—That is true.

31895. That is probably a natural thing, and extremely difficult to check. There may be very good reasons for it?—I lived in Cavan and I saw farmers taking in forty pounds (£40) for an acre of flax.

31896. You know that flax has to be steeped?—Yes.

31897. Did you ever hear that if it is treated in running water it makes the flax much whiter than any treated in a stagnant pool?—I did not.

31898. I am told it is so. Did you ever hear that flax can be so treated in Belgium and cannot be so treated in Ireland?—I heard there was a difference in treatment, but I did not know in what the difference consisted.

31899. The white flax brings a much higher price than the flax that is treated in a stagnant pool?—That I believe to be one of the reasons.

31900. Most Rev. Dr. O'Donnell.—It is said that in some of the northern counties within the last few

years, there is a little revival in the flax industries, and that more is being cultivated?—I think that is certain. There were eighty acres of flax in County Louth last year.

31901. CHAIRMAN.—Have you any record of what there was in County Louth thirty years ago?—No, but I have known it to be in this county, and I think it is a lost industry that might, to some extent, be revived. It is from that point of view I looked at it. There was a kelp industry in the north end of the county. This county has a seaboard of nine or ten miles, between Sligo and Donegal, and there was a very valuable kelp industry which I think has practically disappeared.

31902. Do you know of any particular reason why?—I know the price has gone down very much.

31903. Why?—I don't know, but I suppose something occurred with the market for iodine.

31904. Sir FRANCIS MOWATT.—Did you hear that iodine is now produced from other things?—Yes, I understand so.

31905. And that it is not the most economical way to produce it from seaweed?—Yes, but those people are content with a very small wage.

31906. Is it not the law of modern commerce that things should be produced from the cheapest and most natural products?—Certainly, except one is a Protectionist. But cheap labour has also to be taken into account.

31907. Is it possible to maintain an industry which has to compete in the open market unless you do so?—Well, I think it is an industry that can and is paying a small wage in other districts in Ireland. These people are content with a very small wage, because they have nothing else to do. In the district I speak of the average valuation is about three pounds. They live by fishing, and I wish to point out that for that district nothing has ever been done. It is in the electoral division of Tullaghan, and in the Union of Ballyshannon, and is at the extreme north end of our county, where we have a seaboard which is almost forgotten.

31908. CHAIRMAN.—Of course the kelp industry would benefit a very small number of Leitrim men. You mean those on the seaboard?—Those people have asked me to say a few words on their behalf. There would be about forty or fifty families of them.

31909. Most Rev. Dr. O'DONNELL.—They applied for a boat-slip or small pier?—They have absolutely no place to land a boat in. It is one of the finest places for the fishing industry in Ireland. They have never got anything in the way of instruction or fishing gear, and they have no place to land a boat except to pull it up over the broken rocks.

31910. Have they made up their minds as to the best place for a pier?—I don't know. I think they are a very deserving party. A pier somewhere would be better than nowhere.

31911. Sir JOHN COLOMB.—Are you aware that Mr. Green, the head of the Fishery Branch of the Congested Districts Board was down there recently and made inquiries?—I heard he was down.

31912. Did the people of the district, or you, representing them, see Mr. Green and talk the matter over with him?—They did.

31913. How long ago was that?—I am sure I cannot tell. I expect it would be several years ago.

31914. Not more recently than that?—It is almost that time now. They take haddock and whiting and codfish and lobsters there. They are very skilful men if they got a chance.

31915. Most Rev. Dr. O'DONNELL.—You know that locality well?—Yes.

31916. Do you consider that a work of the class that would suit these fishermen, would be very advantageously placed near Tullaghan?—Yes. I think it could be economically made at Tullaghan or near it.

31917. You are aware there has been some difference of opinion, locally, as to the place?—I am, but I daresay they would leave it to competent authority to decide.

31918. Has the county surveyor ever been there to pronounce an opinion?—I do not know that. We have, in North Leitrim, a very valuable coal mining area, and it is absolutely, I may say, undeveloped. I think it is a most important and serious thing for it. You could get very good coal for ten shillings per ton at the pit mouth. It is about sixteen miles from where we are sitting (Manorhamilton), going to the south. There are fourteen hundred acres of mining rights. Except what one enterprising man is doing, there is absolutely nothing done. He is giving employment every day in the year to thirty men. While you can buy coal at the pit's mouth for ten shillings, we have to pay twenty-one or twenty-two shillings, because we have to get it drawn sixteen miles.

31919. Sir JOHN COLOMB.—That is the same company Mr. Hewson gave evidence about—Arigna?—No. I presume Mr. Hewson was speaking about a company you are likely to hear about in Carrick-on-Shannon. I am speaking of North Arigna, which is really the best coal and a very important industry.

31920. CHAIRMAN.—I suppose coal from Arigna goes that way?—Yes.

31921. You want some transit facilities down to this side?—Yes, very much down here.

31922. So as to bring the coal this way?—Yes, in North Leitrim on to Irvinestown, and Tyrone, and Enniskillen, which is a place where a good deal of coal is wanted. There would be a market to Fermanagh.

31923. Sir JOHN COLOMB.—What is the distance of the coal from Manorhamilton?—Sixteen miles.

31924. Mr. O'KELLY.—You have not a railway to Arigna?—There is no railway in North Leitrim.

31925. At all?—Practically. The Sligo and Northern Counties line runs by here.

31926. How far is the nearest railway station?—Manorhamilton is a station.

31927. Was there not a proposal to connect Arigna with some local town?—There is a proposal to connect it with Dromahair. Personally I do not believe in the soundness of the scheme, but a good many clever Leitrim men do. I should be sorry to see it go through.

31928. Did not the Government propose to give a grant, conditional on local assistance being forthcoming?—Well, I am not aware.

31929. In the shape of a guarantee?—Even if they did they will give no guarantee in this county.

31930. Would the people affected on the proposed line of route give a guarantee?—No.

31931. The result is they have to give more for their coal. What was the proposed guarantee?—I really do not know.

31932. In County Mayo we have several of our lines guaranteed, and the amount is not very great, while the compensating advantages to the people can hardly be measured?—There is a great deal of turmoil about the guarantee for the Cavan and Leitrim Light Railway.

31933. Do you think if the matter were put impartially before the ratepayers, or before those who would be interested in having the railway constructed, and if the loss would not be very much, that they would agree?—They would, but I presume the men going to America and England and Scotland see railways can be run without poor farmers putting their hands in their pockets.

31934. CHAIRMAN.—Arigna is a terminus?—That is the company at the south.

31935. The Cavan and Leitrim end?—The railway ends in a bog, away about two or three miles from the coal.

31936. As the crow flies from Sligo to Manorhamilton, on which side?—All the pits are to the south of Manorhamilton, sixteen miles south from here. Of course the railway passes just here, but it could never do any good for that district.

31937. Sir JOHN COLOMB.—I see Leitrim pays six thousand seven hundred and fifty-nine pounds (£6,759) for guarantees of railways and harbours?—They are in a very perfect state of contrition about that. They will never do it again. That is just the reason they will never do it again—they did it once.

31938. They won't do it again?—You may guarantee that.

31939. CHAIRMAN.—Where would you like to see the railway?—Coming down from Drumkeeran to somewhere about a mile to the west of Manorhamilton, and down through Glenade to Bundoran, or through Ballaghameehan to Belleek.

31940. Carried on across the other line?—Yes.

31941. The shortest point would be Dromahair?—Yes, but when you got there you could get no further, because you have two big ranges of mountains. Besides, I don't see the use of coal carried over rail

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competing with that obtained over water. You will not sell it in Sligo.

31942. You would like it to Drumkeeran and on to Kiltyclogher?—It would not go so far to the east.

31943. Is that the route which this county as a whole would support?—Well, the matter has not yet been put before them very clearly. It will be for it if it comes to practical work.

31944. Mr. O'Kelly.—I see here, in the Statistical Abstract for the county,* you pay six thousand seven hundred and fifty-nine pounds (£6,759) for railway guarantees to make up a deficit?—Yes; the Cavan and Leitrim line.

31945. And you get back in the shape of a contribution from the local taxation account four thousand two hundred and ninety-five pounds (£4,295)?—Yes.

31946. Is that guarantee spread over the entire county?—Over the benefiting area.

31947. How much is it in the pound?—I don't know.

31948. About a shilling in the pound. If it were spread over the county it would be almost infinitesimal?—I have given some thought to what I consider the wants of North Leitrim. We want a railway something like the one I have outlined. The roads are in a very bad state. No county in Ireland would benefit more by some such scheme as Lord Iveagh had in his head.

31949. Chairman.—The motor scheme?—Yes; the motor scheme. We want re-afforesting in North Leitrim. I think it is one of the poorest——

31950. You remember the reason Lord Iveagh's scheme broke down was because the roads were so bad. The County Councils could not spend enough money to put them in order. They could not run up taxation?—We paid five shillings and eleven pence (5*s.* 11*d.*) last year for houses.

31951. How would Lord Iveagh's scheme benefit the roads?—Agricultural produce could reach markets.

31952. But not the roads. He pre-supposes the roads are improved?—Oh, certainly. I am pointing out one of the evil effects resulting from bad roads. I am afraid our County Council will not be able to induce the ratepayers to put the roads in better condition.

31953. Mr. O'Kelly.—To accommodate the roads to the scheme you will have to make an enormous expenditure?—Yes.

31954. In our own county it was proposed to run a service from Ballina to Belmullet and it would cost twenty thousand pounds (£20,000) to put the roads in repair?—I think the few main roads might be put in order. We don't want to do every little scrap of road in the county. I think the few main roads would be enough for some time.

31955. Sir John Colomb.—Is it not the case that the County Councils can borrow money at a low rate of interest?—Yes, but I suppose the interest has to be paid by the ratepayers. That is a way of running up the rates.

31956. I make out from the returns that the poor rates are a little lower. The rate is lower than from 1881 to 1891?—In this county, a little.

31957. The poor rate, certainly, by the figures?—It is one consolidated rate now.

31958. I know, but do you contend that the rates are a great deal higher now than they were?—I don't put it that way. I say at present they are so high that it will be impossible to induce the ratepayers of this county to allow them to go any higher for the benefit of the roads. You will find in Thom's Directory we are supposed to have fifteen hundred (1,500) acres of forest in North Leitrim, but I don't know where they got them. I say it is one of the things we want most—a scheme of reafforesting. There is very little drainage here.

31959. Chairman.—Do you think it would be a good plan?—It is very wet, very damp. It is exposed to the sea. We are within twelve miles of the sea.

31960. Do you think the planting of trees would lessen the rainfall?—No; but the bad results of the rainfall. It will give shelter to cattle and make the country more liveable and help the drainage of the district, the natural drainage. In other words, if you get the land covered with a good piece of forest the roots of the trees have a good deal to do with keeping the district open.

31961. Most Rev. Dr. O'Donnell.—They absorb the moisture?—They say it is a good thing for the public health.

31962. Chairman.—It tends to increase the rainfall?—I am not saying it has any effect on the rainfall, but on the evil effects which follow from rainfall.

31963. Would you suggest that there should be a number of small plantations or a few large plantations?—I would suggest that there should be large ones. Of course, if you asked would I have six large ones instead of twenty small ones I would rather have twenty small ones than the six.

31964. Would you take a hillside and plant the whole of it?—Yes. I would be glad to see the hillsides from the county road covered to the heather. If we could run pieces up of about two acres across I think it would be a magnificent thing. We have no wood in this county. If we want to do anything in the wood industry we are lost.

31965. Sir John Colomb.—The land you propose to plant is on the hillsides?—Yes.

31966. That land is now used in some way, cattle and sheep running on it?—It is. It would be very easy to clear it for this purpose.

31967. There are tenants now using it?—Yes.

31968. You do not apprehend any difficulty over compensation to them?—Not the slightest. You will find some tenants who are public-spirited enough to allow the work to be done and facilitate it without any compensation whatever.

31969. I see there is a great deal in this return of what they call untenanted land on these mountains. That is to say they are sheep runs. Have you gone into this subject deeply enough to be able to know whether it would be likely that trees would pay better than the sheep?—Well, the sheep are not paying, for we have not got them. It is marvellous how the sheep in North Leitrim have gone down.

31970. Are not these mountain tracts occupied with sheep?—To some extent, but the sheep are not doing well on them. The total number of sheep in Leitrim last year was thirteen thousand. There is no other county in Connaught can compare with it. Galway had five hundred and seventy-seven thousand; Mayo, three hundred and six thousand; Roscommon, one hundred and sixty-five thousand, and there is Leitrim with thirteen thousand.

Sir John Colomb.—Thirteen thousand nine hundred.

31972. Chairman.—Are there now fewer sheep than formerly?—Nearly a thousand of a fall last year. We lost a thousand from 1905 to 1906.

31973. Your opinion is these mountain slopes would be more profitable in trees than in any sort of stock?—I do not say that, but I say even for the sheep-walks it would be much better to have one-fourth of the surface in trees, and we will have wood and better sheep.

31974. Most Rev. Dr. O'Donnell.—Better shelter?—The locality will be sheltered for all stock.

31975. To what do you attribute the small number of sheep?—I do not know what to attribute it to, but unfortunately the question can be asked of nearly all our agricultural resources.

31976. Sir John Colomb.—Must you not take it relative to the amount of land. For instance, in Roscommon and Mayo the area is bigger and the land more suitable?—There is no proportion, even relative, between the number of sheep in the counties named and Leitrim.

31977. You worked it out?—Yes. Take County Leitrim. In turnips we had three hundred acres less than the year before, seven hundred and eighty-one acres of turnips in the whole county. In the whole county we had only two hundred and seventy-one acres of mangel. We lost a thousand acres of cabbage from the year before. We had three acres of vetches, and one fine acre of rape! And our total number of acres of flax was five in the County Leitrim. Now, coming to the stock in Leitrim we lost a thousand in the number of sheep. The total number of horses in Leitrim last year was five thousand; Galway, twenty-eight thousand; and take County Roscommon, eleven thousand.

31978. Chairman.—You have not got the number of horses before?—We cannot have the horses they have in Roscommon.

31979. It is difficult to compare one county with another?—It is, but where you see such a relative difference——

31980. Has there been a falling off in horses?—Not a falling off. There are two hundred more, but

* See p. 352.

we have only four thousand seven hundred and ninety-nine. It is the one thing we have an increase in, but still it is an extraordinarily small number. There is no other county in the province has less asses—that is a sort of consolation.

31982. How about cattle?—The total number of cattle has gone up. Three thousand last year—that is horned cattle. Now, take the pig industry. The bacon industry used to be a very important industry in this county, and still could be made a very important industry. The total number of pigs in Leitrim is twenty-four thousand, nearly twenty-five thousand. And take a county like Roscommon, which is largely grazing, where they had thirty-eight thousand in it.

31983. Sir Francis Mowatt.—Did you say the pigs had fallen in County Leitrim?—Not fallen, but there is no comparison in the number. The number of pigs has gone up nearly a thousand from the preceding year.

31984. Mr. Sutherland.—So that there has been no increase except in the case of horned cattle and pigs and horses?—Yes. What I am arguing principally is the absurdly low number still.

31985. But unless you take the conditions of the county into account there can be no comparison?—But really Leitrim should have as good a pig industry as any part of Ireland.

31986. Most Rev. Dr. O'Donnell.—If agriculture were more prevalent pigs would have a better chance?—Yes.

31987. Sir John Colomb.—Taking comparison between Leitrim and Mayo and Galway do you recognise that Galway is three times and Mayo five times the size of Leitrim?—Yes. Of course, I recognised that, but you have some of the worst bog and tracts of the worst land in Ireland in County Mayo. We have no big tracts of bad land here. We have little lots. There is great need of instruction on manuring in this county, to my mind. We have a lot of very grey hills in this county, they are hardly green hills at all. They are actually white, bleached, and there is a great deal of land that is not economic, simply because it is not properly drained and manured. I believe it would turn out properly if drained and manured. I am afraid the people do not understand much about artificial manures.

31988. You attach the very greatest importance to the drainage work of the Congested Districts Board and the raising of the knowledge of agriculture among the small occupiers and labourers?—It is a vital matter.

31989. I agree with you?—We had a large number of corn mills in North Leitrim forty years ago, and I don't know that there are more than two or three to-day. You see the number of acres of oats we have, seven thousand, and that is five hundred acres less than the year before.

31990. Mr. Sutherland.—Of course the mills go along with the decreasing growth of corn?—Yes.

31991. Sir John Colomb.—They are gone long ago. The corn mills have disappeared all over Ireland within the last forty years practically. You see ruined corn mills all over the country?—I don't care in how many counties, it will never sanctify the principle. I think it is a very serious thing for the country—the idea of a man going to buy from foreign countries what he can get from his own farm. A farmer will come into this town and he will sell a dead pig at a price I made up to be fourpence farthing ($4\frac{1}{4}d.$) per pound, and he will cross over to a shop and bring home a piece of Canadian bacon at sixpence halfpenny per lb. That brings me to another point. I do not wish to touch on politics here, but this is a matter that really is as much economic as political. The people of North Leitrim have been bled white with rackrents in the past. It was the most rackrented district in Ireland. I make the statement, and I question if in any other part of Ireland the Land Courts were obliged to reduce the rents so much as in County Leitrim. Therefore, the Leitrim farmer has not the capital. Talking about the pig, if you asked the farmer why he did that for stuff not half as good, his reply would be, "I got three or four pounds of ready money, and the shopkeeper will do without the money for half a year." Hence I think there cannot be too much done in North Leitrim for giving people capital, to buy manure, to work up their little agricultural industries, to do drainage at a cheap rate.

31992. Would you work such a system through the Parish Committeess?—By the Congested Districts Board.

31993. Through the Congested Districts Board, of course, but then, as the county machinery for doing those things, do you think the Parish Committees would be the best?—I certainly think as far as they could act in the area within their ambit, but you will find very poor and deserving men not in the scheduled area at all. I think this is a thing Parliament should be asked to look to at once. Take this Manorhamilton Union—out of twenty-two divisions we have, I think nine of them are scheduled as congested. You will find that a poor lot of men in a division cannot get a farthing from the Congested Districts Board because they have the advantage of living in contiguity to a few rich men. That is a most absurd state of affairs—five or six well-to-do men, who may be professional men, and because they are living in a division with a lot of poor men nothing can be done for the poor men. Such is the way to penalise people for living beside the rich man. I think it would be a most important thing that the Congested Districts Board would be given money and given powers to work everywhere in a county with the farmer who is under a certain valuation.

31994. Mr. Kavanagh.—You have certain agricultural credit societies in this county?—Yes.

31995. Had you any experience of them?—I have a little experience. I think they do a great deal of good, but they are a very small affair.

31996. You have ten?—They are very small, however.

31997. There is one in this locality?—Within about two miles from here.

31998. You recognise the want of credit to the Irish farmer?—Yes.

31999. Why not start one in this locality?—Yes, but you see the amount of money you could handle in one of these is not very great. Besides, there is a great deal of trouble over it. Down here the priest must do everything. He must run the banks, run the creameries, and sale of the estates—why, the fact is the priest should not go to bed at night.

32000. We all recognise you do a great deal of labour for people?—You have no money to pay officials. If the priest does not do the work there will be a man wanted, and you would have to pay him perhaps a hundred pounds.

32001. At the same time you recognise they do a great deal of good?—There is no better spent money.

32002. Most Rev. Dr. O'Donnell.—You will come to the sale of estates later?—The tenants on eight estates in this county did me the honour of making me chairman, and we negotiated the sale of these eight estates within the last ten years.

32003. That is a sample of the work that falls to a clergyman to do for the people?—Yes.

32004. Sir Francis Mowatt.—Did you say negotiated or carried through?—Carried then through.

32005. Most Rev. Dr. O'Donnell.—Have you a Parish Committee, and, if so, how is it working?—We have, and it is doing very well.

32006. Do you think Parish Committees are on a good basis?—I do so, but I think it is a great pity while we can help "A," we cannot help "B," his neighbour, who is as badly off.

32007. You think the system by which the areas are scheduled is indefensible?—It is positively mortifying, simply because of that absurd arrangement that I have mentioned. The Congested Districts Board have given us in County Leitrim, I think, within the last five or six or seven years very nearly five thousand pounds. There is no one will deny we would be glad to have got more—and we should have got more. I believe more good has been done by the contributions from the Congested Districts Board in North Leitrim than by twice that amount by the Department of Agriculture and Technical Instruction. I would be very glad to see the Congested Districts Board getting more money and getting wider areas in this county, and to see them holding meetings sometimes in the districts and getting the views of local men who are moving about and giving some thought to these subjects. I think it should also be pointed out that the Congested Districts Board as far as we are concerned has administered this money very economically. In some cases I have seen every farthing of the cheque reaching the poor man, not a

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penny stopped for administrative expenses. Now, that is a very remarkable thing, and no other Board in Ireland can have that said of it.

32008. Sir FRANCIS MOWATT.—You mean no salaries are paid to officers for carrying out the schemes of the Congested Districts Board?—Oh, there are.

32009. Would you not call that expenses of administration?—The statement made was that I have seen cheques coming to his county, and that they reached the people they were intended for without a penny subtracted for administration.

32010. Most Rev. Dr. O'DONNELL.—You alluded to the Parish Committees?—Yes. I think they pay an engineer, but it is very small.

32011. The total cost of administration is cheap?—Yes.

32012. You have supervisors?—Yes, there must be one in each Parish Committee, but of course one man can do ten of them.

Most Rev. Dr. O'DONNELL.—Yes, that is quite so. Each committee must have a supervisor, but one supervisor may do several parishes.

32014. CHAIRMAN.—Do you know how many supervisors there are in the county or what their salaries are?—I don't know the number, but I understand that they are paid 10 per cent. on the grant.

Sir FRANCIS MOWATT.—That will be practically about nine pounds to the Parish Committee.

CHAIRMAN.—Don't they have bicycle fees?

32015. Most Rev. Dr. O'DONNELL.—Sometimes the salary and allowance are paid direct from the Board. Sometimes they are paid partly out of the grant, and partly out of the Board's contributions. Then there is generally a bicycle allowance. In Donegal a sum is given to cover locomotion?—I would say more about that North Arigna coalfield, but the other gentleman who has been asked to speak for the District Council comes from that district.

32016. You have written about this county, and have a very intimate knowledge of its industrial condition—is there anything special you would suggest could be done to improve the general condition of the people?—I think I have touched on everything I care to touch on. There are other gentlemen who will make some remarks to you about getting the waste lands cut up. There are a few big places that should be cut up. I think in these remarks I touched on what is of great importance to industries which are the most suitable for this county and which are based on agriculture.

32017. You consider agriculture as such requires the closest attention in North Leitrim?—I do, and industries based on agriculture. I am afraid for factories we have not the raw material.

32018. I was waiting to hear from you whether you considered that for girls there should be such a home industry such as lacemaking?—There should. I was one of the men who committed what some call the sin of doing what I could to start the co-operative creameries. I spent a good many hard days at it. The idea was where a girl was deprived of the industry of churning she would be turned over at once to a cottage industry like lacemaking or sprigging, or something of the kind. I think that matter has not been sufficiently followed up, simply because after the Department of Agriculture was started those who had asserted it before said, "There is enough money now; we will do nothing." The Department are doing it in a sort of way.

Mr. MICHAEL KEAVENY examined.

Mr. Michael Keaveny.

32019. CHAIRMAN.—Where do you reside?—At Spencer Harbour, Carrick-on-Shannon.

32020. Are you a farmer?—Yes, I would like to put before you the condition of the different districts I represent and their poverty, as well as the poverty of North Leitrim generally. In the parish I represent there are three hundred and ninety-five holdings under seven pounds valuation. There are three electoral divisions in the parish congested—Mahanagh, St. Patrick's, and Arigna. Drumkeeran is within the parish and not scheduled as congested, but should be. In those three congested (scheduled) divisions there are three hundred and ninety-five persons with holdings rated under seven pounds. There are one hundred and nine rated from seven pounds to ten pounds, and a total of five hundred and four rated at ten pounds and under. And in the other division in the parish, not scheduled, there are three hundred and fifty-five ratepayers of a valuation of ten pounds and under, which, I think, it is very necessary to have scheduled as well as the other as there are just as poor parties living in Drumkeeran division as in any of the others. A lot of the holdings are valued from two pounds to thirty shillings, and some as low as five shillings.

32021. Sir JOHN COLOMB.—The valuation you speak of includes houses and land?—It does. I would also like to bring under your notice the division of Garvagh, a very poor district, and the district which I represent on the County Council. The holdings in Garvagh below seven pounds valuation number one hundred and three.

32022. Most Rev. Dr. O'DONNELL.—There are ninety-three rated under four pounds?—In the electoral division of Killanummery there is a number of non-residential holdings. The number of registered occupiers is two hundred and twenty-seven holdings; area five thousand one hundred and thirty-eight acres; valuation, eighteen hundred and eighty-two pounds. Of those two hundred and twenty-seven, seventeen are non-residential holdings containing upwards of seven hundred acres and five of which hold three hundred and ninety-five acres valued at two hundred and fifty-five pounds ten shillings.

32023. Sir FRANCIS MOWATT.—Does that include the mountain sides?—It does. Forty-nine holdings are valued at an average of twenty-four pounds three shillings and five pence; one hundred and seventy-eight holdings at an average of three pounds nineteen shillings; the average value of two hundred and twenty-seven is eight pounds five shillings and ninepence; the average value of two hundred and twenty-two of those is seven pounds six shillings.

32024. CHAIRMAN.—Are those in scheduled districts?—No, and that is where Father Connolly's argument would come in very forcibly. There are a lot of people who are unfortunate enough to live beside large landholders and they are deprived of any benefits from the Congested Districts Board because they happen to be living close to large farms.

32025. And while the poverty is as great as in the scheduled area, it is not scheduled owing to the proximity of farms of high rateable value?—Yes. I would suggest that in the case of those farms any of them that would be ever sold should be bought up by the Congested Districts Board to provide farms for the parties who are living in congested areas.

32026. What sort are those farms?—Non-residential. Some of them under grass, and nobody living on them.

32027. Except a herd?—He might be there.

32028. Are they in the hands of tenants?—Yes. I think there are one or two farms that are for sale there. I think there was an application made to the Congested Districts Board to buy a farm, but they declined to buy.

32029. Is there any one big landlord there?—I could not tell. There is one hundred and thirty-eight acres belonging to Mr. Hamilton. I think it is for sale, and very convenient to the congested district. I think it would be very advisable for the Board to buy it and supply some of the poor fellows who are living there.

32030. Sir JOHN COLOMB.—You mean the Board should come to arrangements with the owner to sell?—I may say he is prepared to sell.

32031. You know it?—Yes.

32032. You, thinking that farm ought to be bought by the Congested Districts Board, knowing the owner and knowing that the owner wishes to sell—can you tell me if the owner has written offering to sell?—I have a wire here from the Congested Districts Board refusing to buy. "Rev. Father Briody, Ballingar, Dromahair. Telegrams received. No particulars here as to the farm referred to, but Board would probably not purchase if holding is not on one of their estates."

32033. Most Rev. Dr. O'DONNELL.—Who is willing to sell?—The Misses Hamilton, the tenants.

32034. Is the landlord willing to sell?—I could not tell you.

32035. CHAIRMAN.—You have got a good deal of mountain land?—Yes, hundreds of acres.

32036. A good deal in Killanummery?—I think there is a wonderful lot in it.

32037. Most Rev. Dr. O'DONNELL.—I understand that farm you referred to just now, is sold under one of the Purchase Acts?—I believe so.

32038. Then if it did not require the staff of the Congested Districts Board to work at a great distance from their present operations, you consider it would be a useful purchase for them?—I consider it would.

32039. You would understand that it is an expensive thing to work a property like that at a great distance from the other work of the Board?—I admit that.

32040. So that you should like to see the Board take up a good deal of work of that kind?—There is nothing I like so well. I might draw your attention to a farm in St. Patrick's that was for sale by auction, but there were no purchasers. It was held under the Land Commission The people are so poor around there there were no persons to buy it. If the Congested Districts Board were to buy it it would be very useful in the district. It would give a farm to one or two poor people.

32041. Sir JOHN COLOMB.—When you say an auction do you mean of the tenant's interest?—Yes, the tenant called the auction.

32042. And the people were too poor to offer to buy the tenant's interest?—There are no people in the locality able to buy it. There are seventy-seven acres in it.

32043. Are there not any well-to-do shopkeepers there buying land?—They did buy a good deal of land in times gone by, but I think the times are going hard with them. The farmers are going to the bad and the shopkeepers had to go with them, I think.

32044. Mr. KAVANAGH.—You think as small holdings it would sell better?—Yes, if it was split up.

32045. Sir JOHN COLOMB.—Was it sold?—No; there was one bid of two hundred and eighty pounds.

32046. What was the rent?—About twenty pounds. I would suggest in order to relieve congestion in the districts that some amount of employment would be found for the people in such districts.

32047. Mr. SUTHERLAND.—What do you suggest?—Well, I don't know what I might suggest. I am not a very good judge of those things. The Board is doing important things in other parts of the country. I see a lot of factories getting assistance from the Board, and if they came to our relief now for a few years a considerable amount of good could be done.

32048. Most Rev. Dr. O'DONNELL.—Is there a large number of girls without employment?—Yes, a very large number.

32049. They have not sprigging or lacemaking?—No. They have to emigrate to America.

32050. Where else?—Sometimes to Australia.

32051. They do not go to England or Scotland?—Very few of them.

32052. Take the men—except the land is there anything you would suggest for them?—Well, there is one thing I would suggest, if the Board would make a line from Drumkeeran to Arigna for us. We have a large quantity of plaster of Paris in St. Patrick's. It could be very profitably wrought. We have some of the finest fire-clay, and if there was some encouragement for manufacturing it it would be very useful in our locality. We had a very extensive industry in that way ten or fifteen years ago, but it failed.

32053. Sir JOHN COLOMB.—Do you know why?—I think I partly know anyway. The company were doing splendidly, and they were not satisfied with the work that they had manufacturing bricks and tiles and all kinds and classes of pipes until they set up a public-house in it, a beer shop for porter and ale, and they failed in consequence of starting such a foolish thing.

32054. Most Rev. Dr. O'DONNELL.—The company you say?—I think it would be a flourishing industry only for that.

32055. Sir JOHN COLOMB.—So the bricks paid and the beer did not?—There was nothing done right after that.

32056. Most Rev. Dr. O'DONNELL.—The drink drowned the bricks?—It certainly did, and very nearly more than the bricks. I think if an industry of that kind could be started again it would pay well.

32057. Mr. SUTHERLAND.—Were those bricks exported?—They were, sir, in a very poor way. We had no train accommodation or no railway.

32058. The people of the country would build of stone rather than brick?—Yes, but if it was started now on account of the line going to Arigna it would not be so expensive to carry out the work, and it would not be so expensive to send them to Ballinamore and on to Belfast.

32059. What fuel did they use?—Coal.

32060. Had it to be imported?—Oh, no, we had it in the locality. The company was started at Spencer Harbour. We had Lord Spencer there to christen the harbour. It is on the shores of Lough Allen.

32061. Sir JOHN COLOMB.—Did they make pipes?—Yes.

32602. Did the farmers use drainage pipes instead of stones?—They did, a great many of them.

32063. Did they find them cheaper and better than the stones?—Yes.

32064. There was the demand?—Yes, there was not one left. They had two large steamers, and they sent them on to Limerick.

32065. If the proprietors set up a public-house in addition to the works that were going on successfully, and when they found it was ruining their success, why did they not shut it up?—The farmers had no authority. The company was making the money and they were all strangers.

32066. CHAIRMAN.—Not local men?—No, they were strangers. The farmers of the locality had no control.

32067. Sir JOHN COLOMB.—Certain people—strangers—came up and started an industry of brick and tile making?—Yes.

32068. The company was going on successfully?—At least they appeared to be.

32069. These men got a licence and established a public-house?—That is so.

32070. Then they began to lose their money, business began going from them, and why didn't they abandon the public-house?—I don't know why they did not abandon it.

32071. Is it not a rather funny thing that men putting their money in and getting a profit back should do a thing to lose their money?—Yes.

32072. Most Rev. Dr. O'DONNELL.—Perhaps men under the company rather liked the drink themselves?—It is one of the things I cannot tell.

32073. Sir FRANCIS MOWATT.—Is the public-house there now?—No, the whole thing is away.

32074. CHAIRMAN.—What were the steamers for?—The steamers carried large quantities of coal on by the Shannon to Limerick, and they came up Lough Allen.

32075. And they took away bricks?—Yes.

32076. Most Rev. Dr. O'DONNELL.—Have you a Parish Committee?—We have.

32077. What are they doing with you?—They are doing very well, but they would do a lot better only their funds are so limited.

32078. They are not allowed to work outside the scheduled area?—No.

32079. Is it at the houses they are working?—Fencing and drains and buildings.

32080. CHAIRMAN.—Is there anything else?—I would like if you would increase the funds of the Parish Committee in any case by three or four times more if we got nothing else, to four or five hundred per year.

32081. Sir FRANCIS MOWATT.—Increase the money grant to them?—Yes. At present we have three hundred and nine-five parties entitled to a share of the grant, and when a hundred pounds is divided amongst them it is not much.

32082. Most Rev. Dr. O'DONNELL.—I think it was represented that in Mahanna and St. Patrick's the completion of a chain of roads would have been a great advantage?—It would, sir. We are at a great loss for roads.

32083. Was there a very considerable sum that was offered as a subsidy?—There was.

32084. What I want to ask you now is, knowing the locality as you do, which would be the better expenditure? Money in aid of the construction of the roads, or money to increase the funds of the Parish Committee?—I think where we are so backward we could do with both. We only got nine hundred and thirty-two pounds for the construction of the roads in

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County Leitrim, at least in Manorhamilton Union, as long as I know to 31st March, 1905.

32085. Didn't you have a subsidy for that chain of roads which would nearly come to nine hundred pounds?—I don't know.

32086. I think it would be well over seven hundred pounds?—All that Leitrim got for the making of roads from the Congested Districts Board since it was formed was sixteen hundred and seventy-four pounds, while Donegal got twenty-six thousand nine hundred and ninety-two pounds.

32087. There was two thousand pounds not taken up in Leitrim that was offered?—The reason of that was the people are so overtaxed in this union they could not accept; they could not undertake to go to any further expense as far as the ratepayers were concerned. The people are so poor and heavily taxed they cannot accept an offer like that.

32088. Mr. SUTHERLAND.—The Donegal people evidently do undertake the conditions?—There is no mistake if the ratepayers of the country could afford to lose a pound for the hundred you would give they would be delighted to take it, but they cannot afford to pay the present taxation. You don't know the poverty of the people.

32089. We saw poorer parts of the country than this?—I am quite sure North Leitrim is the poorest part in Ireland.

32090. Most Rev. Dr. O'DONNELL.—In the early days of the Congested Districts Board it did not demand a local contribution to the same extent as it does now. Latterly it has insisted on this?—The money must be lying when we did not get it. We should get it still. The Parish Committees in Donegal got two thousand five hundred and fifty-three pounds, and in Leitrim we got twenty-one pounds in 1905.

32091. In the following year how much?—I have no later amount than 1905.

32092. I think you will find in 1906-7 that there was about fifteen hundred and fifteen pounds earned?—The amount of grant offered——

Most Rev. Dr. O'DONNELL.—For the year ended 31st March, 1905, the grant to Parish Committees was seven hundred and twenty-nine pounds eighteen shillings and tenpence; in 1905-6 a thousand and ninety pounds. But your main contention is right, namely, that there has been a comparatively small expenditure on works in Leitrim.

32093. Mr. SUTHERLAND.—Could you usefully employ more money if you got it in the Parish Committees?—Delighted to get it and work for it as well. The people are very much inclined to earn the money if they could get it.

32094. Is it a better way than giving it in support of industries that won't support themselves?—I say it is a very good thing.

32095. Is it the best, do you think?—We are greatly satisfied with the Parish Committees of the Congested Districts Board if we could get something worth taking, but we cannot get anything worth taking.

32096. Starting industries that no one knows may succeed is a speculative thing. It is of no use if an industry is started and kept artificially going. It is really of no permanent use. It is like the other things that have stopped?—A good deal of that would depend on the parties that had the management. I believe if the same chance were got in our country again the parties would not be allowed to do such things. We would give them all the help we possibly could.

32097. How could you oppose this company stopping the iron works—take that case?—We could not and we would not ask.

32098. What is the good of starting an industry that has to be artificially supported all this time?—I do not think it would have to be artificially kept on.

32099. You would not want that done. If you got money for spending in the Parish Committees you would spend it usefully in making permanent improvements?—We certainly would.

32100. You think the money given to the Parish Committees is better bestowed?—I say it is very useful money. It is the only thing we know. We have not anything else.

32101. After the land is it the best?—I would say it is. I am not prepared to give you an answer on the other things, because we have no industry in the locality.

32102. You would be willing to get an additional grant and to start those industries also?—Yes, if possible. We have some little industry in Tarmon, where the farms churn their own milk at home and send the butter to be manufactured. It is a little industry. We are wonderfully poor, and we applied to your Board to assist us, and you would not give us anything.

32103. Mr. SUTHERLAND.—What do you propose to make—is it a separate creamery or to make small dairies, such as his lordship was speaking of?—

Most Rev. Dr. O'DONNELL.—I think it is a creamery you have?—No, the people churn their own milk and send in the butter to be salted at one place.

32105. Most Rev. Dr. O'DONNELL.—It is a sort of butter factory. The butter is sent in and improved and made to a certain quality?—Yes.

32106. Sir JOHN COLOMB.—You send it away in firkins?—In fifty-six pound boxes.

32107. Sir FRANCIS MOWATT.—Salt butter?—Yes.

32108. Mr. KAVANAGH.—Does that work better than the creamery?—The locality is so poor I think it does. The place is so poor and hilly they could not possibly get their milk to the roads, and the creameries are very far away from us.

32109. Most Rev. Dr. O'DONNELL.—It is a butter factory?—Yes.

32110. Mr. KAVANAGH.—You have creameries in this locality?—Not within nine or ten or eleven miles—ten miles the nearest.

32111. Sir JOHN COLOMB.—Tell me, as to the work of the Parish Committees, have you not done a good deal to improve the sanitary conditions?—Yes.

32112. Removing manure heaps, and so on?—Yes, that is the first thing that has to be attended to.

32113. I see in the Union of Manorhamilton you are spending fifty pounds annually on sanitary officers whose business it was to see that done. Therefore the rates and the State are paying £50 to get work done while the Parish Committee is getting money from the Congested Districts Board to do the same thing. Do you think that is a good or useful system where the taxes are very heavy and the people very poor?—I am not aware any people get any money for removing their manure heaps from their houses.

32114. Have the manure heaps been removed by the Sanitary Officers under the law and under the authority of the Rural District Council, or is it by the efforts of Parish Committees?—No, sir; it is one of the conditions of the Congested Districts Board any man will not get a grant if the manure heaps are not a certain distance from his house. It is not costing anything to the Congested Districts Board.

32115. You do not give the men a little money to remove the manure heap?—No, sir.

32116. Do these sanitary officials do anything at all?—They do a good deal. They do something anyway.

32117. Mr. SUTHERLAND.—What do they do?—They travel the country and see that the manure heaps are a certain distance from the houses.

32118. Make farmers remove them?—They do. I would like to impress on you about a railway from Dromahair to Arigna. We have fourteen hundred acres of land untouched for want of railway facilities.

CHAIRMAN.—I don't think you need go into that.

32120. Sir JOHN COLOMB.—I suppose you are a farmer yourself?—Yes.

32121. Is it your opinion that tillage is going down in the country?—I would say it is.

32122. Is it because it pays better to have the land in grass?—It would be better to have it in constant tillage, but the people are so poor any man or boy or girl has to go away to a foreign country to make a living.

32123. Want of labour?—Want of labour.

32124. It is not the price of labour?—Exactly, sir, want of labour.

32125. Mr. KAVANAGH.—The labour is going away in emigration?—You would not want the people to die of the hunger.

32126. Could they not make a good living by tilling the land?—They could not, the farms are so small and the land so bad, and the season turning against the people. I may give an instance of what happened to myself in 1903. I planted fifteen to sixteen cwt. of potatoes. I had not a seed the next year, and we had to apply for relief seed, if you call them relief so long as you have to pay dearly for them. Last year

out of sixteen cwt. of seed in the ground I had not twenty cwt. to take out of it. It was the same case with other farmers in the country I know. What is the use when a poor man's crop fails telling him wait until next year—would he not be dead next year, or have to go to England or Scotland or America.

32127. In answer to Sir John Colomb you said the land would be very much better if tilled more?—I think so.

32128. You cannot till it because labour is scarce?—Yes.

32129. Would it not be better if the labour remained at home and tried to work the land at home?—It would if they could stop, but what would support them at home? When they will till it they have nothing for it when the whole potato crop fails for a year.

32130. Most Rev. Dr. O'Donnell.—Is it your point that the land they do till is not good enough for the purpose?—Some seasons it does very well; but years when the potato crop is a failure what do you want the poor people to do? Surely they cannot sit down in Ireland and die.

32131. Taking years when the potato crop does not fail, would not the extra labour pay them?—It would pay them that year, but they won't have as much as will do them two years, no matter how good it turns out for one year.

32132. Supposing the farmer got an addition of some acres of good land, what would be your answer?—You could scarcely find good land in our locality.

32133. You were telling us of certain grass farms. Would you till those if they were divided up?—I would, but the farms are so small that it is impossible to live on them. How can a man rear a family on five or six or seven acres with a valuation of thirty shillings?

32134. Supposing you gave him an addition of a few acres of good land, could tillage go on profitably?—It could.

32135. Where is the labour to come from?—Let them stop at home and not emigrate.

32136. Mr. Kavanagh.—Tilling the ground on an enlarged holding would pay better than emigration?—Yes, that is so.

Mr. Patrick Rooney examined.

32137. Chairman.—Where do you reside?—At Lecknarainey, Manorhamilton. I am a District Councillor for the electoral congested (scheduled) district of Glenaniff. I am a small farmer under ten pounds valuation. I suggest that suitable grass lands be purchased and divided into holdings to persons migrated from congested districts.

32138. Where do you propose the lands would be?—Wherever arable land would be found.

32139. You do not mind in this county or any other?—In any part of Ireland.

32140. Would they all be prepared to go to any part of Ireland?—I think they would.

32141. The heads of families?—In some cases I believe that it is the young men that are able to work and not the worn-out old men.

32142. Would the heads of families, the men who have holdings now, go?—In most cases they would. There might be solitary cases where old men, like the lark, would like to die where they lived. Owing to the refusal of the landlords to sell at a reasonable price I think compulsory powers should be given to the Estates Commissioners and the Congested Districts Board, so that untenanted land could be obtained for distribution among the tenants. Where suitable untenanted land is not available in a congested electoral division the Estates Commissioners and the Congested Districts Board should have power to compulsorily acquire land in any part of Ireland for that purpose. Farmers' sons under ten pounds valuation, reared at farming should get farms in order to stop emigration and keep them in the country. Each person getting a farm should be at liberty to inspect it, and, if satisfied with the terms of purchase, as these people should be purchasers not tenants, having the same title to these holdings as other purchasing tenants have. In the case of migrated people the term for repayment should be extended in order to lower the half-yearly instalments. What I mean by that is this, where land is purchased and parcelled out to people migrated there, it must necessarily cost a higher price than the ordinary purchasing tenant pays; and I would suggest instead of sixty-eight years it would be extended as far as possible in order to reduce the half-yearly instalment for the person sent in to this place.

32143. But then the land would be better, so that he would be more able to bear the annuity?—So he would, but I would say where a whole family would migrate from a very congested area that if they were at liberty to sell their interest in the little holdings they would be vacating it would leave them means to be able to stock the new holding they would get.

32144. Yes, but then they would get more advantages. You propose that they should sell the holding they vacate, and that they should get another holding for nothing?—But they require some means to be able to stock that holding.

32145. You would not ask, first of all, that a man should derive the advantage of being able to sell his own holding and then get another for nothing?—That is what would suit them best, if it could be done.

32146. Sir John Colomb.—Would you make it compulsory on the tenant migrating to sell the holding to the adjoining tenant?—Oh, I say to any person in the congested district.

32147. Which might not enlarge holdings in the congested district?—Oh, of course to parties remaining it would be more advantageous for them if they got the land vacated for nothing.

32148. Chairman.—Don't you think if a man who had a poor holding of bad land in a congested area were offered a good holding on which he could make a living on good land in some other part of Ireland he would naturally be glad to go?—It would be better to leave the bad thing behind him and get the good thing.

32149. But would he not go?—He would.

32150. And leave the old holding to be divided up?—Yes, but the people would have very little means to start in the new holding, and if they have to borrow all it will be a very heavy sum yearly they will have to pay—perhaps more than they would be able to do.

32151. The migrant would have four or five head of cattle?—In some cases, and in some cases none, or little or no means.

32152. He would have some head of cattle?—Possibly.

32153. Don't you think he would be able to get along for a year or two letting some of his land by taking in some cattle from neighbours, and that sort of thing?—Oh, I believe he would get on.

32154. Most Rev. Dr. O'Donnell.—Would a loan to enable him to add to his stock, on reasonable terms, be an advantage?—It would be an advantage, and a great one.

32155. Chairman.—You can get that now?—Oh, I am aware of that, but there is this in it, that when you borrow a loan you have to repay that back and pay the instalments. I want to see the ground we are standing on.

32156. Still if he did well on the new holding he could repay it. Lots of people have to borrow money to start a bigger business on it?—Yes. Many will succeed and some will fail. If we were able to start on fairly firm ground it would be so much the better.

32157. Don't you think if he felt he had got to repay a loan to the Board of Works it would make him work a little harder than if you gave him the money right out?—We will work well and do our utmost if we get the opportunity.

32158. Would he not perhaps work as hard as he could if he felt that the future of himself and his family depended on it?—Perfectly right.

32159. And if he had that little loan it would make him put his work into the holding?—Oh, certainly.

32160. Most Rev. Dr. O'Donnell.—Would he not feel it easier to repay the loan by which he had certain cattle, which cattle he would not otherwise have? Once he had cattle corresponding with the loan there would be great inducement to make the stock pay it back?—Oh, possibly. They would do so. As congestion is worst in mountainous districts the mountain grazing in all cases should be secured for

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the tenants at the purchase of their holdings for the purpose of rearing mountain sheep, for clothing their families, and assisting to graze cattle.

32161. CHAIRMAN.—What do you mean, "at the purchase of their holdings"?—That they would be purchasing out the holdings, and that whatever mountain grazing was attached should not be left in the landlord's hands. When a landlord is selling an estate to the tenants the Estates Commissioners should have the estate inspected in order to see if the land is worth the price the tenants are giving.

32162. Sir FRANCIS MOWATT.—That is where the landlord is dealing directly with his tenants and selling to them, the Estates Commissioners should inspect that land and advise the tenants whether they are giving too much in price?—In order to see if the land is worth the price. I will make it clear. It is necessary in many cases to protect the people from themselves, as people in arrears of rent will give too high a price in order to get over the present difficulty. Men with a lot of arrears like a millstone round their necks, sooner than be driven out altogether, are prepared to give the landlord a price the land is not worth, and the chances are they will be unable to pay their instalments. There have been many decrees taken out for instalments where tenants made bad bargains with their landlords.

32163. CHAIRMAN.—For defaulting annuitants?—There were, and there were decrees taken out.

32164. Sir JOHN COLOMB.—It is very rarely the case comes before the court, because the man pays before it comes on—is not that so?—That is when a person is able to pay, but when they are not——

32165. CHAIRMAN.—Have you ever known a case where a man, after he has purchased, has been turned out because he has not paid his annuity?—Well, I don't know many cases of that kind. Why, in fact, it is not very long since the purchase took place in this part of the country, and there is a great deal of defaulters.

32166. Are there any purchasers under the Ashbourne or any of the previous Acts?—Oh, yes, but the prices were reasonable in those days. They are more unreasonable now.

32167. They had to pay 4 per cent.?—Well, the average price was seventeen or eighteen years, and it has exceeded that now. There is no increase in the value of the lands, and the times are not better but worse.

312168. Still, under the Ashbourne Act, or old Acts, you do not know of any case where a man has been turned out of his holding because he has not paid his annuities?—I don't know of any.

32169. Mr. SUTHERLAND.—Do you know of any case of that kind of any person having been turned out for default under the Ashbourne Act?—I don't know of any.

32170. CHAIRMAN.—Your point is that when a man has got a great amount of arrears, and is being pressed, and generally in difficulties, he will agree to purchase his holding in order to get all his arrears wiped out?—I am certain it has been done, although he knows he is giving too much in order to get rid of the arrears.

32171. In every case he gets an immediate reduction of payment?—Of course the purchase will reduce that, but surely it does not follow that a man should give too much, and they have given too much in many cases.

32172. So far as the actual payment go he gets a reduction of five and twenty per cent. off his old rent?—He gets a reduction, but it is not enough. The landlord gets too high a price for his land.

32173. Do you think that the reduction ought to be 50 per cent.?—My point is this, that the Estates Commissioners should send an inspector, and see the value of the land and say, "We will not sanction a sale at a higher price than the actual value of the land." That would be saving the tenants from themselves.

32174. Supposing that they did reduce the years' purchase by two or three years, say three years less than if there was no inspection, the actual reduction of payment would be extremely small, would it not?—My point is, we would expect to be fairly treated. The Estates Commissioners are not expected to be friendly to one class or another, and as outsiders I say I would expect they would fix a fair price, and landlord and tenant should be bound to accept those terms.

32175. The actual reduction in what the man would have to pay would be extremely small. Do you think that is going to make all the difference between success and failure?—I believe the fact of agreeing to pay too much will cause failures in the future.

32176. What I mean is this—supposing that by process of inspection the landlord's price was reduced three or four years' purchase, and supposing that made a difference of only five shillings in the actual yearly payments, whether he paid five shillings more or less, would that make the whole difference between his success and failure?—Oh, five shillings is a great thing to a poor person, and not much to a person with means.

32177. Do you really believe that the whole question of the tenant depends upon whether he pays five shillings per year more?—The whole of it does not depend on that at all.

32178. How would it make a difference if the payment were five shillings less?—It would be so much of benefit to the tenant.

32179. Here is a case, say, where a tenant gives twenty years' purchase of his old rent of three pounds (£3). He pays sixty-five per cent. of his former rent—that is two pounds (£2) instead of three pounds (£3). Then comes an inspection, and it is reduced, say, to seventeen years' purchase instead of twenty. In that case he would pay fifty-five and a quarter per cent. of his old rent, or, in other words, making his yearly payment one pound fourteen shillings (£1 14*s.*). The tenant would pay six shillings less. Do you really think that the difference of six shillings is going to make the difference between success and failure in that position?—I will not say that it might not be the means of ruin to the man, but certainly it would be less out of the landlord's pocket—the rich man—than out of the farmer's.

32180. Have the American supplies failed, or have the friends in America cut their contribution so fine that it is a question of six shillings?—Well, my lord, I would not think it would be fair that the money our poor families and sons and daughters would be sending us over to help to keep us in the country at home and to live should——

32181. I don't say it is right, but still they do it?—They do, for the half of the people would not be able to live in the country were it not for all the money they get from their families in America.

32182. Do you mean that if it is a question of six shillings he would not be able to get that perfectly well from his friends in America?—I am surprised, my lord, at you. My point is, the landlord is a rich man, and cannot he afford better to do without the six shillings than the poor man's friends in America to send it over to the country.

32183. Your point was that inspection, resulting in a reduction of the landlord's price, made the whole difference between success and failure?—I cannot know whether inspection would benefit the tenant altogether or not. We take one view of it. We like to buy cheap, and the landlord likes to sell dear. The Estates Commissioners are a third party, and we expect they would do what would be fair. I have full confidence they would. That is the reason I wish inspection.

32184. Can you not say, from your experience, that as a matter of fact on those very small holdings rent is not the prime factor in success or failure. When the rent is as small as that the price of stock and things of that kind make a much greater difference?—It does.

32185. Than a matter of rent?—It does.

32186. It does not really make much difference to a man who lives on a very poor property whether the rent is five shillings more or less. The price he can sell his calf for, or eggs or milk in the creamery, or the way in which he tills his farm is much more important as regards success or failure than the five shillings?—It is.

32187. Most Rev. Dr. O'DONNELL.—Further on that point. I suppose a man who has three pounds (£3) rental to pay in any case could not live on his holding?—No; he would not be able to maintain himself and his family out of it if he had nothing to pay for it.

32188. He has to find from outside sources something to maintain himself and his family?—Yes.

32189. You agree with Lord Dudley that there are many other elements besides the three pounds (£3) or two pounds fourteen (£2 14*s.*)?—There are.

32190. Then come to the case of a man who has an economic holding of, say, fourteen (£14) valuation, and who is able to live on the holding. Now the

difference in his case between twenty years and twenty-three years' purchase might make his instalment a pound (£1) per year less?—Possibly.

32191. Is not a pound (£) per year something considerable to a man with a holding of twelve or fourteen pounds (£12 or £14) valuation?—Is not that my point all along?

Most Rev. Dr. O'Donnell.—I knew it was. I am taking the point from you and I will leave it to you now.

32193. Sir John Colomb.—Your idea of inspection is to do right between man and man. Supposing a case, say, where a landlady did not know much about the matter and the Inspectors think she is selling too cheap, should they say to the tenants, "You must pay more"?—I would leave it in their hands. There might be a solitary case, but as a general case I think the inspection would be best for the tenants.

32194. Chairman.—All you want is to feel that justice is done, that when you are buying your holdings you are buying at a price which, in the opinion of knowledgeable men, is a fair one?—That is my point.

32195. Mr. Sutherland.—Is there not some other party also interested in your not giving too much for the land, who is the ultimate security?—The rates, sir.

32196. The ratepayers?—And the chances are that the rates will be mulcted later on if they buy at exorbitant prices; if they buy as they have done in the past.

32197. Sir John Colomb.—When you talk about eighteen years' purchase were you talking of purchase of first term rents?—I am talking of purchase under the Ashbourne Acts, and I say eighteen years' purchase was fair, and I think anything more than that is too much.

32198. Have you thought of this, that the Ashbourne Act was previous to the second term rents being fixed?—Yes.

32199. Do you know that something between seventeen and twenty per cent. was the reduction between second and first term rents?—Yes.

32200. Therefore you cannot compare them. Say if it was twenty per cent. On a ten pound (£10) holding in the time of the Ashbourne Act he would pay at eighteen years' purchase one hundred and eighty pounds (£180)?—Yes.

32201. Then say the man has had since that a second term rent fixed with twenty per cent. reduction, so that his rent now is only eight pounds (£8). How can you compare simply years' purchase as a true test when the rent is changed?—I will just meet that. Under the new Act the Government is giving a bonus of three years' purchase, and as well as I understood the Act it was intended that this three years' bonus would reduce the price of land. The landlord gets the whole three years' bonus and the tenant gets no benefit by that. The landlord gets the full price of his land and three years' bonus.

Chairman.—The price might be three years more if there was no bonus.

32203. Sir John Colomb.—Have you thought of this, Mr. Rooney. Supposing the rent is not changed as far as the tenant is concerned and he gave one hundred and eighty (£180) for his holding. His annuity would have been, at four per cent., seven pounds four (£7 4*s.*) per year, and now when he gets money at three and a quarter per cent. it is only six pounds ten (£6 10*s.*)?—Now, sir, that is the act of our Government and they lend us that cheap money in order to assist us, for our benefit, and then they give the landlord three years' bonus, and what right whatever has the landlord to expect that because we get the money something cheaper, he should benefit by that.

32204. I am not disputing that. I am merely asking you, taking the sole basis of calculation as a comparison of years' rent. Have you ever thought of the other side of the question. Checking in that way is scarcely correct?—I am giving you from my point of view as a tenant farmer. The next thing we stand in most need of is employment. Our sons have to emigrate to England, America, Scotland and elsewhere. Our places are wretched and small and are not able to maintain our families. I may tell you the best of our sons have to emigrate. If there is a delicate one in the family, as there will be always a delicate bird in every clutch, he remains at home. I say if we could keep the good, strong, healthy boys at home we would have a better Ireland. And the only way to keep those people at home is to give them the way to live at home. So I would suggest to purchase good grass lands that were fattening the bullocks in the past and support these young men that would be the future men of Ireland. It would be to the interest of the Government to have such people in the country and not enriching other lands. You will have him as a good soldier and sailor as in any other lands if he is contented and gets the opportunity of living in the country. I say for all concerned, it is better if he should get the means to live in the country.

32205. Chairman.—What you would like to do would be to see these grass lands for the sons of tenant farmers?—Yes, those under ten pounds (£10). I would strike a line, economic over ten pounds (£10). There is some difference.

32206. Just think that out. There are a large number of people living in Ireland at present on holdings from which it is absolutely impossible to support them—on very poor small holdings. How are you going to help them if you put the sons of tenant farmers on those grass lands. Ought not these poor people have the first claim?—I say that the people in the congested districts should have the first claim, but if there was more land available——

32207. Then, the first lot of land that you bought you would use to help those poor people who are living in the congested districts?—Yes.

32208. Otherwise, if you put the sons first on that land you would have no means of helping the old people?—Let the old people go along with them. There might be some rare cases where they would say, "We have only a year or two to live, and we won't go."

32209. Supposing there was a strong man, forty years of age, with a family growing up, and that he was living on a very poor holding on a very boggy land in Leitrim or any congested district counties, and if people are to get good grass land, say, in Roscommon, he would have a better claim than the son of any tenant?—Certainly, but I would not remove him except he had consented.

32210. The heads of the families in the congested districts would have the first claim?—Yes.

32211. After you have satisfied them you would begin to think about the sons?—Yes.

32212. Does it not strike you if you did not do that you would leave these people in those congested areas without any means of helping themselves?—If some are obstinate enough not to go and starve at home, let them starve.

32213. Sir Francis Mowatt.—Assuming you gave the head of the family a better holding—six or eight acres—to migrate him too, won't that, by itself, produce employment for his son. A man has got two or three sons, and two will have to go to America to earn their own living. If you gave the head of the family a larger holding won't it provide labour for them?—It will provide for the whole family. With regard to employment, industries suitable to each locality should be established. I would suggest that a woollen factory be established in some suitable place in the congested district of Glenaniff, in Manorhamilton Union, which I have the honour to represent. Of course charity begins at home and I would certainly wish something of the kind there.

32214. Have you thought whether the woollen factory could be made to pay?—It would be most useful.

32215. Could it be made to pay?—There are three large mountain ranges where as much wool could be grown as could be manufactured at the factory. This would give employment to the people, which is badly needed. You would naturally ask me where would the money come from. We have none. Our landlords would be selling out their property. They will have plenty of money on hands. It would be to their advantage to make it useful and benefit themselves. If an enterprising landlord has idle money he will get only a small percentage in the bank, and if he invested it in some useful industry and instead of getting one or two it brought him ten per cent., would not that man be doing much better? Supposing they started a company of this kind I believe the Government would be ready to assist them.

32216. Mr. Sutherland.—When they are earning fifteen per cent.?—There is a possibility of reaching that.

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32217. CHAIRMAN.—You would like to see an industry, but, of course, you cannot force people to invest their money in anything?—I know that.

32218. The point is you would like to see industries started to give employment to the people?—I would. As the sale of store cattle or calves reared by the people of this country is mostly all the means they have of making money to pay rents or purchase instalments, taxes, etc., if foreign store cattle were imported into England without restriction it would cause such a fall in prices in Ireland as would render the poor, small farmers unable to pay their way and live. It is most necessary that the small Irish farmer should be protected by the Government

32219. Sir FRANCIS MOWATT.—That is to say, foreign cattle should not be allowed to be imported?—There should be some restrictions placed upon them.

32220. Sir JOHN COLOMB.—You do regard it as a great danger to the small holders that there should be any alteration in the importation of cattle?—It would mean ruin.

32221. Am I right in saying that the small holder, who is the breeder of the cattle, cannot afford to keep them till they mature, and if he does not get the price he cannot live?—Yes; he must sell the cattle, he has not the means to hold them over.

32222. The buyers of the cattle——?—They have the whole profit.

32223. At present those who make the market for the young cattle of the small holders are the bigger farmers and the graziers?—They are.

32224. If you extinguish the graziers?—Then ship the young cattle where they are going to. In the end they all go to England. They are bred here and eaten there, where you are all rich.

32225. CHAIRMAN.—You say you think that compulsory powers should be given to the Estates Commissioners and the Congested Districts Board so that untenanted land could be obtained for distribution among the tenants. Supposing that there is not sufficient untenanted land to enable you to make any great improvement would you go beyond that to a man who has a farm and say, "You must give up half your land"?—I would.

32226. Even to tenants?—Well, I believe there is an amount of available land all over the length and breadth of Ireland. I would not be confined to a county or to Connaught.

32227. But if there is not enough untenanted land?—I think there should be a line struck in a farm of fifty pounds (£50), and that should be enough for any man. I would first take the untenanted land, and if that was not sufficient, I would go and take a part from a man who had too much, and would not be able to labour it. I have the honour of representing one of the poorest of the congested districts in North Leitrim, and that is saying much for it. We have, in this division, one hundred and ninety under five pounds (£5) valuation. We have fifty-one over five pounds (£5) and under ten (£10); and twelve over ten pounds (£10). That shows we have twelve persons in the whole electoral division that have as much land as they could be able to live on. It is no wonder I plead here. Of course you are going through a good part of the country, and I heard you make some remarks that this county was not so bad as it was named. Come down and see the wilds of Glenaniff, and through Glenade, and you will hold another opinion. You happen to pass through all the good part of the land in this part of the country.

32228. I just wish to ask you a question which came up yesterday in evidence. Were you here?—I was, the whole day.

32229. Did you hear some talk which went on about sporting rights—game rights and fishing?—Yes.

32230. Well, now, what do you think ought to be done about sporting rights when an estate is sold?—That is a knotty question, my lord.

32231. That is the reason I ask you, you are so intelligent?—Well, this I say, the sporting rights would be of very little value to the tenant, for this reason—the tenant and his sons would be much better employed in working on the lands than knocking about to see to get a shot. Take the other side. If the landlord, when he is selling his property, retains the right to game, if a burning occurs in the dry season, as it will occur from time to time, often accidentally, then there is a claim for malicious damages, and the people are mulcted. I say it is better for the tenant whatever rights the landlord has, to purchase all or none of it.

32232. Would you think on the whole it is much better to preserve the game than to kill it all off?—I would.

32233. Take a river for instance; is it not far better that there should be salmon in it than no salmon?—I will give you my own individual opinion on that point. As I think I would sooner have nothing to do with the salmon. A man would be much better in his bed at night than poaching for salmon.

32234. Is it not quite certain that if a great many people fished the river in a very short time there would be no fish?—I fear that would occur.

32235. If everybody was enabled to fish any way they liked in a short time you would ruin the fishing of that river, and is it not the same thing if over the mountain everybody had a right to graze there would soon be no grass left?—Possibly.

32236. If you believe in keeping game would it not be much better, whoever had the sporting rights, that they should be in the hands either of an individual or a small number of people than in the hands of everybody?—I think in a case where the tenants purchased from the landlord, that they should hold the sporting rights, and that they should appoint a Committee to look after the game; preserve it and sell it. The proceeds to go to pay taxes—that is what I would suggest.

32237. Supposing that the sporting rights of the estate had been sold and were to be handed over to a body like the Parish Committee, and that the Parish Committee were to look after them and to see that the game was preserved, and that they were empowered to let that shooting for the benefit of the district to add to the revenues of the Parish Committee?—I would not agree with that, but add it to the revenue of the tenants. I think it should be the right of the tenants. They bought the landlord's rights. It was theirs when they bought it, and paid for it. There should be protection; let the game be sold and the proceeds go to the benefit of the tenants, either for paying taxes or towards paying instalments.

32238. We are agreed on the principle that the sporting rights should be vested in a small body of people whose object and whose duty it would be to see that the game was preserved and that those shooting rights should be let and the proceeds divided amongst the tenants?—That is my idea.

32239. You would not allow every tenant to shoot at will?—I would not. Suppose there was one hundred tenants there might be two or three fellows would shoot the whole lot and the rest would know nothing about it.

32240. It would also mean, in a very short time, that what is now a valuable asset would disappear?—We would like to get some of you rich Englishmen over, in order to get your money.

32241. You think it would be a good thing to get a certain number of people who have got money to spend to live here?—Yes.

32242. And the prospects of being able to take shooting would be a considerable inducement?—Yes.

Mr. PATRICK REYNOLDS examined.

Mr. Patrick Reynolds

32243. CHAIRMAN.—Where do you reside?—At Carrickfad, Fivemilebourne, County Leitrim.

32244. What are you?—I am Secretary of the Estates Committee on the Whyte estate, and was chosen to give evidence. We formed the Committee to purchase from Mr. White.

32245. Are you a farmer yourself?—Yes; twenty acres valuation—six pounds five (£6 5s.). The land is heathery, a good deal of it.

32246. You were the Secretary of the Committee, and the sale did not go on?—No; there was a difference as to the price. There are two thousand and seventy-two acres of untenanted land on the Whyte estate.

32247. Some of it mountain?—Some of it, and some of it fit only for grazing land.

32248. Most Rev. Dr. O'DONNELL.—You mean rough mountain grazing?—Yes.

32249. Sir JOHN COLOMB.—Not fit for tillage?—No. Of the one hundred and ninety-two tenants seventy-seven are under five pounds (£5) valuation, and seventy-two over five and under ten pounds (£10). The uneconomic holdings of the estate could be improved by adding part of the grass lands to some of them.

32250. Where are you going to get the grass land?—The two thousand acres.

32251. It is not grass land?—Some of it is.

32252. Extremely little of it—I mean it is heather?—No, some of it is good enough for grazing cattle. Others, not easily accessible, could be improved by consolidating two farms into one. This is in the electoral division of Sraghmore. In the townland of Carrickinero Mr. Whyte has 119 acres, 1 rood, 16 perches untenanted, of a valuation of forty-seven pounds (£47) on land and seven pounds ten (£7 10*s.*) on buildings. It is suitable for dividing amongst tenants.

32253. Could anybody live on it?—Yes, if they got a sufficient holding, and got it cheap enough. In Carrickfad Mr. Whyte has 30 acres, 2 roods, 17 perches, and seventy acres.

32254. The seventy acres is the demesne?—We claim it is not the demesne, for he built on seven acres and took the rest within my own memory.

32255. It is called demesne?—Well, it is a very poor demesne. Mr. Whyte calls it demesne, and it is valued at twenty-two pounds (£22) for the mansion house and four pounds five (£4 5*s.*) In Cartron he has 59 acres, 3 roods, 22 perches; 7 acres, 0 roods, 37 perches; and 4 acres, 2 roods, 23 perches, with valuations of £27 15*s*, £3, and £2. In Corray he has 125 acres, 2 roods, 13 perches. It is not fit for tillage. The valuation is £26 5*s*. In Cornalaghta, 3 acres, 0 roods, 7 perches, valuation, ten shillings. In Curraghan, 42 acres, 3 roods, 31 perches, valuation, £3 10*s*. In Doonkelly 54 acres 0 roods, 6 perches, valuation, £7.

32256. Sir FRANCIS MOWATT.—Is this let for grazing to tenants?—No, he takes in grazing cattle. He had sheep on it until November last.

32257. CHAIRMAN.—Cattle from the surrounding people?—Yes. In Doomorgan he has 36 acres, 3 roods, 3 perches, valuation, £12 5*s*. Some of that is fit for tillage, and tenants could be put on it. There are 978 acres in one ranch not fit for tillage with the exception of what would make two new farms. It is known as the Lecaun and Fawnlion sheep walk, and is only fit for grazing land. In addition to the making of two farms the rest would be taken by adjoining tenants, some of whose holdings are very small and miserable, and were made so by the late Colonel Whyte.

32258. Most Rev. Dr. O'DONNELL.—Do you say it was taken from the tenants?—Yes; I remember when it was taken a good deal of it myself.

32259. Sir JOHN COLOMB.—How long ago?—In the early sixties.

32260. Most Rev. Dr. O'DONNELL.—Did the tenants graze cattle and sheep there?—Yes.

32261. Did they pay any fixed sum?—No, it was marked out.

32262. The tenants have no rights of grazing there now?—No. They would take it now if every man got his own. Some of them have wretchedly small holdings.

32263. Sir JOHN COLOMB.—Had the men all gone, or did he take it away?—He evicted very few, but curtailed every man.

32264. Most Rev. Dr. O'DONNELL.—Took away the mountain?—Yes; and in some cases the good land.

32265. Sir JOHN COLOMB.—Did he not give any compensation?—No, none whatever. I will give you instances of a few—Dominick O'Connor lost about twenty-eight Irish acres, and was left only four and a half; Owen Dolan lost thirty acres, and was left only six and a half; Pat Dolan lost thirty-two, and was left only eight; Thomas Murray lost thirty, and was left about eight. The rent was taken down very little for this grass that was taken away, and even he did not take off sufficient rates. Many others were treated similarly. The grass lands of the estate deteriorated very much since it was taken from the tenants by the late Col. Whyte. I know where he took land from six tenants and let it into one ranch. When the tenants had it, it was able to graze about twenty cows. There were only about five on it for the last few years, and they had none too much grass, the land being overgrown with weeds and briars. It might be brought back to its former state by tillage and manure, but would cost much money and labour.

32266. Most Rev. Dr. O'DONNELL.—Do you say he takes in grazing cattle on it?—Yes. Where I once saw over twenty there was only five for the last few years. No man would like to send grazing cattle where the grass is so poor.

32267. Sir JOHN COLOMB.—Any sheep on it?—No, only rabbits; they eat the roots of the grass away and turn it into moss.

32268. Most Rev. Dr. O'DONNELL.—If the occupiers had that grazing land, they would see that the rabbits were trapped and reduced in numbers?—They would. It would want to be cropped and broken up again. There could be tenants put on that back again if it was cropped.

32269. The CHAIRMAN.—Why does not the landlord crop it himself?—It would not pay him, I suppose. Colonel Whyte was cropping it, but he found it did not pay him—he had to pay everything.

32270. Why did it not pay him, and how would it pay you?—Because we would give our own labour to it for nothing. If I want to live off my farm and pay all I did myself, it would not pay me.

32271. Most Rev. Dr. O'DONNELL.—How do you give your labour for nothing?—Because I get nothing for my labour but my bare support just, after a great struggle. I would not take five pounds (£5) valuation as a basis for uneconomic holdings. I know holdings valued at over ten pounds (£10) which are uneconomic holdings, for the simple reason that they have not enough arable land on them for a sufficient rotation of crops. Therefore, the occupier has to till the same land too often, and, as a consequence, have bad crops. If we had more land, we would not crop the same land too often, and would have better crops. We have to crop it at a certain time. When I find my land failing for grass, I crop it and have a good crop.

32272. Sir JOHN COLOMB.—How many acres do you farm?—About twenty acres.

32273. How much do you consider arable?—About six or seven.

32274. How much of that do you till?—The whole of it in rotation.

32275. Of the six or seven acres that are arable, how much do you till?—About one and a half acres.

32276. Do you grow anything besides potatoes?—Turnips and a piece of cabbage. I could not find manure for more. I have to buy manure. I buy a lot of hay every year.

32277. What stock do you keep?—I manage to keep five cows, but I get a lot of hay.

32278. The CHAIRMAN.—I suppose that as a general thing tillage is limited by the amount of manure?—Yes.

32279. Sir FRANCIS MOWATT.—And how much do you spend on manure?—About two pounds (£2).

32280. Sir JOHN COLOMB.—Do you keep other stock besides the five cows?—Not on the farm. They only have grazing during the summer. I take conacre. The last harvest my conacre was about five pounds (£5).

32281. Will the manure of five cows only do about one acre?—About that. I often have ten head—five cows and five calves.

32282. Are the Commission to take it from you that a man with five cows can only be expected to find manure for one acre of tillage?—Yes, on our bad land.

32283. The CHAIRMAN.—Do you ever give your cattle cake?—No—turnips or potatoes, and cabbages when I can spare them. I take con-acre hay and save it four miles away.

32284. Sir JOHN COLOMB.—That is all consumed on your farm?—Yes.

32285. And yet the manure is only enough for one acre?—Yes.

32286. Most Rev. Dr. O'DONNELL.—Some of your stock lie out during the summer?—Yes; but not in winter.

32287. CHAIRMAN.—What do you do with them in winter?—House them.

32288. Sir JOHN COLOMB.—Do you keep a horse?—No; I keep pigs.

32289. CHAIRMAN.—Poultry?—Yes; and I think more is made of the fowl than of the butter. I do not look after the prices my wife gets for the eggs.

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She sells the eggs in Sligo, and a lot of people in the neighbourhood do that.

32290. Sir JOHN COLOMB.—Have the Congested Districts Board given any assistance?—Yes; we got some of the eggs from the poultry stations.

32291. You found the benefit of them?—Yes, very much. There were negotiations going on for a sale under the Wyndham Act. The landlord asked twenty-six years', but came down to twenty-four years' purchase. We bid him eighteen, but through the clamouring of tenants that were hopelessly in arrears, we were induced to bid him twenty-one years'. The majority of the tenants were displeased, and soon after held a meeting, and asked me, as secretary, to write withdrawing that bid. All the tenants are anxious to buy through the Estates Commissioners at what they consider its value when they inspect it. There are about twenty-five young men, tenants' sons, who are anxious to get new farms. If they do not get those farms, nothing is open to them but emigration.

32292. CHAIRMAN.—Did you withdraw that bid of twenty-one years?—Yes, I did. The majority of the tenants would not stand to it.

32293. Would the landlord have accepted that?—No, he would not.

32294. So it did not make much difference whether you withdrew or not?—No.

32295. Sir JOHN COLOMB.—Was there any condition at all about selling this vacant land to you?—He offered to give the bad part of it to us, and keep the good part himself.

32296. Was it purely a question of the number of years' purchase, or was there any other condition with regard to the tenants wanting an assurance in the selling of untenanted land?—There was.

32297. Therefore it was not purely a question of years' purchase alone?—He would give us the bad class of land—the sheep walk. It was no use to him. It was not good enough for him. He wanted to keep the good part himself.

32298. Meaning he wanted to give up the ground he could not make a profit on by tilling?—Yes.

32299. I understood you said that the tenants could till it?—They could till part of it. They could not till what he offered. If they got the good part they could till it. There is another estate of which Mr. Whyte is the head landlord, the estate of John Dolan, of Moragh. There are fourteen tenants on the Dolan property, and of these seven are under four pounds (£4) in valuation; five are under seven pounds (£7) and three from ten pounds (£10) to twelve pounds ten (£12 10s.). The landlord holds one hundred and fourteen acres of untenanted land, and eighteen of those belong to an evicted tenant. The small farms of this estate could be improved by the addition of some of the grass lands in the landlord's hands, all of which are easily accessible to the tenants. On the estate of Colonel Roger Parks in our neighbourhood, and of which Mr. Whyte is the head landlord, there are only two tenants, the landlord holding one hundred and ten acres, all arable land, which he has let on the eleven months' system. Some of this could go to improve holdings on the Whyte estate and others adjoining it, five of which are very barren and barely fit for cultivation. The remainder could go to make three or four new farms.

32300. CHAIRMAN.—Do you think the heads of families would go to another part of Ireland if they got a better holding?—Some of them would. You would want to give them some compensation to help to assist them in the new holding.

32301. Would it not be sufficient to get a better holding?—Myself and my father expended a lot of labour on my holding. Of course if I got a better farm I would have to leave all my labour there to another man. I would think it very hard.

32302. You call it very hard if you get a better holding?—I would not like to leave my neighbour to enter without they assisted to pay my annuities.

32303. And you prefer to go on living on a bad holding rather than go and occupy a better one?—If I could get a good holding on good land and the Government will lend me money to build a house.

32304 No; they will give you the house?—If they would, of course——

32305. Sir JOHN COLOMB.—What would you expect to get for your tenant right?—It would go near two hundred pounds (£200) as land is going. If I went to sell it by auction with the land greed as it is at present I might get more.

32306. The reason you would not be inclined to go is you would not like to leave the holding to another man?—I would not think that would relieve congestion.

32307. Your feeling is this, that you don't think even if you got the two hundred pounds (£200) you would be inclined to go?—I would if I got a better holding from the Government. I would not think that fair.

32308. If you got the two hundred pounds (£200) you would expect a house and fences ready for you in addition?—I might, but that would not be fair.

32309. CHAIRMAN.—That would not relieve congestion?—It would not relieve congestion.

32310. Sir JOHN COLOMB.—You would not think it fair to the State?—If I remove to a better holding I should give up my holding to relieve congestion where I live. If I get leave to sell some man may come and buy that. Some neighbours could not afford to buy it and the congestion would not be any better.

32311. So that you recognise it is essential you should give up your own holding?—Yes.

32312. CHAIRMAN.—If you got a better one with better land would you go?—I would be leaving all my improvements to my neighbours.

32313. Would it not depend on how much better the holding was?—It would come to a comparing match. Take three holdings—one of them should leave. It will come to a comparing match as to which shall go and leave all our improvements to the other two, and finally none of us would leave.

32314. Most Rev. Dr. O'DONNELL.—You think you would get less advantage than your neighbours. That might not be so. You would get more advantage than the two men who would be benefited by your going. They would not receive presents of parts of your holding without paying to some extent for the value they received. They might not be asked to pay in cash, but something would be put on their annuities corresponding with the tenant right. One like you who would go to a distance would be offered a bigger advantage than the man who would benefit by your going away. Under those circumstances would you be willing to migrate?—Yes.

32315. You would get a better holding and house?—Yes.

32316. Sir FRANCIS MOWATT.—The value of the holding you are in now, two hundred pounds (£200), is the result of your labour. If you move to a new holding worth two hundred pounds (£200) more than your present holding you would go?—Yes.

32317. Sir JOHN COLOMB.—You value your holding at two hundred pounds (£200). Do you think you would get two hundred pounds for it?—I might not, it is only a supposition. There were farms sold about the country went to two hundred pounds (£200), and I would as soon have my own.

32318. Most Rev. Dr. O'DONNELL.—You have put a great deal of labour into it?—Yes; on reclamation and labour on tillage, which may be left no permanent advantage, and on drains and fence. The tillage improved the land too.

32319. Mr. KAVANAGH.—You would not be afraid you would not be able to work the new holding, say, a holding in Roscommon, to the fullest extent?—If it was large enough to enable me to keep a horse I would.

32320. You do not think a change in the nature of the ground and soil would prevent you making a living?—No.

32321. You would not have any fears?—Not one bit.

32322. You think your neighbours are of the same opinion?—I think so.

32323 Mr. SUTHERLAND.—You heard the evidence Mr. Hewson gave about that—do you agree with it?—No; not at all.

32324. You would be the man called upon to go, not Mr. Hewson?—I heard Mr. Hewson giving his evidence. I do not agree with it. I am sure I would sooner migrate up to Roscommon than go out to Canada.

32325. CHAIRMAN.—You would rather go to a better holding in Ireland than in Canada?—Yes; I would rather have twenty acres in Roscommon than two hundred in Canada.

32326. Sir JOHN COLOMB.—You think plenty of farmers as well as yourself would be willing to migrate if they got better farms?—Yes. I would like to mention some reductions of rent in the Land Courts and annuities.

32327. CHAIRMAN.—Mention one or two?—There was the case of Michael Dolan, whose old rent was fifteen pounds (£15) and was reduced to seven pounds ten shillings (£7 10*s.*). His annuity now is five pounds two shillings and four pence (£5 2*s.* 4*d.*). That man improved his land very much since he purchased it.

Mr. PATRICK MITCHELL examined.

32328. CHAIRMAN.—Are you a farmer?—Yes; with about eighteen statute acres and valuation of about nine pounds (£9). I live at Cartrontemple, Manorhamilton.

32329. Is any of it mountain land?—It is not mountain land, but what is called one-pointed grass. Some of it is middling fair land and some moss land or boggy land. I consider the worst thing the people are in need of at the present time is some employment, something to keep the people at home and give them a way of living. I consider that some parts of the division are badly in need of scheduling and that the area of congestion should be extended to give the people the means to improve their farms and their houses.

32330. So as to bring them under the Parish Committee's scheme?—Yes. I think that around Manorhamilton would be a very suitable place for some industries. It is nearly central in North Leitrim. I would suggest that a portion of a road that was made in 1846, that is sixty years ago, by the Government, as you go from Manorhamilton to Garrison on to Kilroot, should be opened up. There is a portion of the country there that is badly in need of it. It is also started in the townland of Mullinaduff, which is on the road from here to Garrison and in Manorhamilton Electoral Division. I would suggest that the waste lands in and around Manorhamilton should be parcelled out and distributed amongst the small farmers, the labourers, and artisans, and there are a great many of these people living in Manorhamilton and around it.

Mr. JOHN GILMARTIN examined.

32331. CHAIRMAN.—Where do you reside?—At Rossinver, Ardagh, County Leitrim.

32332. What is your occupation?—I am a small farmer and Supervisor of the Parish Committee works. I reside in Rossinver, on eighteen acres of land, of which five or six are arable. It is situated on the mountain slope. I am also Secretary of the Rossinver Credit Society or Agricultural Bank. I am familiar with the mode of living of the people of Rossinver and Johnston estate. The land is of bad quality and is not able to maintain any beasts of good quality. There is disease called cruppen which stiffens their bones and they die. All the labour is done with the spade.

32333. Do you till much yourself?—It is not possible to till much. The manure has to be taken up the side of a hill, in donkey loads, and in a wet season it cannot be brought out. There are about one hundred uneconomic holdings in Rossinver, and none large enough except a few where the tenants left in 1846 or 1847. There is no farm in the district where horses can possibly be kept except one. Migration is the only means of relieving congestion in this district. There was a creamery, a Lonsdale or private creamery, but it is closed up. Now, at present, if the Congested Districts Board put up a creamery it would help the people to get better prices for their milk.

32334. There is no creamery near?—No; not in Ballaghameehan Parish. There was an effort made to have one, but through the poverty of the people it fell through.

32335. Have you ever asked the Agricultural Organisation Society to help you in the erection of a creamery?—Yes, and an organiser was down there, and there was a certain number of shares, but the people are so poor that it fell through. About four is the average number of cows a farmer can keep. Some of them can keep only one or two. The average price for the calves reared is two to three pounds (£2 to £3) in this district.

32336. Sir JOHN COLOMB.—You mean yearlings?—Yes. I do not know of any person living in the district that is not depending on the earnings of families or friends in some foreign country for support, or else have some other industry going on. The holdings are altogether too small, and some of them very inconveniently situated. I can just show you a map produced before the Land Sub-Commission that will speak for itself (*map produced*). It will bear out my statement that they are pretty long and inconvenient.

CHAIRMAN.—There is the most peculiar shape of holding I ever saw—about a mile long.

32338. Most Rev. Dr. O'DONNELL.—Have they to turn the house on it?—The house takes nearly the whole breadth of the land. The people have to go up in the morning with the cattle and in the evening to bring them back. The Parish Committee is doing very good work although the funds are so limited they cannot nearly meet the demands for them. Last year the amount of money placed at the disposal of the Committee was fifty pounds (£50), and I would say, as Supervisor of Works, there could have been one hundred and fifty pounds (£150) expended easily. A number of the people who apply can get no assistance. The works are very satisfactorily carried out.

32339. CHAIRMAN.—Do you get a salary?—Yes; ten per cent. of the grant—five pounds (£5).

32340. Do you get a bicycle allowance?—No allowance.

32341. Is that all you get?—That is all, and very small indeed.

32342. Most Rev. Dr. O'DONNELL.—What works are usually carried out?—Generally speaking, house repairs or out-house repairs. They consider the amount can be best used by making the people and cattle as comfortable as possible.

32343. There is not enough of money to go into drainage or reclamation. If you had a larger amount it could be usefully employed on those purposes?—Yes; very usefully.

32344. CHAIRMAN.—Have you ever seen people in Leitrim or anywhere who had cattle in their houses?—None in our part. In some cases young stock, but that is done away with.

32345. It has never been part of the work to remove the cattle out of the houses?—Certainly, but we have not to do it. I found young calves in one and found fowl in another and made them provide outhouse accommodation; and if I found any manure it had to be removed. I would say people between seven and ten pounds (£10) valuation stand as much in need of a grant as many under. I would suggest that the standard of valuation should be raised to ten pounds (£10) in this parish. The scheme has been working only for three years in the parish.

32346. Mr. KAVANAGH.—Is yours the prize system or grant-in-aid?—Grant-in-aid.

32347. Which do you think the best?—I do not think the prize system would have much effect in our parish.

32348. They are too poor?—Yes; they are too poor.

32349. Who values the work?—I make the estimate of the cost of the work.

32350. And then according to the estimate a certain amount of money is given?—Yes.

32351. Is there any fixed proportion?—From a third to a sixth.

32352. What determines whether it should be a third or sixth?—Generally for house repair, or if the parties are very poor a third is given, and making of accommodation roads, reclamation, drainage, etc., a fifth is given. It is subject to the sanction of the Congested Districts Board.

32353. Most Rev. Dr. O'DONNELL.—Is your work supervised by an inspector?—Yes.

32354. Does he go around to see the works?—Yes.

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32355. The works in the parish are inspected annually by an inspector from the Congested Districts Board?—Yes, my lord.

32356. Sir FRANCIS MOWATT.—Does he come down?—Yes, and the papers are forwarded to the Congested Districts Board.

32357. CHAIRMAN.—Is the estimate which the supervisor makes checked before the work is carried out?—Yes.

32358. Not overhauled afterwards?—It is.

32359. Most Rev. Dr. O'DONNELL.—When the works are completed are they inspected by the inspector?—Yes, but the payments may be made before they are inspected. I have authority to inspect, and I can give a certificate for payment when the works are satisfactorily completed.

32360. And you are liable to an inspection of the works at any time?—Yes.

32361. Is it the same inspector for Leitrim and Donegal?—Yes, Mr. Fallon.

32362. Sir JOHN COLOMB.—Do they ever alter your estimate?—They never altered my estimate.

32363. Most Rev. Dr. O'DONNELL.—There is a complete report sent in about the actual grants to be made to the particular persons?—Yes.

32364. That goes through the hands of the inspector?—Yes.

32365. CHAIRMAN.—Can you tell us anything else they give grants for in addition to those for houses, out-buildings, roads, and drains?—Reclamation.

32366. Anything else?—Fences. We sent on no application for sod fences, but they sent on specifications, and I believe they would give a grant for them.

32367. In the case of drains, which a small tenant makes, do they cost him anything out of pocket, or are they only a question of labour without any expenditure of capital?—Yes, the applicant who puts in an application for draining a field will get only about a fifth of the actual cost of doing the work.

32368. Is the cost measured by taking into consideration the value of his labour or the actual amount of money he has to spend?—The cost of the labour.

32369. The labour is valued at so much per day, and that is put down as the cost?—The actual cost that is furnished.

32370. He does not actually have to produce money out of his pocket?—If he has drains they are done with his own voluntary labour, but if he goes in for house repairs he will be money out of pocket.

32371. If a tenant wants to drain a small field, so long as he is willing to do the work himself it does not necessarily cost him any money out of his pocket?—No; it is voluntary labour.

32372. CHAIRMAN.—So that when you are estimating that you are estimating the value of the labour as the cost of it?—Yes.

32373. Sir JOHN COLOMB.—Are there so many stones on the spot that he can get enough for draining?—Sometimes he may have to draw them from a distance.

32374. That would be out of pocket?—He may do it by his own labour.

32375. Most Rev. Dr. O'DONNELL.—That is, in a horse and cart?—He may take them on a donkey and paniers or in some cases carry them on his back.

32376. Mr. KAVANAGH.—Is not the drainage calculated at so much a perch?—Yes.

32377. CHAIRMAN.—Road-making comes under that category too?—Yes. Perhaps he would have to go in for getting the material quarried. There are two electoral divisions in this division scheduled as congested. There is one that is not, and in it there are some of the people's holdings and their houses as badly off as they are in the congested (scheduled) districts. The non-scheduled district is Ballaghameehan. I would suggest that it should be scheduled also. The work done would be about five times the amount of the grant they receive. The Agricultural Bank is working for almost two years now. It is doing very good work. A good deal of the loans is for the purchase of stock and the saving of stock. The borrowing powers were two hundred and fifty pounds (£250), and need to be raised to four hundred pounds (£400). I believe only for the Agricultural Bank is in the district a third of the stock would not be in it. The people are industrious and honest. I know a case of one man who received a loan from the Bank. It was to pay rent, and to save some poor beast. He had to go to Scotland, and he sent the instalments back again to the Bank Committee. Another matter of very great importance is the drainage of Lough Melvin. We appealed to the Congested Districts Board for a grant to get it lowered, and the reply we got was that if a Drainage Board was formed the Congested Districts Board would be prepared to consider what amount they could give towards the work. We took the Kilcoo River, Lough Melvin and Bundromer River into one scheme which would be from twenty to twenty-five miles of work. With regard to Lough Melvin, the obstruction is a rock which is in the River Bundromer. It dams up the lake and damages the only portion of Leitrim land that surrounds it, when the lake is at high water. There are two rivers emptying into it. There is no outlet for the water when the lake is at high water in time of floods, and it flows into the people's dwelling-houses. On the 3rd August last their whole crops were destroyed by it. On 16th March last it tore up the roads and went into the houses. Some of the people had to take in calves and prop them up to prevent them being drowned.

32378. Most Rev. Dr. O'DONNELL.—The bed of the river is as high almost as the surrounding land?—No. If there was a grant given to sink this river, it would be a great benefit to these people. One of the farmers, into whose house the flood broke, is present, and will be able to give you more information on the subject than I can.

32379. CHAIRMAN.—Do they spray their potatoes about here?—Yes.

32380. Regularly?—Once generally.

32381. Have you found that in recent years they have been pretty energetic in spraying the potatoes?—Yes. They sprayed them once. The land is of very stubborn clay, and in a wet season the potatoes are not worth turning out of the land.

32382. Even with spraying?—Yes.

32383. In your opinion spraying is of no good?—It is a benefit, but will not ensure a potato crop.

32384. Did you hear any complaint about the difficulty of getting spraying machines?—Yes.

32385. Or mixture to spray them?—It could be found in the neighbouring markets. The difficulty of getting spraying machines is complained of.

32386. Have you ever thought of any method by which they might more easily get spraying machines?—As Secretary of the Parish Committee I was asked to write about a scheme for spraying machines to the Congested Districts Board. They told me they had given up that branch and given it over to the Department of Agriculture.

32387. Do you think it would be of any use to the Parish Committee to have spraying machines to let out?—I am sure it would be of service.

32388. It would be a more practical means of getting spraying machines than any steps the Department have taken?—Yes.

32389. And a good mixture, which they could guarantee?—Yes; I believe that would be very useful.

32390. Mr. KAVANAGH.—Would not a change of seed be very necessary?—We applied this year for a change of seed and we got them.

32391. CHAIRMAN.—Have the people confidence in the Parish Committees?—Yes.

32392. They would be very likely to take the advice of the Parish Committees as to the best means of carrying on the holdings?—Yes.

32393. Is there any other body of people in the district who might, you think, have more influence than the Parish Committee?—I do not think so. Of course the Parish Committee is a publicly elected body of representatives of the people.

32394. All local?—Yes.

32395. The people know all the members of it?—Yes.

32396. Mr. KAVANAGH.—Have you ever been instructed that three sprayings are necessary and that one is no use at all?—Yes. I understand that.

32397. Has it ever been tried in this country?—Never.

32398. Why do they spray once if they know it is of no use?—Undoubtedly it is of use. I think twice would be better.

32399. Do you think once is of any use?—Yes, from experience I say it is.

32400. Have you an Agricultural Instructor in this country?—Yes, but unfortunately he is not much use to us.

32401. CHAIRMAN.—Does he live here or appear occasionally on a bicycle?—He comes to give lectures, but he never puts his lectures into practice.

32402. And nobody ever derived any benefit from his lectures?—No.

32403. Sir JOHN COLOMB.—All this work is done through the County Committee?—Yes.

32404. Do the County Council express any dissatisfaction or a wish that the proceedings should be better arranged?—I could not say, but I believe from my own experience agricultural instruction in this form of giving lectures on what is to be done without giving experiments is a waste of money.

32405. CHAIRMAN.—You have got a representative on the County Committee?—Our parish is not represented.

CHAIRMAN.—Your district is.

32407. Most Rev. Dr. O'DONNELL.—You are a good distance away from the place of meeting?—Yes.

32408. In answer to Mr. Kavanagh you said spraying twice would be better?—Yes.

32409. And last year was so wet in the county through the spraying season it was difficult to find suitable days for spraying three times?—I could almost say impossible to find suitable days.

32410. It was exceptionally bad last year?—Yes. I would say no direct sales should take place between landlord and tenant and that the Congested Districts Board should see what could be done. If the people could be migrated it would be a great benefit. The drainage of rivers and lakes and other things would be a great means of relieving congestion, but if the direct sales continue congestion will still remain. If the people had their farms free they could not live on them as they are so small and inconvenient.

Mr. MICHAEL CONNOLLY examined.

Mr. Michael Connolly.

32411. CHAIRMAN.—Where do you reside?—At Uragh, Tullaghan, County Leitrim.

32412. You are Secretary of the Tullaghan Branch of the United Irish League?—Kinlough is the name of the Branch.

32413. Are you a farmer yourself?—Yes. I have about thirty-three statute acres. It is all very rough. The valuation is only fifty shillings (£2 10*s.*). This accounts for the value of the holding. There is ten shillings on buildings. The only benefit derived from the Congested Districts Board in this locality is the Parish Committee works, which is a very slight help, as a grant of seventy pounds (£70) per year is simply nothing when extended over an area of twelve miles. It covers two electoral divisions, Tullaghan and Gubacreeny. They do not carry the full breadth of twelve miles. The Parish Committee grant of seventy pounds (£70) cannot be regarded as very much to help them. I would suggest that it be greatly enlarged for the benefit of the people. The number on the registered list of voters in the Tullaghan division at the last returns was upwards of four hundred. This accounts for the number of holdings there are in Gubacreeny; three hundred and fifty; and I expect there was a few not on the list in each division, so that the population is very large. The greater number of the holdings in each of those two divisions are exceptionally small. Later on I will refer to the valuation and area of certain holdings in the Tullaghan division. In the Gubacreeny division there are six miles, I can safely say, without a single well of pure water, and a grant for the erection of a pump or provision for supplying them with pure water is a great necessity. The Kinlough electoral division is adjoining these two divisions. It would require very much to be scheduled as congested. Grazing lands are available which might be used for the relief of congestion. Augherdonvane ranch—I will give you the area and the valuation of it, and a few other holdings which in my opinion, if compulsory powers were given to the Estates Commissioners and the Congested Districts Board for the purchase of these holdings, might be used for the relief of congestion; in Kinlough electoral division St. George R. Johnston is the owner of a ranch. It has an area of 414 acres 2 roods 32 perches, valuation on land one hundred and eighty pounds (£180), on buildings three pounds (£3), gross total one hundred and eighty-three pounds (£183). There is another holding in the same electoral division of 62 acres 2 roods 24 perches, valuation forty-five pounds fifteen shillings (£45 15*s.*). There is no valuation on houses or buildings on the lands. This shows distinctly that those are unoccupied holdings, which, I believe, should be used for the relief of congestion. In the Dickson Estate, Tawley, there are about sixty small holdings, and I find since I made out this return I was rather under the number. The average valuation on this estate is about two pounds five shillings (£2 5*s.*). There is a grazing ranch of two hundred and sixty acres situated close to these holdings and used by the tenants referred to for grazing and conacre for upwards of forty years. I am of opinion that the River Duff should be drained and the bogs, which lie waste, divided, and a road made through the bog. This would be a source of industry, a turf market being available. What I mean is there is a necessity for getting turf, and, of course, there would be so much money saved in the year from going elsewhere. There is a Co-operative Dairy Society worked by an engine, and the engine is fed by turf. Of course, the turf is plentiful in the plot I refer to. In other parts it is very scarce. In this division there are four hundred acres without a way into it. Some of it is on the Dickson estate and some on the Ffolliott estate. The drainage of the River Duff and the making of a road would open up this bog. Under threat of recovering arrears by proceedings on the Dickson estate improvident bargains were made by the tenants. Particulars of the sale to James Murray and others will prove instances of bad sales. James Murray's first term rent was two pounds ten shillings (£2 10*s.*). He was promised eight shillings in the pound by consent to purchase. The first demand he got in lieu of rent was for two pounds five shillings and sixpence, only allowing four shillings and sixpence, after a promise of eight shillings.

32414. Sir JOHN COLOMB.—Was there an agreement signed before the Estates Commissioners, when you talked about terms between landlord and tenant?—The Estates Commissioners took no action whatever in this matter. The estate I refer to was, I understand, in the Land Judge's Court. In Dublin it was sold upwards of a year ago.

32415. Who promised the eight shillings?—The Receiver on the estate was the man conducting the sale, and it was through him the promise came. The Land Court refused to accept the offer of the tenants. They had not their offer properly made. They expected to get the Congested Districts Board to work on their behalf and make an offer. The Congested Districts Board did not turn up in good time. I think it was owing to the failure to supply a valuation sheet of the estate, and they could not move without it. The judge refused to abide by the bargain, and it seems the tenants could not be forced even on those terms because some of the tenants entered the Land Courts to have fair rents fixed. I will give you an instance, Winifred M'Gowan paid a rent of three pounds (£3) first term. The purchase agreement was for 8*s.* reduction per £; interest demanded in lieu of rent was two pounds seven shillings (£2 7*s.*) in this case. There was an application in the County Court and at a special sitting the rent was reduced to one pound fifteen shillings (£1 15*s.*).

32416. CHAIRMAN.—I do not understand. How was the rent fixed if he became a purchaser?—There was a clause in the signature which enabled him to break out of it. The solicitor advised him.

32417. Sir JOHN COLOMB.—There was a preliminary agreement signed, I suppose, but they did not sign the purchase agreement?—Yes. Without inspection or something to safeguard the interests of the tenants for the future, bad and improvident bargains will be made, until they are taught a lesson.

32418. Most Rev. Dr. O'DONNELL.—In the case you mentioned the annuity instalment would be more than the second term rent?—Yes. In any case I want simply to show how largely congestion exists about here, and grazing ranches in it which cannot be got for the relief of congestion. Extent of holding and particulars of the position of Ml. M'Gowan, Tawley, are as

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follows:—Valuation of holding—on land, twelve shillings; on buildings, five shillings; total value seventeen shillings; rent, two pounds three shillings (£2 3s.). American resources only enable him to live. Others are similarly situated.

Sir JOHN COLOMB.—What is the acreage of the farm?

32420. Most Rev. Dr. O'DONNELL.—The acreage would depend on the valuation or the quality of the land?—I expect about five acres would be about the total of inferior soil.

32421. Sir FRANCIS MOWATT.—The valuation is seventeen shillings?—And the rent two pounds three shillings (£2 3s.).

32422. Sir JOHN COLOMB.—Is that the rent fixed in Court?—I could not say.

32423. Was it in court or by judicial agreement?—It is a first term judicially-fixed rent. Whether it would be an agreement with the agent or receiver on the estate, or whether it would be fixed before the County Court Judge I am not in a position to say exactly.

32424. Most Rev. Dr. O'DONNELL.—Do you think rent was laid on the improvements?—I expect it must have been. Maps and valuations of holdings in support of this evidence can be produced. The Leitrim coast is without a pier or boat slip for the accommodation of fishermen and such is very necessary. There are a number of people living there, and their holdings are so miserable and small they want some labour to help them to exist. Of course if there was a boat slip for the fishing industry erected in or around Tullaghan it would help that industry, and give some employment there, and other industries might follow suit.

32425. You have an idea where the pier should be?—I would prefer a sheltered spot. The enlargement of the Parish Committee grants would also be beneficial. The grant at present is miserably small for the area.

Mr. HUGH GALLAGHER examined.

Mr. Hugh Gallagher.

32426. CHAIRMAN.—Where do you reside?—At Kiltyclogher, in the north part of the county.

32427. Are you a farmer?—I am a farmer's son. My father's holding is twenty-three acres. The land is, I believe, the worst in the County Leitrim. The valuation is £6 5s. I may say that the great majority of the land in the district is heather. It is a hilly country, and the land, which is heathery, is incapable of producing any kind of crop. The farms are in fact all spade labour farms. There is not a single plough or mowing machine, and it is the poorest district I know of in any part of the country. It comprises two estates. It is scheduled, and there is one large estate and one small. The large one is the Tottenham Estate, famous for the number of evictions during the land war. In fact there were evictions year after year. The people are so poor they are not able to pay any rent. The holdings are bad and uneconomic. The people—the men—have to go to England and Scotland during the summer months to earn the rent and means of supporting their families. I believe if there was a system of migration introduced—there are some grazing lands in the neighbourhood—the farmers are quite willing to go if they get better holdings.

32428. Sir JOHN COLOMB.—Your father and mother are willing to go?—Certainly.

32429. To give up their present holding?—Yes; the idea of any man of any knowledge is to improve his position if he can do so. If there was a system of migration introduced, and existing holdings enlarged, it would be very beneficial. There is good reason for believing that the country here is rich in minerals. If the Congested Districts Board sent down a mining inspector the people would be thankful, to see if there could be industries extended. There are iron mines at Kiltyclogher, which have been pronounced to be the best to be found in the United Kingdom. The transit facilities are very poor and the nearest railway station is five miles distant. Of course it would be inconvenient for transit purposes. The roads would want to be improved and some better roads made. If there was a railway line to open up the country it would be very beneficial.

32430. Sir FRANCIS MOWATT.—Has the iron ever been worked?—Not for a long time. There is a tradition in the country. It is a historical fact that there were iron works at Garrison, Fermanagh, about ten miles from that place, and iron was conveyed down from the mines at Kiltyclogher on the backs of animals at the time of the Irish wars some centuries ago.

32431. The conditions are not quite the same?—The conditions are improved, and if they were applied to this mine, I think it would be found——

32432. CHAIRMAN.—At any rate you would like to have it inspected?—Yes, that is my idea, that the Board would send experts to examine it. There is also delph clay, and there is water power available.

32433. Most Rev. Dr. O'DONNELL.—Is it from that district some of the clay used to be taken to Belleek?—No.

32434. I understood it was from the Leitrim mountains?—It used some time ago. If there was a factory for making delph there it would be a great benefit.

32435. Is there anything in the way of cottage industries?—There are none.

32436. No lacemaking?—There was a lace class, but it is not in existence at the present time.

32437. CHAIRMAN.—Did the girls not take to it?—When they got to a certain age the great majority of them emigrated. The ones that are at home have sufficient work to do to attend to the household duties, and they cannot find time. It is not every girl that can be an expert lacemaker. Fifty might attend and not more than twenty would be able to turn out lace that would sell in the market. Even that might fail. It is a good idea, but it is only a drop in the ocean. There would want to be something done in that part of the county, something to improve the economic condition of the people.

32438. Sir JOHN COLOMB.—On this farm of your father's how many are in the family?—Six; I am the eldest.

32439. Have you got any brothers and sisters in America?—No.

32440. Has the whole family been brought up on that farm?—No. We have another farm.

32441. Is the other farm in the same district?—No. It is in County Fermanagh.

32442. Therefore, you have had experience outside this district altogether. Have you been in England or America?—No, I have not been out of Ireland.

32443. You have the other farm?—Yes, a tillage farm.

32444. Who lives upon that?—I live in Fermanagh, on the borders of Leitrim. The two farms almost join.

32445. How far is one from the other?—Not more than three hundred yards.

32446. You live on one and your father on the other?—We farm the two as one. That is not a general case. People do not hold two farms.

32447. Do I understand you to say you would migrate?—Certainly, if we got a better place why not? Supposing I was living on the farm in Leitrim and got a better farm I would give it up.

CHAIRMAN.—If it was worth your while you would give up both farms?

32449. Sir FRANCIS MOWATT.—What is the size of the second farm?—The other farm, the agricultural holding, is sixty acres, and the Leitrim farm is twenty-three acres.

32450. CHAIRMAN.—Are the people living around Fermanagh poor?—The land is of bad quality, and the people are poor.

32451. There is not much difference in the condition of the people?—The only difference is this, the quality of the land is the same, but the farms are larger.

32452. Is it mountain land?—Yes.

32453. Who is the landlord?—In Leitrim it is the Tottenham estate and in Fermanagh Mrs. Grey.

32454. Sir FRANCIS MOWATT.—Does your father employ any labour, or is all the labour done by the family?—At certain seasons of the year we employ labour.

32455. CHAIRMAN.—Do you imagine if the sixty acre farm were broken up that it would help them at all?—Of course, it would.

32456. Sir JOHN COLOMB.—What is the valuation of the sixty acre farm?—Fourteen pounds (£14). I may mention that on the Tottenham estate that has been sold to the tenants the agreement has been signed. I believe the money has not been paid yet. The people signed the agreements not because they considered the bargain was good, but were morally forced to buy. A number of them were threatened with eviction—there were a number of evicted farms on the estate—just to relieve pressure for the time being.

32457. CHAIRMAN.—Were they in arrears?—In all cases.

32458. Sir JOHN COLOMB.—All the tenants?—I believe so.

32459. How much arrears?—The average five or six and some seven or eight years' rent. They were threatened with procedure for recovery.

32460. By any process of eviction not more than two years could be recovered?—No, but they could proceed again.

32461. Most Rev. Dr. O'DONNELL.—By ordinary process of law?—Yes; I think so.

32462. Sir JOHN COLOMB.—It is in the power of the judge to spread payment over a number of years?—They are unable to pay the rent without having in addition to pay instalments of arrears. The holdings are not sufficient to pay any rent.

32463. Were the rents fixed by the Court?—In some cases. Owing to the evictions there were a lot of future tenancies.

32464. Can you tell me had the tenants the rents fixed by the Court?—Some of them.

32465. Sir FRANCIS MOWATT.—Have many of those tenants relatives in America?—I would say seventy-five per cent. of them have relatives or children there.

32466. Do they assist to pay the rent?—Yes, and go to England and Scotland.

32467. It would seem as if during the last six years they paid no rent they used the remittances or spent them in some other way?—They did not fall into those arrears one year after the other. Probably it would be increasing for twenty-five or thirty years.

32468. Sir JOHN COLOMB.—Are the people on the property round the Tottenham estate the same?—Yes; on the Cullum estate there were eleven that were threatened with eviction. The entire tenantry purchased; nine of them were going to be evicted—two of them had settled—nine remained unsettled until they signed the agreement to purchase. They purchased at a high price sooner than be thrown outside.

32469. Most Rev. Dr. O'DONNELL.—Under stress?—Yes, and that is what occurred all over the country.

32470. Sir FRANCIS MOWATT.—What is your father's name?—Denis. The address is Drumcully, Kiltyclogher, and Corracloon, Kiltyclogher. The district is like every other district in North Leitrim, badly drained. It is in a bad way for a proper system of arterial drainage. The rivers are blocked up. The small farms cannot be drained until the leading streams are opened up. Anybody who understands anything about the country knows that when the lands are flooded with water it is impossible for them to produce a crop. It would be very beneficial to the district if the rivers were opened.

32471. Do you think the tenants would drain?—I believe they would if the larger streams were opened. In my opinion the Congested Districts Board have the confidence of the people. Although the Kiltyclogher district has derived very little benefit in the past we have great hopes for the future. We believe if the income of the Board is increased that they are willing and will be able to improve the condition of the country. I may also mention that any efforts they make will be seconded by the people of the district. If they would erect a corn mill in the district it would be a very useful thing. The people have to carry the corn to a mill seven or eight or ten miles. There is an old unused mill that could be purchased by the Board and put up at very little expense.

32472. Is that a water power mill?—Yes.

32473. Sir JOHN COLOMB.—Are there any disused water mills in your neighbourhood?—Yes.

32474. Going to ruin?—Yes.

32475. Can you give me any idea how long ago it is since they were worked?—The mill I am thinking of was last used about twenty-five years ago.

32476. Do you attribute the falling off in corn grown in this district to the fact of the shutting up of the mills?—No, sir, not in this case, because there is quite sufficient corn to keep the mill working.

Mr. JOHN GILROY examined.

32477. CHAIRMAN.—Where do you reside?—At Mullagh, Dromahair.

32478. Are you a farmer?—I am a farmer with about fifteen acres. My father owns the farm; it is mountain land. We own two portions of land, and presently I am living on one of them. We have cattle on them, keep cows, rear calves and pigs and poultry and everything that a farmer has about his place.

32479. What sort of cattle?—We keep milch cows.

32480. Where do you sell the milk?—At Dromahair Creamery. We keep seven cows. They do not all calve at a regular time.

32481. What do you feed them and the calves on?—On grass.

32482. When they are quite young do you give them separated milk?—Yes, with the addition of Indian meal, and sometimes a little flour.

32483. Did you ever try cod liver oil?—No; we think it rather expensive for a calf.

32484. Did you ever hear of it being used in this way?—Yes, I have heard of it.

32485. They say it works out cheaper than giving whole milk?—What I wish to bring under your notice is the nature of congestion that exists in my particular district, one of the poorest in North Leitrim, and we have derived no benefit from the Board.

32486. Most Rev. Dr. O'DONNELL.—Is it scheduled?—No.

32487. CHAIRMAN.—You want it to be scheduled?—Yes, that is my desire. In Mullagh there are twenty-four tenants, of whom seventeen are under five pounds (£5) valuation, and six do not exceed ten pounds (£10), and the valuation of one holding is thirteen pounds (£13). There are eight of those tenants in Mullagh with valuations from ten shillings to twenty-five shillings with two and three acres of very bad land, and men rearing families to the extent of five or six.

32488. What prevents it being scheduled?—In Drumlease there are two thousand acres of untenanted land, and the Whyte Estate adjoins this. This is the Fox Estate. It has recently been purchased. In 1902 it had been purchased by the Land Commission under the Ashbourne Act, and it has done little good for the time. It has not done sufficient good to enable the people to live on the land. The holdings are too small, and are not able to raise sufficient crops to rear enough cattle.

32489. When you say bought by the Land Commission, do you mean to say that the tenants bought through the medium of the Land Commission?—Yes, in 1902.

32490. Sir JOHN COLOMB.—It could not have been under the Ashbourne Act it was bought, as the Ashbourne money was used up at the time?—It was said to be the Ashbourne Act under which it was bought; 1902 was the year it was bought. There are other townlands which are also congested. There is Bohey, which is in the neighbourhood of Mullagh, and in it there are fifteen tenants, and in nine cases the valuation does not exceed five pounds (£5), and the most of them are from a pound to one pound five (£1 5*s.*) and two pounds (£2), which shows it is impossible for these people to exist under any favourable conditions on those patches of land. There is another townland which also adjoins Mullagh, Rockvalley, where there are twelve tenants, ten of them with a valuation under five pounds (£5), and most of them range from ten shillings to twenty-five shillings (£1 5*s.*) There are two over five pounds (£5) and under ten pounds (£10). There is a grazing ranch locally known as Moneyduff. One witness has mentioned this ranch with a view to

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getting it cut up. It adjoins this place, and in years gone by, before the United Irish League got so rooted, it was used by the people for grazing. They used to graze cows and go and milk the cows there, and bring the milk home and keep an extra cow through using this grazing land. The people stopped that.

32491. CHAIRMAN.—They wanted to force the man to sell?—They wanted to force the man to sell, and they sacrificed the ways of living they had. They abstained from sending the cattle to it. With a view to have this ranch bought, I would bring under your notice to migrate some of those tenants.

32492. How many acres are in it?—Over four hundred acres. Mr. C. B. Whyte is the landlord.

32493. Has he cattle on it?—No.

32494. And it is not being used for agricultural purposes?—No, not in my memory.

32495. Has the landlord been approached at all?—It is not on the property I live on, but nevertheless the people in my district used to depend on it to graze cows on it during the summer season.

32496. Sir JOHN COLOMB.—That is, they paid for the grazing?—Yes.

32497. He took in grazing cattle from the district?—Yes. It was tenanted land at one time, and waste land, and he turned it into a grazing farm.

32498. Was it evicted?—Yes.

32499. CHAIRMAN.—Where does the landlord live?—At Carrick-on-Shannon. You have heard, I am sure, of Lough Gill, and if there was a steamer put upon it it would develop the tourist traffic coming through Sligo towards Dromahair. It would circulate money, and bring people into the country.

32500. A boat running from Sligo round Lough Gill might help Sligo?—It could be used for bringing cargo from Sligo as well. In Mullagh, and in and around there the supply of turf is nearly exhausted, and a great want would be met by having a line constructed from Arigna down to Dromahair to convey the coal at a cheap rate. It is also too dear at present to buy. They could not afford to buy it at from one and fourpence to one and fivepence per cwt. In a few years they will have no turbary at all; in fact the way it is going it will be a serious matter to get fire at all.

32501. How far is Arigna from any part of the lake?—About sixteen miles by road.

32502. They would have to make a railway to convey the coal?—Yes, from the south end of Leitrim.

The Commission adjourned.

SIXTY-EIGHTH PUBLIC SITTING.

THURSDAY, 25th APRIL, 1907.

AT 11.0 O'CLOCK, A.M.,

At the Courthouse, Carrick-on-Shannon.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (Chairman); The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B; Most Rev. Dr. O'DONNELL; WALTER KAVANAGH, Esq., D.L.; CONOR O'KELLY, Esq., M.P.; ANGUS SUTHERLAND, Esq.; and WALTER CALLAN, Esq., Secretary.

Very Rev. Canon GILLIGAN examined.

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Very Rev. Canon Gilligan.

32503. CHAIRMAN.—Do you represent the Leitrim County Council?—Yes, I have been nominated to give evidence to-day. I am parish priest of the parish of Kiltoghert in which is Carrick-on-Shannon.

32504. Have you made any notes of evidence?—Well, now, very little. I have very little evidence to give, I must candidly say, but I have a point or two. There are a couple of things I wish to say.

32505. Will you tell us what you want to say?—Yes. In the parish of Kiltoghert, which is a large parish, there is congestion to the extent of about fifty families. Those fifty families are extremely poor. They have a very small amount of land—half an acre or an acre, or, at the very most, two acres, and they have struggled to live in the past by going to England and Scotland for harvest as long as they could get employment to earn money to pay the little rent that is on them, and to try to tide over the winter. I think it is not scheduled as a congested district, but all the same the congestion is there, and the fifty poor families are there, about twenty not far from this town, Carrick-on-Shannon, and about thirty of them out in a large poor district called Gowell. Now I believe that these fifty families can be greatly relieved and improved by providing them with small farms and suitable houses and offices, and the remedy is very close. There are three large ranches of land—good land, in the hands of three occupiers, not agricultural, all grazed, and I understand that those occupiers of these three large ranches are quite disposed to allow this land or part of it to be appropriated, and they are willing to sell to the Congested Districts Board in order to provide these poor people with suitable premises.

32506. Can you tell us the names of those three men?—Well, is it right for me to mention them?

32507. Well, it would help us?—Well, I will tell you. The first is Mr. MacDermot of the Bush Hotel, where the Commissioners are staying. I have just had a conversation with him, and he says that he is quite willing to sell. And I asked him about another gentleman who has a very large ranch. I have not spoken to the gentleman myself. He is Mr. Wilton Vaugh, the sub-sheriff. I have not it from Mr. Vaugh himself, but Mr. MacDermot tells me that this Mr. Vaugh if he got a fair price for some of the land would be willing to sell in order to allow the Government to provide for these poor people.

32508. Who is the third?—The third is Mrs. Harrison, who has a large lot of land.

32509. Have you any idea of the extent of that grass land?—Well, I should say, altogether over 500 acres.

32510. Do you know how many Mr. MacDermot has got?—No; I am not made up on the extent of each particular ranch of this land.

32511. But the three together would make up 500 acres?—They would make up about that, but I cannot give anything definite on that because I am not made up on it, but it is very large, and it is the best part of this country. It lies east of Carrick-on-Shannon, all grass land.

32512. Are those three people all judicial tenants?—Well, I do not think they are. I do not know are they judicial tenants at all.

32513. What are they?—They have these large grazing farms, but whether they have got a rent fixed by the Land Commission Court I am not able to say. I am nearly sure that Mr. Vaugh did not.

32514. None of them purchased?—I think they are present in court.

32515. Did they purchase?—I think all, but I think that Mr. Vaugh is very independent.

32516. Do you know who the landlord is?—I think the largest place belongs to a Mr. La Touche, and it was once occupied by tenants and they were all cleared out in the bad times, and then it was all left to this one man.

32517. What do you call the bad times—in the famine, or the 'eighties?—Well, I think that probably since 1848, from time to time.

32518. After the famine times?—That, and since, from time to time. Tenants have always been broken down unfortunately in Ireland and they have been cleared out. We are hardly ever without a number of evictions all over Ireland. It is quite easy, and I think it is quite a practicable case that a sufficient amount of this land could be got. I think the occupiers are very reasonable and agreeable and generous and willing, as far as my information goes, to allow these poor people to be provided for. And there would be no necessity for migration or sending them away to another part of the country. I believe they would not like to leave their own little neighbourhoods. They woud rather be provided for at home if they could. And then there is another point. There is no other way of providing for these poor people, because it is not an agricultural county. The soil is generally wet. It has a retentive subsoil. Not a drop of water can get down. It is all on the surface, and therefore it is bad for tillage, and even if it were drained, drains twelve inches wide and nine inches deep would require to be only six feet apart to be effective. The water remains on the surface the whole time. There is only about nine inches of soil. I think it is very well for grass, and the only way that the farmers can work it, I understand, is to graze it, and therefore it is not an agricultural district and there is not employment for these poor people as farm labourers and they have to go away to England and Scotland every year to earn a bit of money to help them to pay rent and taxes and get them over the year. And that is the way the thing is going on.

32519. You think that the fact you have just told us, the unsuitability of the soil for tillage, accounts for the failure of the former small tenants?—I do, inasmuch as they could get no employment.

32520. But you told us, I think, that during the famine times and since, a lot of those small holdings on which these people used to live were amalgamated into the large ranches?—Yes; but I think very few of those people remain now; I think they are gone; they have emigrated to America.

32521. But my point is this: was the failure of those small holders due to the unsuitability of the soil for

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Very Rev. Canon Gilligan.

tillage?—No, I should say not. They broke down and were not able to pay their rent in the past, just as they have in so many other places in Ireland, and they were evicted.

32522. Did they try to till their holdings?—I think they did. Would not the failure of the potato in 1848 and 1849 account for the clearing out of over two millions of the population of Ireland—starvation and famine fever? They had not wherewith to live, and that would account for the utter breakdown of everything in Ireland.

32523. I do not think you quite understand. Do you think it is possible that the small holders—you know what I mean by the small holders—?—The small farmers with five to ten acres.

32524. Do you think it is possible for a man of that sort to get along on land unless he has a certain amount of land to till—is not a certain amount of tilling an essential condition of success in small holdings?—Yes.

32525. You would agree to that?—The fine land that is in the ranch is always good tillage land. It is good tillage land, fine limestone land, fit for cattle and sheep—the three big ranches that I allude to—very good land. They are the best land in the parish of Kitoghert.

32526. Then I misunderstood you. When you say that the soil is so shallow, that it is not suitable for tillage, you do not mean that land?—Not at all. I do not mean the large grass farms; I only allude to the rest of the parish; and therefore these farm labourers can get no employment. Farmers have no more than they can do themselves.

32527. Would you go so far as to say in your experience of the parish that the only suitable tillage lands are the three grass ranches which you have described here?—Oh, no. There is not a farmer in the parish, that is six or seven hundred families, but has a small amount of land suitable for tillage. He has drained it to some extent; he has manured it, and petted it, and he has about an acre of tillage or so. It is a very small amount of tillage that even the biggest farmers have; it is all grazing.

32528. Then where is the land that you told us was so shallow that it could not be tilled?—It lies from this all the way up to Jamestown, I would say about four miles out, and both sides of the road are rough as you go on—Whyte's—and at the very town of Carrick-on-Shannon up on the hill on which the convent stands there is no more than nine inches of soil, and you cannot walk over the land there it is so wet.

32529. And who has got that land now?—It belongs to Mrs. Whyte.

32530. Is that a ranch?—Oh, no, it is a town park; but even the town parks round Carrick-on-Shannon are wet. And to give you an idea of the nature of the soil, you could walk south and east and it is all wet, it is a retentive bottom; but going due east, where these three vast grazing farms are, it is good land, fine grazing land, suitable for sheep. It is limestone, and therefore the water goes down in the joints.

32531. There is no difference between a town park and a ranch except that a town park is near the town?—I am not making any distinction between them. I am only giving you the character of the soil, and even close up to the town of Carrick-on-Shannon. And these town parks that have been so manured, and cultivated and petted in every way, they are in grass, and they are wet, extremely wet, and the land that is on outwards is the same, not suited, therefore, for tillage, and grows a crop of rushes.

32532. I am asking only in order to understand exactly. Would you say that the land here is such that great care must be taken before it can be allotted to small holders for tillage purposes?—No. The land that I allude to is suitable to be allotted to small holders, and fit to do anything at any moment. It is limestone land, it is good land, and it can be grazed or farmed as an agricultural farm straight off. All the occupier would want is to build a suitable cottage and suitable offices, and he would get on.

32533. But on the other land which is at present under grass?—All the other land that is under grass is saturated with water.

32534. And there is a great difference between the various classes of land in this locality?—Oh, yes, indeed. There is only the one district at all suitable for accommodating the poor class, the congested class, out there, that is the three big ranches, as I pointed out before.

32535. Most Rev. Dr. O'Donnell.—You stated that the land on these three large ranches is about the best suited for agriculture of all the land in the parish?—Yes.

32536. You would therefore desire to take that land?—Yes, or portion of it. It would not be all necessary, I think, at all.

32537. You think that it is amply sufficient to enlarge the small holdings that you have called the attention of the Commission to?—Yes, amply, and more than sufficient.

32538. And it is situated pretty near these small holdings?—It is. I suppose a mile or two would be the most. They would have to leave the present wretched cabins, and new houses and offices would have to be built and provided for them, and they would be willing to leave these, and three or four of these small wretched holdings might be amalgamated then into one. There is bog accommodation attached.

32539. And on those three or four amalgamated holdings would there be a few acres of good land that might be tilled to advantage?—Oh, yes, far more; nearly all suitable for tillage. There might be a bit on the back of Sheemore unfit for tillage. Sheemore means in Irish the Big Fairy. She has not much flesh on her back that is soil—mostly bare rock.

32540. Now let us consider the small holdings that have to be enlarged?—Yes.

32541. Suppose two men left that locality and got good land that is now grazed would the two holdings left behind, when added to that of a neighbour, enable that neighbour to get on where he is?—Well, two might not be sufficient. They are small. I would take three or four in some cases. But I think the amalgamation of these little holdings would enable some of them to get on and be able to live.

32542. On the two or three amalgamated holdings in that particular locality would there be a couple of acres that would produce good crops?—Yes, there would be fully two acres suitable for tillage, because it is from half an acre in each case. And there would be three or four acres suitable for grazing. You would have both there, agricultural and grazing ground, in such an amalgamated farm consisting of four or five small ones.

32543. Sir Francis Mowatt.—Supposing there would be fifty families in the parish in extreme poverty, whom you propose to give part of the ranches to, I think you said that they were holding as little as one or two acres—did you not say so?—They range from half an acre to two acres.

32544. Then would not you call these agricultural labourers rather than small farmers?—Would I what?

32545. Would not you call these small holders agricultural labourers, and not small farmers?—Yes; I would call them agricultural labourers, because they have no grass land at present. They have only small gardens to grow roots such as potatoes, turnips, and mangolds, and they try to feed some pigs; and then they are certainly not grazing farmers at all.

32546. Then they look about for labour in order to make their living?—Yes, and cannot find it, because it is not an agricultural country, and they have to go therefore to England and Scotland.

32547. As labourers?—As labourers, to earn some money.

32548. Sir John Colomb.—Is it good land on the ranches?—Yes.

32549. Is that high land, the poor land being in the valley?—Well, there is part of it level, and mostly all high land, on a range of hills. I would not call them mountains, but it is considerably elevated, and good land. And it is an undulating country. You have ups and downs, and along where the road goes there is a low valley and a nice undulating country rising up on each side again and along there there are some comfortable farmers. There are none of the poor congested people at all on that land, or near it. It is only in another place, a couple of miles, as I described, from this grazing land, that the poor holdings are.

32550. Quite so, but I wanted to know this—are the large grazing ranches that you speak of on the higher ground, and is it the case that the small tenants are in the lower land?—Well, they are not in the lower land in that particular district where the ranches are, because they are not in it at all. They are away two miles, in another part of the parish, Kiltoghert, which is on the level. They are

in the district called Gowell, about two miles from the ranches, and there are twenty of them here convenient to Carrick-on-Shannon squatted along the roads with cabins, and very little back gardens, and they are not near the land at all. In fact there are none at all of the poor fifty families that I alluded to near this good land.

32551. Now, on these small holdings on the kind that you describe they grow their own potatoes?—Oh, they do; they are not wet. They have drained and cultivated the little plots that they have. They have them highly cultivated and drained. But their crops are so small—half an acre or so to two acres.

32552. You mentioned that these small holders were growing turnips and mangels?—Yes, potatoes principally; potatoes, turnips, and mangels.

32553. They do grow turnips and mangels?—They do.

32554. For cattle?—They have no cattle. They may have a pig, the inevitable Irish pig. They have manure. Anyone can grow potatoes, turnips, or mangels that has manure.

32555. Turnips and mangels are grown by the small holders?—It is very rare.

32556. For what do they grow the turnips and mangels?—Pigs. They are very fond of pigs in this part of the country. In Carrick-on-Shannon we have one of the greatest pig fairs in Ireland of that time of year.

32557. Now tell me what is the electoral division where these fifty families you speak of are, or are the fifty families spread over more than one electoral division?—They are in more than one division, I think.

32558. Can you give us two or three of the names of the electoral divisions?—No, but I can get for you each electoral division, and, if necessary, could make out a census of everyone of the poorer tenants and the very names of the families and the extent of rental. I can do all that if it is necessary.

32559. It would be too bad to put you to the trouble of that. We have got all the figures, if you would only give us the names of the electoral divisions. That is all you have to give us?—I am not able to tell you the names of the electoral divisions. I must confess that I am not a politician, and I do not pay much attention to politics. The poor tenants out in the large wild district of Gowell are in one union, but they are in different electoral divisions.

32560. And Gowell is one of them?—Yes, Gowell is the principal one.

32561. Most Rev. Dr. O'Donnell.—But have you not a priest living out in that direction?—I have, and he is an intelligent and active man.

32562. He will be able to give the electoral divisions they live in?—Certainly, he will, and able to give the number of tenants and the poor holding of each one. He will give every assistance in his power.

32563. Were not you anxious to say something about the railways?—Only to fight against everyone of them. They have put already overwhelming taxation on the occupiers of the County Leitrim, which has left the poor farmers overburdened and not able to get on; and any further extension of railways in a poor county where there is not a trace of any prospect of a return would be fatal.

32564. That is if they put on an additional tax?—Yes. There is a doubt whether it would pay to extend the railway in the direction of coal mines or quarries. I am rather inclined to think that it would. In that one instance I am inclined to think that an extension of the railway would be of service and that this line if opened up might pay and give employment.

32565. Sir John Colomb.—Can you tell me what the charge in the pound is for the railway guarantee?—No.

32566. You are aware that one half of the guarantee is charged on the rates, but that the other is a contribution from the State in aid of that?—Yes, but there will be other witnesses here who will, I think, be able to give full information on that point.

Mr. Wilton Vaugh examined.

32567. Chairman.—Will you tell us what evidence you wish to give?—I am a large landholder in this district and pay over £800 a year in rent and taxes. I live at Dromahair, and I have a house within four miles of this town where I formerly lived.

32568. Sir John Colomb.—How much is rent and how much taxes?—I should say about £150 a year in taxes. I pay four shillings in the pound on most of these lands. I know the County Leitrim well, and never yet met an industrious tenant that could not live and pay his rent, no matter how small the farm might be. I have known men better off and more comfortable on five acres than on thirty acres.

32569. Most Rev. Dr. O'Donnell.—Now, do you think a man could live on the small holdings described to us by the last witness?—No, certainly not. I call those labourers. I only heard just the last of his evidence, but a man with only half an acre or an acre and a-half cannot live on that. There must be employment.

32570. Or his holding must be enlarged?—Or his holding must be enlarged; certainly.

32571. Chairman.—You say you never yet met an industrious tenant that could not live and pay his rent no matter how small the farm might be?—Yes; if he had not enough to go on in the land he would try some other way of finding employment and paying his way.

32572. Do you mean to say that in your opinion every holding in the County Leitrim which was rightly considered a farm ought to return sufficient profit every year?—Yes, if properly managed.

32573. Mr. Sutherland.—In other words, you say he could get a comfortable living out of a five acre farm?—He should have more than five acres to do that; but if he has sufficient land and manages it well he is able to make sufficient to pay his rent and live.

32574. Out of half an acre?—I never said that. I do not say even two acres. But I say an honest, industrious man can live on five acres.

32575. But you say no matter how small the farm might be?—If he has not sufficient land he will find some outside work.

32576. And pay rent from outside work?—Yes.

32577. Chairman.—Where do you draw the line?—I would say five acres is the smallest that any man should have.

32578. And anything under five acres you would not consider a farm at all?—Yes.

32579. And would you say that a holding of five acres is a farm?—I have known men with five acres as comfortable as men with thirty acres. My chief faith is in the man himself.

32580. I suppose when it is boiled down to the lowest point it is a question of the quality of the land?—No; the man I depend upon altogether; not so much on the land. I would rather have a good man on five acres than a bad man on thirty acres.

32581. Most Rev. Dr. O'Donnell.—There cannot be any doubt that the man is vastly more important than the land; but would not you consider five acres much too small?—Certainly; I would like to see every man with twenty acres that he would manage. My object is this, merely to show you that it is not so much the land; it is more the man that you have in the place.

32582. Chairman.—Do you really believe that in the poorer districts of the County Leitrim, amongst the mountainy districts, a man, if he is industrious, can always make that farm pay?—He can. That is my experience of the County Leitrim, and I have known it for forty years. I have been born and bred in the county, and my father before me; I have told you that I hold land for which I pay £800 in rent and taxes. I have been in a land agent's office all my life.

32583. Then you speak from your experience?—I know what they do, and how they do it.

32584. Do you consider a man that can do that a good man?—Oh, yes. A man may lose a calf, and may have sickness, and may be disabled through plenty of other causes, but if he is he always comes round again in a very short time if he is the man that I have in my eye. And I have never known a man to lose cattle that he would not get some friend or neighbour to come and help him and put him on his feet again, and he generally comes right. There is very little congestion about this neighbourhood, but there are few electoral divisions in the county in which

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Mr. Wilton Vaugh.

you will not meet with congestion, less or more. To remove some of the industrious men, and transplant them on to larger holdings, with capital to work them, is the only remedy, if you could induce them to move or migrate; and if you select the proper men they are bound to succeed, while the farms they leave should be joined on, or cut up so as to enlarge the adjoining holdings.

32585. That is the whole case of migration?—Yes. As to obtaining land for transplanting these men to, plenty can be had if a fair price is given. I hold a farm of 287 acres 1 rood 12 perches on the King Harman Estate, within four or five miles of Carrick-on-Shannon, and when the estate was bought by the Estates Commissioners in 1905, I offered to sell this farm to them at a price that, when invested at 3½ per cent., would give me my net income out of the farm on an average of five years.

32585A. Sir JOHN COLOMB.—You are a tenant purchaser?—No. I did not purchase. I pay rent to the Land Commission. They have bought that estate.

32586. CHAIRMAN.—The farm is a farm of 287 acres. Is that the farm the last witness alluded to?—I would not say, but I think not. It is another district. We will come on to that later on. The farm I am speaking of is in the County Roscommon. We are just on the borders of Roscommon and Leitrim. The Estates Commissioners had the farm inspected, and said it was what would suit them, but they have made no offer, and nothing has been done since about it. When, however, I wrote my terms to their inspector I received the following letter from him, which shows that he could not see his way to proceed further unless I was willing to knock one-third off my terms.

32587. Sir JOHN COLOMB.—Your terms were?—My net income at 3½ per cent., calculated on the average of five years. Shall I read the reply I got?

32587A. CHAIRMAN.—Do please?—Here it is:—

"The Irish Land Commission,

"24, Upper Merrion-street,

"Dublin, *5th April*, 1905.

"*King-Harman Estate.*

"DEAR SIR,—Your note of 1st inst. came in my absence in Wicklow. I am afraid I hardly appreciate the force of your point, *i.e.*, that you should have such a price as, when invested at 3½ per cent., would produce your present income. I am aware that the *principle* has had some recognition in estimating the value of the landlord's interest, but you are the first to propose it in respect of the value of tenant-right, so far as I know. Even if it were considered generally applicable, would not your short connection with the holding, your predecessor's experience in it, &c., have to be considered? Of course any grounds you consider as supporting your views as to the price I shall carefully look into when you submit them to me. As it is, I know nothing of your working of the lands, either as to outgoings or income, but, judging from my inspection in the ordinary way, I think your price altogether too high for the purposes of the Estates Commissioners. Having regard to the way your lands are intersected by good roads, and to the water supply, they would be very convenient for carving up, and if you could see your way to reduce your demands by about a third, our correspondence might result in a purchase.

"Yours very truly,

"JNO. CUNNINGHAM.

"W. Vaugh, Esq., &c., &c.,

"Dromahaire."

32588. Sir JOHN COLOMB.—Did you reduce your demand by one-third—how did it end?—In this way. I asked for £3,000, and told him my net income was £110, and I said, "I will give you the farm for £3,000," and he says there, "Take one-third off that." And I never answered that letter, because I thought there was no good in it; and I have the land still.

32589. Most Rev. Dr. O'DONNELL.—There is a point in the letter about your short connection with the holding?—Yes. That had nothing to do with him.

32590. How long had you had it?—I bought it eight years ago.

32591. How much did you pay for it?—£1,500.

32592. Sir JOHN COLOMB.—That is the tenant's interest?—The tenant's interest.

32593. Most Rev. Dr. O'DONNELL.—And are you now a tenant of the Land Commission?—A tenant of the Land Commission.

32594. That is to say the Land Commission is the landlord?—They are the landlords. I pay them rent every half-year.

32595. And the Estates Commissioners think that farm of yours suitable?—Yes, it is well situated, with good water and good land.

32596. They are aware that seven or eight years ago you gave £1,500 for it?—Yes.

32597. And do you not think it is reasonable for them in these circumstances to ask you to abate the price?—I do not.

32898. They want it for the enlargement of small holdings and you ask £3,000, and they, knowing that £1,500 was the price seven or eight years ago, ask you to abate the price?—I do not think that is anything to them. I have bought it in the market, and I have a right to get what it is worth in the market. Suppose I bought shares in Guinness's at £15 (which I have), and they are now worth £56, should I now be called upon to sell these at £30 because a certain man wanted them?

32599. The price of Guinness's shares is a well-ascertained thing in the market?—Yes.

32600. The price that you would get for that land if it were put up for sale is not generally known, neither is there anything known of your net income except your own statement of it?—But I was prepared to show them the figures.

32601. And anyone in trying to arrive at the value of your property would naturally, I think, look to the price you paid for it seven or eight years ago?—No, my lord; I don't think that would be fair or right. If I was allowed to cut up that farm into lots of thirty acres each, I believe I would get £5,000 for it.

32602. Do you know that the value of land in your district fluctuates in the same way as Guinness's shares?—It has gone up.

32602A. As much as Guinness's?—Oh, not so much as Guinness's.

32603. Why do you ask me to take Guinness's shares as a parallel case?—I only mentioned that as an instance that things might go up. Guinness's shares were at £15. They are now £56. It is one instance to show that I ought not to be called upon to sell a thing at what another man thinks fit to give. If I buy a cow at £10 and that cow improves and is worth £15, am I bound to sell her again at £10 or £12 if I think she is worth £15.

32604. Pardon me for saying that that is not the question. The question is this, whether anyone going to buy a cow, much more land, would not be anxious to know the price paid a little before for the article?—They might, but that should not make the man that had her sell her cheaper or at the price the other man thought she was worth.

32605. Do you not think the price seven or eight years ago has not something to do with the price now?—No, it has nothing. Of course a large farm may be bought cheap, as there are few men able to bid; and if I could cut that up and sell my tenant right I would get £5,000.

32606. It is not usual?—I admit that; but supposing I did.

32607. You are supposing that you had a property in the land which you do not possess, because a tenant has not that right?—I am only saying if it was so.

32608. Has there been any progress in the value of land in the neighbourhood corresponding to that?—I know a case where a farm was sold for £1,000 which five years ago was sold for £700, and another where a farm for which a man paid £1,000 was sold last year for £1,400. There are two instances.

32609. I think a third off the price that you require would leave the price very near the increase that has taken place in the case of the two farms to which you refer?—But I bought mine far cheaper.

32610. Did not you think it was worth while to reply to that letter from the Estates Commissioners'

official?—Well, I did not answer because I did not think he came to me in the right way.

32611. The Commissioners seemed to be willing to give you an increase of price?—But I did not think it was enough.

32612. Why did not you argue it out?—Because I thought he took a wrong view of it altogether. I consider he had no business to speak of "your short tenure of the farm." What is that to him? I bought out the tenant's interest.

32613. Mr. SUTHERLAND.—What is it that enables you to appreciate the price of the land?—I believe it to be worth it to me.

32614. This does not arise from any expenditure?—No; from no expenditure of mine.

32615. Sir JOHN COLOMB.—I want to get back to that very important case. You bought the tenant's interest in the farm seven or eight years ago?—Yes, I bought it in the Landed Estates Court.

32616. You bought the tenant's interest in the farm in the Landed Estates Court when it was put up by auction, for £1,500. Tell me, what is the rent of that farm?—The rent is £217 9*s.* yearly.

32617. It is not a judicial rent?—I hold under a lease, the term of which is unexpired.

32618. What is the term in the lease?—Three lives, and forty years after the last life has expired.

32619. What is the rent?—£217 9*s.* yearly.

32620. And it is a lease?—A lease.

32621. In your opinion if that farm was put up for auction it would bring a great deal more than the £2,000 that the Estates Commissioners offer?—I believe so. I would not take £2,000 for it from anyone. I would not take it. If any man in this court was to offer me £2,000 for that farm I would not take it.

32622. Do you consider that the answer of the Estates Commissioners would be prejudicial to the sale of your farm, supposing that you died and that your executors had to sell it—would that letter be likely to prejudice your security?—Oh, I do not know. He only made a suggestion that if I would take off one-third he would see his way to make a bargain. It is a usual thing in a fair. I am in a fair every week, and if I ask a man what is the price that he wants, and he say £10, and I would say, "Take off a third and I will deal with you." I do not think there was anything in his letter more than that.

32623. Are any of those lives still in being?—Yes; and I have forty years after that.

32624. Forty years after the death of the last survivor?—Yes, that is the term of the lease.

32625. Then the reversion is to the Estates Commissioners?—Yes; they have bought the interest in the King-Harman estate.

32626. And unless they could break the leases they have no power to resume?—No; they cannot resume as long as I pay the rent.

32627. Most Rev. Dr. O'DONNELL.—Would not you consider that the fact of a series of years having expired is a deteriorating element in the value of your property?—Well, unless the Land Commission commenced to put on rack rents and raise the rents, I do not see how they could change it very much.

32628. Sir JOHN COLOMB.—They have no power to raise the rent?—Not till forty years after the death of the last survivor. They might then do what they liked with it. I will be gone anyway.

32629. CHAIRMAN.—From the third paragraph of your precis I gather that you are in favour of what is commonly called migration?—Certainly, my lord.

32630. That is transplanting men?—Transplanting men.

32631. From poorer holdings to better land?—To better land that can be got on fair terms.

32632. Sir JOHN COLOMB.—You do not come within the section of the Act that enables a lease to be broken and a fair rent fixed?—Well, I believe I do; but I do not think I would gain anything in the Land Court. I believe the farm is cheap enough. I would have tried it long ago if I thought I could make anything of it.

32633. Have you the option of availing yourself of the terms of the Act of 1887 that broke leases?—The Act did not break leases, but it gave me the power of going into court and having the rent reduced by the Sub-Commission if it was too dear.

32634. And if you thought that you would gain by that you could do so?—Yes. I have power to do so if I thought I could gain anything by it.

32635. Because the land is so valuable?—Yes. The value is £100 over the rent I pay.

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32636. CHAIRMAN.—Now, Mr. Vaugh, you have told me you were in favour of migration, but your view is that if the Estates Commissioners buy your land they should pay you a price which, invested at 3½ per cent., would return you your net income?—My net income in producing my receipts and vouching my accounts.

32637. Do you imagine that the reason that you have been enabled to make a profit out of your land is due to your own experience, knowledge, and efficiency in farming, or due to the land itself?—It is due to the land itself, my lord.

32638. And is not it also due to the fact that you know, perhaps, a good deal about farming yourself?—Well, I know a good deal about farming myself, but this farm has produced the same income for years upon years before I got it.

32639. The same income?—The same income.

32640. Do you mean that you expect that an ordinary average farmer, if he got your land now, would make more?—He would make more, because a middleman would make more than I am making.

32641. Would an ordinary individual, who might not be such a good farmer as you, be able to make as much as you?—Certainly he would, and if I could pay attention to the farm and stock it myself as I do my other farms, I am perfectly certain I would make £200 a year out of it.

32642. And do you sub-let it?—This farm was in the hands of the National Bank for years before I bought it. I bought it at a public auction, and they sold it. They had the grazing of it let to three men for years before I bought it. I bought it, and then I got the position of sub-sheriff of this county, and I found I could not attend to it, and I left the land in the hands of these three men ever since, and never changed the rents or anything else, but just left it as I got it, and I get £110 a year profit.

32643. And you sub-let?—I sub-let. It was sub-let before I bought it, and I never made the slightest change of men or rent or anything else.

32644. Sir JOHN COLOMB.—It is on the eleven months' system?—Yes, and had been for years before I bought it.

32645. And you never disturbed them?—I never disturbed them. They are the same men and the same rents.

32646. CHAIRMAN.—In your opinion, if you broke up your farm and put men in it they could return more out of it?—They could return more out of it, because they could give their time and attention to it and manage it better than I could.

32647. And do you think that from the same point of view it would be a perfectly sound investment to buy you out on the basis of your net income and establish small people upon it?—I believe they never will get such a chance again in this county, because it is seldom they will get such land as that, so circumstanced and so good in every way. It lies on the main road between Carrick-on-Shannon and Boyle.

32648. The other point is that if the State purchases land from anybody like yourself it is not a concern of theirs what price you paid for it?—No.

32649. The only basis they can possibly go on is what the land is worth to the present occupier?—Yes, as can be shown by receipts.

32650. As can be shown by receipts?—For the last five years. I do not think it is anything to anybody what I paid for it. It is what it is worth now, and what it is worth to me.

32651. Mr. SUTHERLAND.—Did you ever consider the possible effects of popular feeling in such matters?—A man is a fool who cannot see his way to carry a burden on his back. I am not a fool. No one takes me for a fool in this county at least. I am in a position to prove that my net average income from the lands has been £110 per annum, and I asked £3,000 for my interest. I think this instance shows that the chief object in demanding compulsory powers is to be able to compel landlords, tenants, shopkeepers, and all other landholders to sell their landed property cheap. The Estates Commissioners have an inspector going all through this county, making inquiries about evicted tenants for the last six months. What good he has done I cannot see, except raising false hopes

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in many men, and filling others with fear and alarm. Not a single evicted tenant that has been away from his holding has been reinstated, or received land instead. I told the inspector that, if he wanted land for this purpose, I was prepared to sell him 500 acres of good land, and I gave him the full particulars of same, but I have never heard from him or the Estates Commissioners about the matter. I suppose these are the lands that Father Gilligan referred to. They are within four miles of this town, the town of Carrick-on-Shannon. I know others also willing to sell at a fair price. When estates are sold under the Purchase Acts it would be most desirable to find some effective means of preventing sub-division, and the reckless cutting down of timber by the tenants. The splitting up of grass lands into small farms would not greatly affect the cattle trade in County Leitrim, because there is very little land in this county that could be used in this way. But the general cutting up of grass lands, or what is called abolishing the large graziers, would be disastrous to the cattle trade in Ireland generally. I can give my reasons for this opinion.

32652. CHAIRMAN.—Give me your reasons?—Well, my lord, small farmers will not keep calves till they grow to an age at which they can be fattened, and if we had not graziers to buy those calves from us at one year old, or a year and a half old, and keep them on for another year or a little longer to mature them, I think our small cattle would be considerably reduced in price unless these men come and buy them from us. The small farmers now get from £7 to £8 10*s.* for a good year old, and if a man kept him on till he was a three-year-old he might have to sell him for £12, and he would have to feed him for two years more. But when he can sell those cattle at a year or a year and a half old for £7, or £8 10*s.*, these men, the large farmers and graziers, come in and buy these cattle from him, and they have the means of putting them in the way of sending to the English and Scotch markets.

32653. You said that at present people living on poor lands sell their cattle at from a year old?—Yes.

32654. Then cattle go to the better lands, which are at present held probably by the large farmers?—Yes.

32655. And those people keep the beasts till they are advanced enough to go to England and Scotland?—Yes.

32656. What is there to prevent the man who moves from a bad holding to a good holding on to the very land that you describe, being able to do exactly what these large farmers are doing now?—Why should he, because he can feed three small beasts for two large ones, and he has double the profit. He can feed three calves now for two year olds. If he gets £8 for these year olds, would not it pay him far better than to keep them for another year, and get perhaps £10 when he can get £7 or £8 after the first year.

32657. The present big grazing farmer takes year-olds?—Or two year olds.

32658. But he does not breed himself?—No, not generally.

32659. If it pays him to keep cattle till they are three years old it would pay the small man?—He will not do it. He will get £7 to £8 10*s.* for a calf a year old, and he can rear three of those calves where he could only keep two of the large ones, and it pays him double. He won't keep the large cattle so long as he can keep the young ones.

32660. Why do not the big farmers do that?—Because they won't go to the trouble of rearing calves, and you cannot have calves without cows, and you must have a staff of servants to milk the cows, and the big graziers will not do so.

32661. But if it is more profitable to rear calves and sell them I cannot see why the big graziers do not do it?—Well, it is not done in this part of the country.

32662. Mr. SUTHERLAND.—Although he has got such a good farm?—Well, he has not got the help. The big man must employ others to do it, and the small farmer employs his own family. It is the small farmer that is making money on the cattle.

32663. Sir JOHN COLOMB.—Is there not another obstacle in the way of raising cattle on the small farms that you describe—namely, that the process of maturing the year-old cattle would require a good range?—Of course, it would.

32664. And that large range cannot be provided on small holdings?—Certainly not.

32665. And is not that a contributory cause to the fact that a small farmer really cannot keep his cattle to maturity?—That is the case. Unless the big cattle have got a run they won't improve, but the principal reason is that small calves pay him better than older cattle.

32666. Mr. SUTHERLAND.—Have the cattle any exercise at all?—Yes.

32667. In my country we do not give them any exercise at all?—We prepare them and send them all to you, and you feed them up, and give them everything to eat, and you have all the profits.

32668. Mr. KAVANAGH.—Is not there a great trade in Scotland for yearlings, too?—They are generally one and a half year olds, and then they send them on.

32669. The large grazier that is supposed to get them is not the only buyer in the market?—He keeps them for a year or a year and a half, and then sends them over to Scotland or England. He just holds them for a year or a year and a half, sometimes two years, and then he sends them on to the Englishman or Scotchman to finish them.

32670. He buys direct from the small farmer in the fair?—He buys from any man he meets. In my experience the rents of small holdings in County Leitrim have always been well paid, and I can hand in figures to prove this.

32671. Sir JOHN COLOMB.—When you consider the state of Ireland generally, the fact that 72 per cent. of the whole of the holdings in Ireland are under 30 acres, do you consider that these big ranches are the necessary economic result to meet the wants of the small holders?—Quite so. If they had not those big farmers to buy the cattle from the small ones, where would they sell them.

32672. And as you diminish the ranches and the graziers that fulfil that duty, so you are likely to diminish the demand for young cattle, and consequently reduce the price?—No doubt of it. If you have a lot of calves in the fair and there are only a few men to buy them they are bound to be sold cheaper while if you have a number of men to buy them they will fetch a fair price.

32673. Most Rev. Dr. O'DONNELL.—Have you any experience of stall-feeding?—No, I have not.

32674. Have you considered at all whether under a system of tillage conducted by the occupiers on the larger holdings it would not be possible for the occupiers to rear calves, and by the use of the root crops grown upon them to stall-feed?—Well, if we were in more solvent circumstances than we are in at present we might do that. But if the small farmer were a solvent man, and likely to pay the claims of the shopkeeper and other out-goings instead of telling him to stall-feed, I would like to see him growing an extent of green crops, and feeding the young cattle with the crops and bringing them to a better condition. There is not a beast in the fairs of the County Leitrim that if better fed would not be worth a pound more. I say, never mind cake—leave that to Englishmen; never mind stall-feeding, but feed the young cattle better.

32675. If we had a system of more intensive cultivation with better instruction and better treatment of the soil would there be any great reason for fearing that the occupiers could not also stall-feed?—Oh, my lord, I certainly say that they could if they have the means to carry that on, and that they see that it pays them.

32676. CHAIRMAN.—You said to Mr. Sutherland—"You have all the profits." You mean that Scotchmen have all the profits?—They generally have. I bought some cattle for a gentleman in Yorkshire, Mr. Lane Fox. I bought them at £11 10*s.*, and sent them over to him in October, and not long ago he told me that he got £26 a head for them.

32677. How much did you pay for them?—£11 10*s.* I sent them over to him, and of course he gave them cake and every mortal thing he could.

32678. If that is so why it not that done in Ireland?—Well, we are behind the times, I suppose, and we have not the means to do it.

32679. And that means that agricultural education is not what it should be?—Oh, it is not, indeed.

32680. But there is no reason it should not be done in Ireland?—There is no reason it should not be done if we had the way and the means. We want the capital.

32681. But the application of capital would follow, would not it?—Oh, certainly.

32682. If you could only get people to understand that the profit of the cattle trade is in the fat beast they would then do it?—Yes, if we could get our people up to that, my lord.

32683. That is a matter of education?—A matter of education and capital.

32684. But on the present system you are giving the principal profits of the cattle trade to England and Scotland?—We are.

32685. And would you like to see the system changed, that Ireland should derive the principal profits from the cattle which she raises herself?—I would like it if it could be done.

32686. And that could only be done by a system of feeding and fattening the cattle in this country?—Yes, my lord.

32687. Now, you also, I think, stated to Sir John and Mr. Sutherland that you could not fatten beasts till three years old?—No, my lord.

32688. Do you mean to say that there are no fat beasts killed at an earlier age in England?—Oh, I know that, my lord, but it is hard for a man to fatten a calf with those other demands on his time. They must be kept in good condition and hand-fed, and all other sorts of food that we have not in this country; nor have we the means of doing it or the way of doing it or the house accommodation, and it is not done in this country.

32689. That is only because it is not the fashion, but there is no reason, is there, why you should not be able to get a beast fat and killed at two years old?—Oh, I think you would have to feed them continually with meal and cake and everything of that kind from the time they are calved till they are two years old.

32690. And would you get a big price?—Yes.

32691. And there are in England and Scotland numbers of beasts that are fattened in that way, and killed fat?—Yes, my lord, and they often fetch 5*s*. a cwt. more than other beasts.

32692. And could you get the holder of a moderate-sized farm to understand that is there any reason why he should not keep a beast and fatten it in the same way?—Not the slightest; if he could do that and do without the money which fed the beast till he sold the animal there is nothing in the world to prevent him doing it.

32693. That is to say, that all that he lacks now is the knowledge and the possession of a certain amount of capital?—That is all that is wanted.

32694. And is not it the fact that if a man was intelligent and knew something of his business he could borrow money from the bank for that purpose?—No; they would not lend money for fattening cattle, my lord.

32695. But for equipping your farm?—No. To make drains in it, and for houses. That is all.

32696. But the Congested Districts Board do. They have a system by which they can lend money to a man for that purpose. Would that meet your view, that if he has got anyone that would lend him the money and lend it cheap there is nothing to prevent him going on?—For the loan of the money?

32697. If you got an intelligent man with a small holding—I do not say of 10 acres, but of 30 acres—who really knew the details and secrets of the cattle trade, so long as he would be able to get a cheap loan from the Congested Districts Board and in that way had command of capital, there is no reason why he should not keep his beast and fatten it?—None whatever.

32698. Sir John Colomb.—You mentioned Mr. Lane Fox as an illustration of what is done on the other side of the water?—Yes.

32699. But is not Mr. Lane Fox able to carry on those operations in England on a large scale, an enormous scale?—Of course he does.

32700. And is not it the case that the men who make those profits by fattening cattle are not the small occupiers in England and Scotland but the very big ones?—Oh, not at all. The very big ones.

32701. And does not it narrow itself down to the point that what is done by the very big men in England and Scotland cannot be done by the small men in Ireland?—Well, the man that I mentioned is a very big man. He spares nothing.

32702. And, therefore, the comparison you make is between the very large holders in England and Scotland and the smaller holders in Ireland. It does not follow that because the big holder can do it in one country the small holder can do it in another?—Well, he can try it anyway.

32703. Chairman.—But except that the holding should be of reasonable size has size got anything to do with the question—is it not the case really that all this is due to the circumstance that knowledge and capital are in the hands of the big men?—Oh, certainly.

32704. And if you give the small man as much knowledge and capital as the big man has got he can succeed just as well as the big man?—He can, and as a matter of fact, do the work himself better perhaps. It is usual to stall-feed a number of cattle in one house. Two men can feed twenty or thirty stall-fed cattle in one house, while it would take the same men to feed half the number.

32705. But that would not make a difference?—No.

32706. Therefore when Sir John says that you are comparing the Scotch big man with the Irish small man that is hardly a fair statement, because, as a matter of fact the reason is that the big Scotchman now has the knowledge and has the capital and the Irish small man has not, and thus beats the Irish small man, not because his holding is small, but because he has not the knowledge and the capital that the big Scotchman has?—That is the chief cause of it.

32707. Sir Francis Mowatt.—Is not the fattening done partly by small holders in England?—I do not know anything of England beyond the instances I gave you.

32708. But some of those small men in England fatten for the butcher, and then it is not fair to say that in England the comparison is with large holders?—I do not know much about England.

32709. Sir John Colomb.—Or Scotland?—Or Scotland.

32710. Chairman.—Now, to go back. If what you tell us is true, why, with a greater increase of agricultural knowledge and capital, should abolishing the large grazier industry be disastrous to the country?—For the reason I told you, that you will not get men to go on fattening cattle so long as you make profit out of younger cattle. Some men must grow them. You cannot have old fat cattle without growing young ones. Some men must grow the young ones or we cannot have the old ones.

32711. But that is only under present conditions. You are speaking now of present conditions. You say that if farmers in Ireland continue selling their cattle at a year old there must be necessarily somebody left to buy them?—There must be.

32712. But there is no reason why they should sell them at a year old?—You should give them fifty acres each or they will never hold them on to fatten. They will sell young cattle, because it pays them better to sell them young.

32713. Why do you say fifty?—Because with thirty acres there is no chance of doing it. They will keep on to the young cattle. They can feed three or four young cattle for a couple of old ones.

32714. But you have just told us that it would be better to keep them?—Oh, if they had the means and the capital.

32715. And is there any reason why thirty acres would not suffice?—Well, the occupier of a thirty-acre farm will sell the young cattle and they will pay him better.

32716. Most Rev. Dr. O'Donnell.—What class of land?—Oh, I mean County Leitrim all through. I would say that any man in Leitrim ought to have twenty to twenty-five acres to live comfortably on it.

32717. You said you would not regard stall-feeding as profitable with a smaller acreage than fifty acres?—Yes.

32718. And I want to know what class of land?—Good land.

32719. But the quality of the land?—I should say 30*s*. an acre at the least—good land like that.

32720. Chairman.—Now, on another point, did you ever consider from where the chief competition with the Irish cattle trade comes?—I think they have done their worst.

32721. You think the competition will be no keener?—No. I do not know. Cattle are dearer than this time twelve months. I think the foreigner has done his best.

32722. We have been told that the dead meat trade is the thing of the future. Do you agree with that?—I do not know. From the shipments coming in this year, both of dead and live meat, I think they have done their worst.

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32723. We have been told that the Argentine people have so improved their herds for the purposes of the dead meat trade that the meat is of such a quality that it is that meat that will, in the future, seriously compete with the Irish cattle and that consequently, unless it is possible to fatten Irish cattle quicker than they are fattened now, unless the rearing and fattening be more simultaneous than it is now, the Argentine dead meat will seriously interfere with the prosperity of the Irish cattle trade?—Well, I do not know, my lord, what will happen in the future, but I am only speaking of what is happening at present, and I believe they have done their best and their worst against us, and that we will not see cattle cheaper, and that is the experience of all shipping men and dealing men whom I meet every day of the year.

32724. Would you say that Ireland would do better to go on as she is doing now?—Rearing young cattle?

32725. Would you say it is better for Ireland to go on rearing fat cattle with a view to producing meat or to go in more largely for dairying?—But dairying and rearing young cattle go together. They go together, and I say that is the best thing for small farmers in Ireland.

32726. That is to say the selling of cows?—No; rearing calves and making butter. Those two go together and I say that is the best thing for any small farmer to take to, and I would say to him, "Grow green crops and feed your young cattle better and prepare them for the English and Scotch markets as quickly as you can."

32727. But look to the dairying, look to the sale of the milk and the making of butter?—But he rears a calf along with that.

32728. He does the two things?—He does the two things—makes the butter and rears the calf.

32729. Sir JOHN COLOMB.—And it is essential to the production of butter that there should be some tillage?—Certainly.

32730. And by that you increase your output of butter and increase the value of your cattle?—Certainly, tillage is essential. I would like to see every farmer in Leitrim with half an acre of potatoes; half an acre of root crops, and an acre of oats.

32731. And does the enhancing of the value of the land result from the effects of the two combined?—Of course it does.

32732. And is not that a question of manure?—No; what we want in Leitrim above all things is drainage. Drain our lands first, and then insist upon cropping them, and then you will have a good crop to feed your cattle with and put it into your young cattle, and sell your young cattle, and that is the way to make money in Leitrim.

32733. Is it not the case that whatever you do on a farm of a certain size and quality there is a limit to the number of cattle you can properly rear or keep on it?—Oh, of course there is.

32734. What you mean to say is, that the real business for the small holders of Ireland is dairying and the rearing of young cattle, feeding them well in their youth and selling them early?—Certainly.

32735. And, therefore, there must be milk for the young calves?—There must be.

32736. CHAIRMAN.—For dairying purposes you say a certain amount of tillage is essential?—Certainly, my lord.

32737. Do you think it would be better carried on by small holders or large ones?—By small holders, as small holders would do work themselves.

32738. Is the tendency of grass ranches to diminish tillage?—Certainly.

32739. In order to increase tillage would you like to see the grass ranches broken up?—Certainly, I should like to see a man with a small holding do more tillage. They do not do half enough tillage.

32740. And you believe in mixed farming?—I do.

32741. And you think it would be better to encourage a system of small holdings than of larger ones?—Yes.

32742. And you say it is necessary that there should be milk for the calves. If the small holders of Connaught were to breed calves largely and if they found that the system was not so largely adopted in other parts of Ireland, would not the buyers go to Connaught?—You would find them all coming down to Connaught to buy those stores.

32743. Then how would you like this, that Connaught should go in largely for a system of farming on small holdings and that for the present, at any rate, the rest of Ireland should continue to buy and forward those stores?—That is what I think would be the best thing for Connaught.

32744. Mr. SUTHERLAND.—So you would bring England and Scotland to Ireland?—I would have Connaught the breeding ground for cattle and children.

32745. CHAIRMAN.—Then so long as there is a market in the other provinces of Ireland, so long as there are grazing tracts there, would you be prepared to see Connaught deprived of the present grass holdings?—It would be all the better if you did not go outside of Connaught for it, but if it got all over Ireland I say it would be a great mistake.

32746. The prospect for small holdings is principally in Connaught?—Yes, principally in Connaught. The only thing I would urge upon this Commission if you want to benefit us in Leitrim is to drain our lands for us. That is what we want above all things.

32747. Are you prepared to maintain the drains if made?—That is a question for the occupiers. Some of them will and some of them will not.

32748. How do you propose it should be done?—It is the occupier that must do it.

32749. But supposing he will not do it?—I do not know what would happen then. What I would like to see would be this, that the Congested Districts Board should appoint a man specially for that purpose, to go round these poor farms directing the tenants where the drains should be and see that they were properly made and give them what I used to give them in the old times before there was any Land Act, what was given by the large owners of property, and that is sixpence a perch for making those drains, and seeing they were properly done.

32750. That is small drains?—Small or large. There is not a spot in Ireland or Connaught so full of rushes as the County of Leitrim. The half of it is covered with rushes, and I want to get this land drained, and the people will not do it unless there is some incentive or something to encourage them to do it.

32751. In connection with small drains you must also have a large arterial drainage?—That is for the whole country, but this is the County of Leitrim, and there are very few parts that would want large arterial drainage like that.

32752. But if you drained the land better than now would not the effect of that be to throw a good deal more water down on the low-lying grounds?—No, it would not. There are main drains to carry this off, and it does not do any harm of that sort. And what I want is to drain the small farms, and that should be encouraged in the way I suggest, to give them a small sum for doing it and to see that it is properly done. I believe it would cause a very great change in the soil of this county in a very short time.

32753. Sir JOHN COLOMB.—And are you of opinion that compulsion should be applied to tenant farmers as well as to everyone else?—I do not think there is any necessity for compulsion at all.

32754. I understand that the valuation of your farm is higher than the rent?—Just £100 over the rent; about £317.

32755. CHAIRMAN.—Can you say how much the Estates Commissioners paid for the King Harman estate?—I cannot tell you.

Rev JAMES MANNING examined.

Rev. James Manning.

32756. CHAIRMAN.—I see in the precis that you have handed in the first paragraph consists of statistics of congested areas, I think there I need not trouble you with very much?—It is only to my own parish, my lord, that I intended these things to refer.

32757. Is your own parish scheduled or not?—The parish is partly scheduled. My own parish is called Drumshambo. It is really a part of Kiltoghert Parish, but we call it, for our own purposes, Drumshambo. There are twenty-three scheduled townlands in that parish, containing 166 families, and there are thirty-three non-scheduled townlands, containing 187 families with a population of 990 persons. The little town of Drumshambo contains ninety-five families, with a

total population of 553, according to the Census of 1891. My reason for giving these few figures is this, that I do not see any reason why the thirty-three non-scheduled townlands in this parish are not scheduled. The little town of Drumshambo being in the electoral division of Drumshambo, and close to the electoral division of Leitrim, I think has at present something to do with the non-scheduling of those thirty-three townlands. It naturally raises their rateable valuation. I think the scheduled area should be extended. As far as I know the district, and I know it pretty well, there is no reason to be found in the quality of the majority of holdings at all events, or in the condition of the occupiers of the majority of those holdings in those two divisions of Leitrim and Drumshambo for excluding them from the scheduled area. The majority of the farms here are uneconomic according to the definition laid down by the Congested Districts Board of what constitutes an economic holding, but there is not one of them economic if we apply to them the test laid down by the Agricultural Board. In every one of these townlands the people are just as poor, if not poorer even than in the scheduled districts, and it would be a great benefit to the farmers if these divisions were included in the scheduled area and personally I do not see any reason why the whole County of Leitrim is not scheduled.

32758. Most Rev. Dr. O'Donnell.—I find that there are, apart from those 95 families, 74 under £4 valuation, and 185 additional under £10. That goes to show that in these two electoral divisions there is a large proportion of small holdings?—Yes. That bears my statement out that they ought to be scheduled as congested —those two electoral didvisions of Drumshambo and Leitrim. In this parish of Drumshambo there has been only one small estate sold or purchased under the Act of 1903. The price given for it was twenty-one and a half years' purchase on second term rents, or their equivalent. The greater portion of the scheduled area in this parish was purchased under Acts previous to 1903, and the price in all cases was under eighteen years' purchase. The last sale that took place under Acts previous to 1903 took place the year I happened to be appointed parish priest, 1902, and the price was seventeen and a half years' purchase. There were a number of them first term rents, but they were made equivalent to second term rents.

32759. Sir Francis Mowatt.—How do you mean that they were made equivalent to them?—Reduced by about 6*s*. 8*d*. in the pound. The first term rents or what we looked upon as first term rents at that time were reduced by about 6*s*. 8*d*. in the pound, and the sale was effected on that basis. Negotiations were entered into recently relative to the purchase of an estate here, partly lying in the scheduled and partly in the non-scheduled area. Some of the tenants signed for purchase at twenty-three years' purchase of second term rents, and some of them did not sign. A still greater number of them refused to give more than twenty-two and a quarter years' purchase of second term rents. I was made the instrument between the seller and the purchasers in those negotiations. I think those negotiations are likely to fall through. I wish to point out, my lord, the state of affairs in this parish of Drumshambo or Murhaun, and to contrast the present condition of those tenants who have purchased their holdings with the condition of those who have not, and I wish to say that both those who have purchased and those who have not are, in the majority, poor, and very poor. It could scarcely be otherwise, except by a miracle, the land is so wretchedly bad. It is poor and miserable, and cold, and shallow, and retentive. I heard the land described here as having nine inches of soil upon it. I know that in the vast majority of farms on the mountain sides of Drumshambo there are—and I know this from my own personal knowledge—not six inches, not four and a half inches. I know that to be the fact, not from what I have heard, but because I have seen it.

32760. Then you come to the rock?—No; it is a sort of blue clay or something like brick clay.

32761. Sir John Colomb.—What they call boulder clay?—No; bluish clay, something of a cross of yellow and blue, and it is impossible to drain it except you bring the drains to the surface, or leave them open. To drain them with stones is useless.

32762. Water could not get through the blue clay?—No. If you close the drain with blue clay it becomes, in time, as hard as a slate. That may be a general description of the whole of the land that is called arable or level land in the parish of Drumshambo. There are some pieces of land down in the lower portions of it where there were only bogs long ago, I am given to understand. It is a sort of black clay that is in it. There are small portions of the rest of the parish that are something better. The quality of the land there is something better, but these are small patches.

32763. Mr. Kavanagh.—Would you say that drainage was almost impossible?—Except to leave the drains open it is quite impossible, and it is useless ultimately except you leave the drains open or fill them with stones and bring the stones to the surface.

32764. But that would not be possible in tillage land?—Oh, it is quite possible, and it is done; why not?

32765. To bring the stones to the surface?—Yes, and leave the drains uncovered.

32766. How far apart?—This varies in accordance with the sort of field the farmers have. It may have a slope on it, or it may slope in towards the middle. And some smaller ones branch off from it and they leave the main one open in a great many cases, or in a great many cases they leave them all open. And surface water will not permeate through the sub-soil.

32767. Mr. Sutherland.—Is that land up on the mountain side?—It is. The peculiarity of the county is that the further you go up the hill the wetter it becomes, and that is all over the country. There are few level spots all along there. It is a rocky mountainy district.

32768. Is there turf?—We have no turf in the parish. We have not two acres of turf-bank, where turf can be cut with a slane, in the whole parish.

32769. Sir John Colomb.—In the whole parish?—In the whole parish of seven miles.

32770. What do the people do for fuel?—They burn culm from the Arigna mines, beyond the Shannon. They bring it over from the mines and they mix it with the yellow or blue clay and make it into lumps, and burn those lumps, and make a very good fire out of it, and it is cheap. I think it is now, at this season. In the winter season of the year it is 3*d*. a cwt. I think now it is 2*d*. a cwt.

32771. Do you consider that the people that use this mixture that you describe are fairly well off for fuel?—They are fairly well off.

32772. As compared with the turf districts, do you think they are better or worse off than people in similarly situated districts that have turf?—They are worse off than those living in districts where turf can be procured, because they cannot take in a supply of this culm. They have to go in all classes of weather three, and four, and five, and six, and seven miles with a little donkey cart; and in fact I see them bringing it in in what are known in mountain districts as creels, on the side of an ass. Well, along with this state of affairs I say it is next to impossible to be in any other state than poor, because along with the nature of the land it had to bear a very heavy rent. The people there are, I must say, a most industrious people. I never came across nicer plots of soil for potato-growing than I see on these very small farms in the parish of Drumshambo. They have to be. Often those who have bought at seventeen or eighteen years' purchase find it difficult to make ends meet. In fact they cannot, from the produce of their miserable farms, in some cases which came under my own notice. I have had people come to me more than once to ask me for a loan to enable them to pay those instalments.

32773. Chairman.—After they had purchased?—Yes; or to write to the Commissioners to ask them for further time. But with regard to those who have not yet purchased, whether it be in the scheduled or non-scheduled area of Drumshambo, their state is just a degree or two removed from legalised slavery. They are very miserable and poor.

32774. Have you got any instances in your mind?—I have, my lord.

32775. Can you tell the Commission what the sums were?—The last case that came under my notice was 27*s*.

32776. Was that a half-yearly instalment?—Half-yearly.

32777. Sir Francis Mowatt.—The whole instalment was 54*s*.?—The half-yearly instalment was 27*s*.

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32778. CHAIRMAN.—What did that man tell you that he could pay?—I knew the man, and his family, and his farm, and I had various opportunities of knowing his position in life, and I knew myself he could pay nothing. I knew him to be an industrious man. He had a big family of small children, none of them away from him, none of them working. His wife died a short while before that, and an old sister of his was in the house, and a few months after those events he died himself, leaving his eldest son to come to me for a loan of 27*s.*

32779. Mr. KAVANAGH.—How old is the son?—About eighteen or nineteen years of age.

32780. CHAIRMAN.—Was that rather an exceptional case?—It is. All I want to make out of it is this, that there are cases where people have purchased land and cannot pay the instalments.

32781. Yes, but in this case the father died?—Well, I know another case in the same townland, where none of those misfortunes befell the family. I know a young man who has the care of his old father and mother. I know him to be an industrious young fellow, a hard-working young man, and he came to me on two occasions to ask me to write to the Commissioners for time for him, or to give him the wherewith to pay.

32782. And what was it?—As far as I recollect, £2 7*s.*, the half-year's instalment.

32783. And what could he pay?—I didn't ask him what he could pay. He asked me for assistance towards the £2 7*s.*, and for a certain amount to make up the deficit.

32784. But what was the amount he wanted to make it up?—27*s.*

32785. And apparently he could pay £1?—Yes.

32786. Most Rev. Dr. O'DONNELL.—He might have got that £1 from someone else?—I was under the impression he had.

32787. How do those people with small holdings get on? Have they any source of income except the farms?—None whatever, except the farms, unless from America.

32788. Do the sons go to America?—Yes, and they go in large numbers. I intend touching on that by-and-by.

32789. CHAIRMAN.—And you say that in a case like that, although the tenant-purchaser is perfectly industrious, through no fault of his own it is quite impossible for him to meet the instalments of his annuity?—I give you two cases, in this same townland.

32790. In your opinion the land is so poor that it does not pay any rent at all?—It is so poor that if a person was condemned to live on it during his natural life, a greater punishment could not be inflicted on him.

32791. The point is that the land is so poor that it is really incapable of returning the instalment?—Well, in the circumstances, at all events, of those two cases that I refer to, my experience showed that they were not able to pay. I am not able to trace the matter to a cause further than the fact that they came to me and asked me for this money, and that I knew the circumstances in which they lived.

32792. Is it your opinion that these are holdings which are such bad land that they really cannot pay anything like the instalments?—I believe there have been holdings in Drumshambo purchased, which are incapable of producing the instalments.

32793. Is it a question of a shilling or a pound?—I believe it is a question of a pound.

32794. That the holding is really incapable of producing more than a pound?—I would not like to define it by a pound. I would not like to define it at all as a matter of fact.

32795. On a holding of that kind it is not really very much matter, so far as the tenant is concerned, whether the instalment is 5*s.* or 6*s.* more?—Well, my own opinion would be that it ought not to make much matter, but the people will value it. It is a great deal of matter for them.

32796. Of course everybody would want to get it 5*s.* less, but does the question of the difference of 5*s.* more or less in the instalment mean difference between success and failure?—It would not mean that but it means that there are a great many people who are not able to make that amount on the holding, and who, in many cases, depend upon help from other countries.

32797. Does the success or failure of the tenant depend upon the difference of a few shillings in the instalment in each case?—It is a difficult question to answer.

32798. I am sure you can answer it?—Oh, as I said before, I do not think the difference of a few shillings would make much difference one way or the other.

32799. But the rent has to be looked for from sources other than the land?—Quite true.

32800. And, therefore, whether it is sold at eighteen or twenty years' purchase it does not alter the fact of the power of the farmer to pay?—Quite true, because they are not taking, round here at all events, the whole of the rent from the land.

32801. The whole question of sale would possibly break down if it was made dependent on the number of years' purchase. Is it worth while risking a break-down of the negotiations altogether?—I think it would depend altogether on the amount.

32802. Is it a question of three or four years' purchase?—It makes a great difference to the people.

32803. Five or six years?—In the matter of purchase it would make a difference to the people.

32804. Do you mean to tell the Commission that five or six years' difference in the annuity is a great difference in cases like that?—As a matter of fact it will make a difference in the matter of negotiations, as I know.

32805. But as to the success or failure of the purchaser?—Well, I think it would not militate very much against the future prospects of the tenant.

32805A. Most Rev. Dr. O'DONNELL.—You are dealing with a poor population?—Quite true, my lord.

32806. Would these people have to look very carefully round to other sources of income in order to meet their annuities at all times?—Yes.

32807. It is a great struggle, at best, to get from America and other sources the amount to meet the annuity?—That is quite true.

32808. From year to year?—Yes.

32809. And in these circumstances a deficiency of 5*s.* or 6*s.* is not to be despised?—Oh, not at all.

32810. CHAIRMAN.—That is not quite the point, and I do not mean to say that 5*s.* is not worth having; but which do you say is best, that the tenant should possibly have a chance of purchasing his holding by agreeing to pay 5*s.* or 6*s.* more or that he should not buy at all?—I would advise him to buy.

32811. It is better for him to purchase?—For the matter of 5*s.* or 6*s.* difference I would advise him to buy it.

32812. Sir JOHN COLOMB.—Will you revert for a moment to those two poor cases that you mentioned. They were purchasing annuitants not under the Act of 1903, but under the previous Act?—Yes.

32813. And therefore their holdings had been inspected?—Yes.

32814. As a matter of fact you know the holdings had been inspected before the money was advanced. Now, can you tell me what was the Government valuation of these holdings?—I cannot tell you, because I took no note whatever of their valuation.

32815. And these were both cases where there were special circumstances. In one case there were an old father and mother, and in the other case the farmer died?—Yes.

32816. Those cases were due to exceptional causes?—Yes.

32817 Most Rev. Dr. O'DONNELL—In the case of purchase by these small men where the instalment is £2 a year 5*s.* would be of importance?—Yes.

32818. Supposing the small occupier was under the impression that the right price was not £2 but £1 15*s.*, and that he could reduce it to £1 15*s.*, why should not he hold out for the eighth as much as if he were a bigger man?—Certainly.

32819. And while it must be admitted that it is a small amount in itself, is there any reason why he should not look to the difference in his interest and try to make a bargain just the same as if he were a big man?—Every reason why he should look to it.

32820. CHAIRMAN.—But the equity of the bargain is the thing. Take the case that the landlord before consenting to sell his property says, "In my view an equitable bargain is to sell at a price which will return me my net income." Are you of opinion that it would be an equitable bargain to purchase land, if necessary by compulsion, at a price which would leave that landlord poorer than he was before?—No.

32821. Therefore an equitable bargain is a sum of money which, invested at, say, 3½ per cent., would leave the landlord his net income?—Yes.

32822. That is the equitable bargain, from the landlord's point of view. Now, come to the tenant. The tenant farmer's purchase on these terms made it

necessary for him to pay, say, £2 a year instalment. Would it be equitable for the tenant to say "No, I insist on paying on terms which would mean that I should pay £1 15*s.* a year"?—Well, it is a matter of bargain.

32823. But an equitable bargain means the fair price that the tenant has got to pay. If it is equitable that the landlord should get his net income, and neither more nor less than his net income it means that the tenant has got to pay him a sum of money which will return that net income?—Certainly.

32824. If it can be shown in plain figures that the instalment of £2 a year will return that net income to the landlord, is not that the equitable price for the tenant to pay?—I believe it is.

32825. Then is it worth while to do an injustice to the landlord and take this property from him at a sum of money which will not give him that net income, merely for the sake of saving 5*s.* a year?—Well, if it is necessary for the sake of public good, and for the relief of congestion, to have compulsion let it be compulsion all round. I do not believe in compulsion myself if it could be helped, but I intended referring to it in my evidence.

32826. Before you leave that point, you say it is equitable for the tenant to fix what he considers is a fair annuity on the holding, that is to say that you would like that he should be in a position to say, "I consider £1 15*s.*, and not £2, as the annuity which my holding must bear." That must involve an injustice to the landlord; at least when I say injustice it means that he is made to accept a sum of money which would leave him in a worse position than he was before?—That, I suppose, is compulsion.

32827. It is compulsion?—Well, it assumes compulsion. I was thinking of voluntary negotiations.

32828. But voluntary sale is a totally different thing, unless you bring in circumstances into voluntary sale, which would make it compulsion?—I would not go for compulsion unless it could not be helped, and if there was to be compulsion I would say compulsion all round.

32829. There are many sales in Ireland which are voluntary sales, but which the circumstances of the country remove from a purely voluntary basis, which alter it from a perfectly free negotiation. Let us take the case of compulsion. I am trying to arrive at an equitable arrangement. Would you say that the tenant ought to have the right of determining himself what is the annuity which his holding ought to carry?—I would not.

32830. You would not?—No.

32831. What ought to be the basis on which the calculation should be arrived at? Is it to be the sum of money which, when invested, would give the landlord his net income?—Well, I would like to see the landlord getting his net income.

32832. But you do not think that under either voluntary or compulsory sale it is equitable to ask or force the landlord to accept a sum of money which would leave him in a worse position?—No; I do not go in for that.

32833. Most Rev. Dr. O'Donnell.—Let us have your view. We have specially before our minds the poor man. If £1 15*s.* be the equitable instalment you would not, simply because it is only a difference of 5*s.*, like the instalment to be £2?—No.

32834. Take the case of a man whose instalment is £14. In that case you would not like the instalment to go up to £16?—No.

32835. If the equitable instalment is £14, you would not like it to go up to £16?—Certainly not.

32836. My point is that you would be as particular in the case of the small man to prevent his getting an increase of the instalment as you would be in the case of the bigger man to prevent his getting a proportionately big increase of the instalment?—Yes, the case of the small man is proportionately the same as the case of the big man.

32837. You do not think that simply because he is a small man a few shillings can be sacrificed?—Oh, not at all.

32838. Chairman.—Then, of course, if the instalment is equitable at £1 15*s.* it would be equitable to pay it. But we are assuming that the equitable basis is £2 and not £1 15*s.* If it is £1 15*s.* it would not be equitable to ask the tenant to pay £2, but in any case the equitable basis is net income?—Yes.

32839. And it would not be equitable on the tenant's part to pay him less than that, and it would not be equitable on the landlord's part to demand a sum greater?—Yes.

32840. Sir John Colomb.—You are not in favour of compulsion, though you recognise or are prepared to recognise that in some extreme cases it might have to be exercised?—Yes.

32841. Is that your view?—Yes.

32842. And you are decided in your opinion on this, that if you are to have compulsion you would have it all round, whether in the case of the landlord, owner, tenant, farmer, shopkeeper, or anybody else?—Well, in a great deal of the evidence before the Commission I saw this point dealt with extensively by a great number of the gentlemen who gave their evidence, and I do not like to enter upon it.

32843. Most Rev. Dr. O'Donnell.—I will not press you, but I do not suppose you would have any objection to answer this general question. If, in order to carry out a State policy necessary for the interests of the people of the country, any loss is to occur, no particular class or individual should bear that loss, but it is the State that should bear it in carrying out that policy?—I would think so.

32844. Mr. Sutherland.—Now, you spoke about drawing a contrast between those who have purchased and those who have not purchased. Do you wish to draw a contrast between them?—Yes.

32845. And what is the result of it?—The result is this, that in the case of those who have purchased their houses and farms are much better kept and there seems to be more energy thrown by the occupiers into the working of their little farms. They seem to take a greater interest, and they certainly seem to feel happier and more contented. That is the only contrast I wanted to draw, sir.

32846. Sir Francis Mowatt.—Some asked you for assitance to help them. Did that continue from half-year to half-year, or was it an unfortunate half-year in which they fell short?—It occurred only once. As far as I know myself, personally, it occurred only once.

32847. It was accidental?—It was accidental. In one case on account of the deaths that took place in the family. I would not say it was accidental in the other. I think that rent could not be produced from the land, and some help came from America.

32848. But it has not been repeated?—But the help has come from America since. Now, I wish to refer to remedies for congestion. Well, I should say one of the remedial measures, as far as I know, for congestion is not emigration in shiploads under the care of their priests, as one of the eloquent witnesses before the Commission had the kindness to suggest. Nor would I say under the care of any other body of men in shiploads, is emigration the means, or one of the means, for the relief of congestion; for this reason, that this means has been on its trial since 1841 in this country. You will excuse me for giving a few figures on this point. In that year, 1841, the population of Ireland was 8,175,124. In 1901 the population was only 4,458,775. Since that a further decrease has taken place in the country, as the estimated population on June 30th, 1906, was about 4,387,887. Here we are with our population diminished by 50 per cent. in sixty years, and we are told that the only remedy for congestion in a few counties is emigration of the people in shiploads. In reference to this I wish merely to say that I think the wrong word has been selected to express, as grammarians call it, the objective genitive depending on the noun emigration. The word should be "bullocks" and not "people." Emigration of bullocks in shiploads if you wish, and I don't care who takes care of them. The migration of the surplus population of the congested districts to the bullock walks, would, as far as I can see, be the only lasting remedy for the relief of congestion. But I come to migration, and I ask the question How? All I wish to say upon that point is this: The Congested Districts Board should be continued. The people with whom I am acquainted here in the county have the greatest confidence in it. They will tell you, in speaking of the Congested Districts Board, that it is in possession of the congested districts now for about sixteen years, and that it should be left in undisturbed possession of them. They will tell you that it is the only Board out of all we have engaged in the mis-

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management of the affairs of this country (and their number is considerable) that has done any good for the agricultural classes; that Connaught should be entirely handed over to the Board as the chief seat of its operations, but that its functions ought not to be restricted to Connaught. I consulted the people of my parish in various places for the last three or four weeks and the week before last I had a meeting representing the people of it, and I got this idea from them, that wherever congestion prevails, there the Board ought to have a free hand. Its facilities for purchase and improvement ought to be increased by Act of Parliament, and it should have full power and funds sufficient to purchase the scheduled areas and areas adjoining, or areas wherever they can, for the purpose of migration. Additional land must be got by the Board—must, as a matter of course, be got by the Board—for the relief of congestion. I see there is a new Land Bill passing through the House of Commons which if it becomes law will confer compulsory powers on the Congested Districts Board in certain cases to enable them to become possessed of lands for the relief of congestion. The principle underlying the Act of 1903 is, I think, the land for the people. Well, under that beneficent measure the people have not yet got the land. I have not heard or read of many cases of eviction of bullocks. To consult my own personal feelings I would much prefer to see voluntary sales and voluntary purchase, but if this amicable state of affairs between landlord and tenant cannot be arrived at on equitable terms then, I think, our only resource is compulsion on similar terms. We have been so used to coercion in this country that the people will not wonder much at this new attempt. The last point that I wish to give evidence on, my lord, is the working of the Board through Parish Committees. I have been working on one of them for the last three years, and from all I have seen done in my own parish through the Parish Committees I can safely assert that the Board is doing work of incalculable advantage to the smaller farmers by means of their Parochial Committee scheme. Now, there is a point I wish to refer to specially; it is that the Board should devote more money to the drainage. I heard a witness who spoke of drainage to-day. He seemed to refer to the drainage of lands in preparation for crops. I think the first thing that ought to be done is to drain the main rivers, at least in the district that I am acquainted with, running on to the Shannon. They are mountain rivers running down from Slieve-an-ierin. They overflow their banks periodically. These are the rivers that I refer to specially. The repair or drainage of one of them was to have been done by the Congested Districts Board in my predecessor's time, six or seven years ago. The Board sent some inspectors down, but it has not yet been drained. I saw here, a few years ago, in the month of September, the people whose land runs along by this main drain lose every single stack or cock of hay they had. They were all carried down to the lake, and they have not been seen since.

32849. Sir JOHN COLOMB.—How do you describe the drain?—I would call it a main drain to the smaller rivers running into the Shannon.

32850. Most Rev. Dr. O'DONNELL.—Arterial drainage?—I think arterial drainage would refer to larger rivers, my lord, but this would be a small river; I would call it a main drain, four or five yards in width.

32851 Sir JOHN COLOMB.—Was it made by nature or by man?—Oh, I think by man, in years gone by; and originally nature must have formed a watercourse there.

32852. Most Rev. Dr. O'DONNELL —And to prevent flooding you want to lower its bed?—Yes, for the present.

32853. Mr. SUTHERLAND (*referring to map*).—Is this where the river is?—The particular one I refer to flows into Lough Allen at that particular point.

32854. Does it flow down a steep mountain?—Oh, yes.

32855. And where does the obstruction take place?—In the lower land on their way to the smaller lakes that are about a mile from the place. They run through the lakes on the way from the mountains on to the Shannon. It is this river that I referred to particularly just now. There are two small lakes called Rosconnish.

32856. Sir JOHN COLOMB.—Have you been led to believe by hearing your older parishioners talk that it is worse now than it was some years ago—have you any reason to believe from talking to the older men in your parish that the people are more apt to be flooded now than they were years ago?—Oh, yes, to be sure.

32857. And have you got any reason to believe that that is due to not attending to the maintenance of this drain and keeping it clean, and that now they are suffering from the evil result?—The drain runs, I think, between two properties, and fifty or sixty years ago the landlords used to look after this drain; but nothing has been done with it for, I should think, the last thirty or forty years, and it seems to be clogged completely.

32858. As I understand you, it was all right up to some long time ago, and the landlords having formerly made or improved that drain, and now nothing has been done to maintain it?—Nothing has been done.

32859. It has gone back?—Oh, yes.

32860. And does not fulfil the purpose for which it was made?—No.

32861. But previous to the Act of 1881 was it the custom of the landlords to make the tenants look after each of their bits of the drain and to keep it clean?—I could not tell you.

32862. But this remains, that to the best of your belief the drain is less effective now than it was five years ago when you came first. And do the tenants among themselves try to clean this drain or keep it?—No. They constantly kept the idea before my mind that I was to apply to the Board for help.

32863. Now give me your view of this. It is a necessary work to put it in thorough order now?—Yes.

32864. Now supposing the Congested Districts Board put that drain in perfect order do you think or believe that the Congested Districts Board should have some power as regards making those tenants concerned attend to the drain and keep it in proper order?—I would be very glad to see the Board have that power.

32865. Most Rev. Dr. O'DONNELL.—Would it make it easier for the tenants whose lands adjoin the river to drain their farms, to put in farm drains, if the river were deeper and wider?—Yes, my lord.

32866. What you said about the character of the soil seems to show that farm drainage is difficult in this part of the country?—Very difficult.

32867. But something could be done?—Something could be done, but I do not believe myself that much could be done by closed drains.

32868. Owing to the character of the soil?—Owing to the retentive nature of the sub-soil.

32869. But if the river were deepened and widened then by means of open drains something might be done?—A good deal could be done. All that hay would have been saved had that river been drained.

32870. What do you recollect was the reply you got from the Congested Districts Board?—I wish to say that I had no communication with the Board in relation to the river. It was my predecessor, but I have had several communications from the Board on other works in the parish, one of them being a wooden bridge over the same river to accommodate those poor men who have no earthly means otherwise of getting into their homes by daylight or dark except by going round about two or three miles away from their homes altogether to cross this river. We have got, thanks to the Congested Districts Board, through our Parish Committee, a very substantial bridge built on a more elevated level over this same river, which accommodates a number of people all over that river, and enables them to go in or out.

32871. I gather from you that you would desire the Board to have sufficient powers for any such drainage?—I would, my lord, be very glad.

32872. But probably it has come under your notice that it would be difficult for them to conduct large drainage operations?—I know it would be difficult for them to conduct many an operation they were entitled to conduct, even in my own neighbourhood.

32873. About the drainage: you know the County Leitrim pretty well?—I know that part of it, my lord.

32874. Do you think river drainage would be necessary at other points of the locality you now speak of?—Well, I know that some river drainage is absolutely necessary to the non-scheduled part of my parish—absolutely necessary. Another small drain that is there, about 4½ or 5 feet in width, is destroying every year the crops along its way.

32875. You describe the drainage as difficult?—I do.

32876. The character of the soil over large tracts of the County Leitrim of that description would explain to a large extent how it is that the

occupiers do not drain or how it is that the last witness made the statement which he made about drainage in Leitrim?—Yes, but I do not believe the whole of it, because I know that it is impossible to drain the lands that I am acquainted with, if you close the drains. Impossible, except by bringing the stones in the drains to the surface, and keeping them exposed.

32877. Do you not think that the difficulty of drainage is an explanation of what was referred to by the last witness?—I believe it does altogether explain it.

32878. Sir JOHN COLOMB.—About that blue clay which you described, I put this question—Is there any brick-making or tile-making carried on or any reason to believe that bricks or tiles were ever made in this district from the clay?—Yes; they were made at the northern end of Lough Allen, but that is a long way off—ten miles distant. There was a brick and tile factory there some eighteen years ago. The bricks made by that factory were brought by a small steamer, and there was a market for them, but that ceased.

32879. CHAIRMAN.—What was the reason of its ceasing?—I do not know, my lord, what was the reason. I am only giving you the evidence. Although the Congested Districts Board have handed over their agricultural and technical operations to the Agricultural Board, still I would like very much to bring before the Commission the necessity of aiding the farmers in the congested districts towards the spraying of potatoes. I believe in spraying, because I have seen the benefit of spraying proved conclusively. It would be a very good thing if spraying machines could be got—well, I won't say on what system, but if some aid could be got from the Congested Districts Board towards the spraying of potatoes and the planting of trees. Our country is quite bare, and I believe there would not be a more beautiful county in all Ireland if it were planted than the County Leitrim. There are no trees for eight miles from this, with the exception of one plantation, from Carrick-on-Shannon to Drumshambo. The country sides are bare and bleak and cold-looking.

32880. Sir JOHN COLOMB.—Is it for ornamentation or shelter you want the trees?—For shelter and to improve the land. I believe it would improve the land. And the last point that I wish to bring before the Commission is that I would like very much to see prizes given to induce the smaller farmers in the district to take more food-stuffs for themselves and their cattle from their farms. The last witness referred to that, and I thoroughly agree with every word he said on that point. It would be a great benefit to the smaller farmers if they took out from their farms, especially during the winter season and the spring season, more feeding stuffs for their cattle than they do.

32881. Mr. SUTHERLAND.—They do to a small extent. I saw cart-loads of them in the town this morning?—It is not done to a large extent, and I would like prizes to induce the farmers in the congested districts here to take more food-stuffs from their farms for themselves and their cattle. And they should have more corn mills in this part of Leitrim. I have not seen a corn mill working in the district since I came to Drumshambo, five years ago. I saw one working over near Carrigallen two or three months ago.

32882. Mr. KAVANAGH.—Do you think the agricultural education of the people needs to be attended to?—I do.

32883. Do you see much evidence of it now—is your County Committee sending out instructors?—It is.

32884. Do you believe that it is doing good work?—I believe it is doing a great deal of good.

32885. Especially where you are going to carry out migration, is not it of great importance?—Yes.

32886. To educate the people to an advanced state of agriculture?—Quite right.

32887. But you are satisfied with what is going on at present?—I am.

32888. Have you any knowledge of it in the congested districts?—Not of my own knowledge since I came to Drumshambo five years ago.

32889. The people are benefiting by it?—I think they are benefiting very much by it, but much more by the agricultural education than by the technical.

Mr. BERNARD FOX examined.

32890. CHAIRMAN.—You are a member of the Carrick-on-Shannon Rural District Council?—A junior member. I have been deputed with Mr. Flynn to give evidence here on their behalf.

32891. And what evidence do you wish to give?—I think I can say as regards our district that we are most anxious to get rid of the dual ownership of land, and as far as we can see land cannot be economically worked unless by the landlord or the tenant, and the principal thing that any Commission should do is to try to get the land bought out on the most advantageous terms for the tenants.

32892. Why?—Because I believe that the land is not capable under the present agricultural conditions of supporting both landlord and tenant.

32893. I should think that that was a point of view that nobody would contest, but why should you wish to see the land purchased in the most advantageous manner for the owner?—What I mean by that is that I believe under the present conditions the tenant does not do his part in the proper working of the farm, and it would be best for the country and for its progress to see that the whole responsibility of working the farm should be thrown on his shoulders.

32894. Most Rev. Dr. O'DONNELL.—As proprietor he would have more inducement?—That is my idea. I believe that the tenants in this district are disposed to pay too high a price for their land, and that that is due in the first instance to the fact that a lot of American money is coming back into the country, and that a lot of police pensioners and other civil servants are coming back, and that they are anxious to get back to their old homesteads, and that in paying their prices they are not giving them on a commercial basis, and that they are going into undue competition with people who are trying to get their living out of farming and out of farming alone.

32895. What do you say?—I mean to say that these police pensioners and these returned Americans and others in paying the price for their holdings are anxious to give a price which is more than the farm itself is really worth, to give them a reasonable return on the capital they expended on it.

32896. And they are anxious to pay more than the farm is worth?—Yes, in order to get the homestead.

32897. Mr. SUTHERLAND.—Does the sentiment of attachment to the land induce them?—Yes.

32898. So that they are actually paying a sentimental amount of money?—Quite so.

32899. CHAIRMAN.—On what do you base that statement?—On my experience. I have been reared here in the country, and I have seen those returned policemen and Americans paying excessive prices for lands.

32900. How do you know it is an excessive price?—Because they have displaced farmers who, being industrious to my own knowledge, have not been able to make the farm pay.

32901. Then you think the standard value is measured by the success of the previous people?—No; that is not at all my idea. I think that undue attachment to their homestead has induced them to give inflated prices for their farms.

32902. May I ask you how do you estimate what is the proper price of a farm?—I cannot give you any idea of that, but I can tell you that I have known farmers who, using their best energies as well as they could, have not been able to make their farm pay, and they have been compelled to put it up for auction, and the people with capital from other countries returning home, simply from their desire and attachment to their old country, have paid undue prices for the farms.

32903. How long ago has this happened?—Within the last two years.

32904. When did you first notice it?—Well, the first time it came under my notice was within the last few years.

32905. That is when you first noticed it?—Within the last five years.

32906. A man who purchased at that price five years ago is able to live on the farm?—He is able to live.

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32907. Although the previous man was not?—Perhaps he had not as big a family.

32908. Sir FRANCIS MOWATT.—You suggest also that he had his pension?—Yes, sir, and the capital that be brought home from America.

32909. Sir JOHN COLOMB.—Are there a considerable number of police pensioners who have an appreciable interest in the purchase of farms?—I should say that at auctions which have occurred in this courthouse within the last five years at least one-third of the farms have been purchased either by Americans or by retired Civil Servants.

32910. And those are Americans with capital?—Yes, sir.

32910A. Are they apparently putting more money into the land than their predecessors?—No, sir; on the contrary, I imagine that the sojourn in America or any other habitation has prevented them from putting their money profitably into the land and working it profitably. Their desire is merely to take a residence.

32911. I am merely trying to get the facts. When you find holdings purchased by Americans, as compared with their predecessors, would you say that they are putting more capital into the land?—No, sir; on the contrary I have one holding before my eye within a few miles of this town which passed in succession through five returned Americans, and each went on to work it, but after a few years found it a total failure.

32912. Did each buy at a higher rate than his predecessor?—The purchase money jumped up and down. The present man is seeking a buyer, and he has had to leave it.

32913. Each purchased the right of the other?—Yes.

32914. The tenant right?—Yes.

32915. CHAIRMAN.—Would you suggest that if a man had to sell a house for any reason, he should not be at liberty to sell it to the highest bidder?—No. He should be, certainly. My idea is that the sale of land between tenant and landlord is very uneconomic.

32916. But you are mixing up two things. This is tenant right?—Yes.

32917. And the landlord does not come into it at all?—No.

32918. What I understand you to say is this, that where tenant right is sold, a returned American or a man who has made money in other avocations than the land, an ex-policeman or any other man of that kind—that these people come in, and by reason of the capital they have accumulated pay a sum greater than an ordinary person in the district is able to give?—Yes.

32919. That is your point?—Yes.

32920. Do you wish to prevent that?—No. I say that on that account the tenant is induced to pay a higher rent to the landlord.

32921. The rent is exactly the same—the rent is fixed under the Act of 1881. That is not the way tenant right is sold?—I am not talking of the Land Act of 1881, but the Land Purchase Act.

32922. Let us understand what you mean. A holding or tenancy has a judicial rent under the Act of 1881?—Yes.

32923. The tenant is unable to meet it, and he has to sell his tenant right?—Yes.

32924. I understand that you object to people coming in, ex-policemen or returned Americans, and buying that tenant right?—No, but I hold that the reason the tenant is not able to get on is that there is an inflated rent put on him.

32925. The rent put on him is the judicial rent under the Act of 1881?—That is put on him on the supposition that there will be a returned American or such people coming in to buy it.

32926. That under the Act of 1881 a judicial rent is fixed on the supposition that an ex-policeman will come in—what do you mean?—Broadly, my idea is that rents are utterly uneconomic.

32927. Are you objecting to the way in which rents are fixed or to the sale?—I do.

32928. To which?—I am objecting to the prices that are given at the sale for the tenant right of the land, which prices are unduly inflated, for the reason that people do come in who are not working the land on commercial principles.

32929. Most Rev. Dr. O'DONNELL.—Is this your point—that the Americans and ex-policemen come in to buy, and that on the prices they pay in court the Sub-Commissioners are induced to put up the rents?—That is exactly my point.

32930. And not only that, but that when it becomes a question of the tenants buying out the holdings from the owner, the tenants, by reason of this competition, by reason of the amounts which the retired policemen and Americans pay for tenant right, are led to give a higher price for their holdings than they would otherwise give?—Yes.

32931. I understand that that is the drift of your evidence?—Yes.

32932. CHAIRMAN.—Now, what is the first point—do you say that every man who wants to sell his tenant right should be prevented from selling it to the highest bidder?—No, I do not.

32933. How would you prevent policemen and others from coming in?—I do not want to prevent them, but I want to see that in the sales as between landlords and tenants the price is not forced up.

32934. Let us take the first stage, the tenant right?—As regards the tenant right I am quite anxious that the tenant should be allowed to sell it.

32935. And that he should sell it to ex-policemen and Americans?—Yes.

32936. And you are prepared to see the returned policemen and Americans buy the tenant right for any sum they choose?—Yes.

32937. That is number one?—Precisely.

32938. What is the next stage?—I say that in the case of a farm sold to the tenant by the landlord, the landlord takes advantage of the excessive prices that have been paid for the tenant right in insisting on an increased price for himself.

32939. Do you mean to say that because a high price for tenant right has been paid, the landlord asks that therefore a high price should be paid for the property?—Yes.

32940. Mr. SUTHERLAND.—Does the American or ex-policeman come into competition with the purchaser?—Except as generally giving the impression of the price that the landlord ought to ask for his land.

32941. But he gets a certain number of years' purchase of the land?—Under the 1903 Act the landlords wish to have the basis of purchase the reduction which the tenant will get.

32942. Sir JOHN COLOMB.—Is it your opinion that the price should be such that the money when invested in reasonable securities should bring him in his net income—do you think he ought to be compelled to sell for less than that?—I certainly think so, sir.

32943. Take the case of a tenant farmer. Why would you not allow him to pay a price which would give the landlord his net second term income?—Because I think the purchaser would lose on the increase of foreign competition.

32944. Do you say that the prospective chances of reduction through foreign competition should influence the price?—Yes.

32945. And you think that the landlord would take that into consideration?—I know they should, but I know they do not.

32946. How do you say that you know they do not?—From my knowledge of the sales that are impending in this district.

32947. But from your knowledge, specially from your own knowledge, can you give a concrete instance of a landlord who asks more than what would secure him his net income?—I am talking of transactions generally.

32948. Have you any instance of a landlord asking for a price that would give him a greater income than he had before?—No, sir; but for this reason, that I have not found anyone who will go into the particulars of his rental and tell us what was the cost of collection, or go into figures to disclose to us generally what his net profits are.

32949. Do you accept this principle or not, that if a duly constituted tribunal should find that a landlord's net income was so much the landlord should then be entitled to receive the capitalised amount to provide it?—I would like to have a reduction made for the increase of foreign competition.

32950. CHAIRMAN.—How could you as tenant estimate that?—It has been estimated already.

32951. How?—Well, the second term rent is on the average, I think, about 2*s.* under the first term rent. Calculate that on the fifteen years.

32952. We should calculate the same reduction at the end of fifteen years?—Some allowance of the kind.

32953. May I ask you why you think the fixing of the third and fourth and fifth term rents should be done in that way?—Because, as far as I can see, the causes that have operated for the decay of Irish agriculture would operate more strongly still.

32954. Are the prices of agricultural produce falling now?—I could not say.

32955. Sir JOHN COLOMB.—Have you ever looked into the question of prices now and fifteen years ago?—Of cattle?

32956. No, but prices generally of agricultural produce. Are you giving evidence here and giving information without having examined the tendency and course of agricultural prices over a period of years?—My opinion is that the question of prices does not decide it. It is the question of the exhaustion of the soil.

32957. May I take it as your answer that you have not examined it?—Yes.

32958. And that the question of prices rising or falling is not to be an appreciable factor in determining the value?—It is one of the factors.

32959. But you are not prepared to say that for agricultural rents it is the main factor?—That depends upon what you mean by the main factor. It is one of the factors, but not the most important.

32959A. What do you consider the most important—if it is not the most important factor in determining agricultural rents, what do you conceive is the most important factor?—The most important factor I should think was the soil, whether it would be exhausted under agriculture or not.

32960. Is not the soil the instrument of production, and the value of production must affect the whole question?—Yes.

32961. Mr. SUTHERLAND.—Do you think, Mr. Fox, that the original reductions under the Act of 1881, and the subsequent second reductions, were reductions because of the value of agricultural produce?—I cannot fathom.

32962. Do you think that the reductions made in the rents of Ireland were reductions from economic rents?—I do not.

32963. They were deductions from rack rents?—Yes, sir.

32964. So that the question of the future valuation of land should be taken into account?—I think that in estimating the value of land you must first allow the tenant and his family to get a decent living.

32965. That is a general principle—though it is not one that has been observed in Ireland—that you will have to take into consideration again when you are estimating the deduction to be made from the landlord's rent as compared with the old rack rent?—Quite so.

32966. And that being so there would be a point at which the excess of rent in Ireland would come to something like an equitable arrangement after the first or second term?—Yes, sir.

32967. They have not arrived at that point now?—I do not think they have.

32968. Mr. KAVANAGH.—How many reductions would it take to bring the rents to that?—We would have to go into the question of providing for the farmer first, and to allow himself and his family to have an ordinary competence before the landlord got anything. Then the surplus profits of the farm might be divided between the landlord and tenant.

32969. But in answer to Lord Dudley you stated that you must take into account the reductions which will take place in the next third and fourth terms. I say how many years will it take eventually to wipe out rent altogether?—That depends on so many things that I cannot really answer. It depends on the introduction of Canadian cattle and other things, and I really could not undertake to answer that question at all.

32970. Sir JOHN COLOMB.—You consider a factor in the rent is the number and strength of a man's family?—Yes, sir.

32971. And therefore you think a man who has no family ought to pay a higher rent than a man who has a family?—That is not my view at all. As I have said, the occupier of the farm should first be allowed to live in decent comfort, and that afterwards the surplus produce of the farm should be divided, on whatever principles may be devised, between the landlord and tenant.

32972. But a young man without a family could live in greater ease on the land than a man with a large young family. Do you admit that, or do you not?—What?

32973. If you had to determine the rents of two holdings exactly in all respects alike, there being on the one holding a strong young man and his wife without any family and on the other holding an oldish man not in good health and with a large family, you would make a difference between them?—I say, sir, that you could not get any tribunal whatever that would go into that question at all.

32974. Most Rev. Dr. O'DONNELL.—I think we may assume, Mr. Fox, that under the Act of 1881 fair rents were fixed?—Yes.

32975. Under the Act of 1881 rents are revisable every fifteen years?—Yes.

32976. Now, when the first term rent is fixed, the Court is supposed to fix the rent for the coming fifteen years?—Yes.

32977. When the second term rent is fixed, the Court is supposed to fix the fair rent for the next coming fifteen years. Is not that so?—Yes. I do not think that that is quite right, because when the Act of 1881 was passed there was no idea that the rents would be revised after fifteen years. They fixed the rent at what would be at that time a fair rent.

32978. It works out the same way at all events, I think. After the fifteen years' period you know the second term rents were fixed?—Well, they were fixed, but it was not provided that the fifteen years' period should be stereotyped.

32979. It might be changed afterwards. But when second term rents are fixed those second term rents are supposed to be for the second period of fifteen years?—Yes.

32980. Now, in fixing second term rents, have the first term rents been reduced?—Yes, considerably.

32981. Is it your point that the same reasons that now lead the Land Commissioners to reduce the first term rents to the second term rents will further appeal to the Commissioners to reduce the second term rents as third term rents and fourth term rents?—Quite so.

32982. You have no reason in your mind to think that the considerations which induced the Commissioners to reduce the first term rents to the second term rents will not operate to induce them to reduce the second term rents at the third term?—To an even greater degree.

32983. That is your opinion?—Yes.

32984. Whatever the causes are?—Yes.

32985. I suppose the Commissioners in fixing the rents have never declared what their reasons were. But that is your opinion?—Yes.

32986. You do not see any reason for thinking that as the first term rents were reduced when the second term rents were fixed, the reverse process would be followed?—I think there would be nothing to show that.

32987. Sir JOHN COLOMB.—Have you read the Act of 1881?—Yes.

32988. Do you not see in that Statute that the rents would be subject to revision at the end of every fifteen years?—Yes. What I mean to say is that the Act of 1896 stereotyped the period of fifteen years.

32989. Was it not in the Act of 1881?—It was that there would be one period of fifteen years. Under the Act of 1896 they are subject to revision every fifteen years.

32990. Now, taking the rents on the second term, let me ask you this—did not the Act of 1896 also open and widen the allowances to be made to tenants in regard to improvements?—Yes.

32991. And was not this enlargement of the powers of the Commissioners to deal with past improvements one of the reasons for the fall in second term rents?—I was certain that that provision was not incorporated in the Act of 1881.

32992. But that is so?—That is so.

32993. And that has brought the thing as regards improvements to its final stage?—I do not think it has brought it to its final stage.

32994. But at all events, assuming that it has, do you think the tenants will look for a reduction at a similar rate every time the landlord is brought into Court? I understand you to take that view, and,

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that third term rents will again suffer a similar reduction?—I say that the causes operating for the reduction of second term rents below first will, in my opinion, continue. I may be wrong in that opinion, but in estimating the prices that the tenants should give for their holdings I think that they should look at that reason.

32995. Supposing the prices rose—and they have risen—you know that the prices of agricultural produce have risen since 1881?—They may have in some cases.

32996. But the official figures show that they have in all cases?—I know how official figures are collected about here.

32997. CHAIRMAN.—You speak about the same causes operating. What are those causes?—I do not know.

32998. Then you do not know what you mean by the phrase you have yourself used?—The causes that have operated are, in my opinion, that the tenants are not able to pay the rack-rents which they did formerly.

32999. You say that the same causes which resulted in the reduction of the first and second term rents are still operating?—Yes.

33000. What are those causes?—The causes are that the country is going on in the usual way, and that when the Commissioners who have been appointed by the Government in the country to come and fix fair rents the fair rents are twenty per cent. less than they were in 1881.

33001. Forty per cent.?—Forty per cent. Well, I cannot see any change in the situation of this country or in the progress of this country to indicate that any of those things will not continue for the next fifteen years.

33002. Do you mean to say that after two reductions, resulting in a fall of forty per cent. in rents, the situation is exactly the same as it was before that?—I do not say that.

33003. But if it is not that, why should there be necessary further reductions—what are the reasons which make you think that there should be further reductions?—I do not know that rents are now less than they were twenty years ago, reviewing the farmer's budget.

33003A. But is not that rather an argument against you than in your favour?—I do not see that it is.

33004. The original rent was what you call a rack-rent?—Yes.

33005. It cannot be called a rack-rent now?—I think the original idea was that the landlord should first get his rent out of the land no matter what the tenant got. I would like to put that idea aside, and to see that the tenant and his family should get a decent living out of it before the landlord should get anything.

33006. Before the State?—Not before the State. Before the landlord.

33007. But the State puts itself into the position of the landlord?—Yes.

33008. According to your theory the tenant holding the land should first have what you call a decent living, and where the tenant has purchased, the State annuity should come after that?—Yes; and I think the Inspectors of the Commission should see that the State should be secured in that way.

33009. You think that is a security to the State?—That all depends on what is paid to the landlord.

33010. How do you define what you call a decent living and decent comfort?—I cannot define it.

33011. How is any body of men or any individual to define what is a decent living?—Well, a decent living is, I suppose, that a farmer and his family who work hard should get the ordinary meals.

33012. What are the ordinary meals?—I suppose they would be bread; and sufficient clothing; and nothing more.

33013. Mr. SUTHERLAND.—And education?—And education. Provided that they got these.

33014. CHAIRMAN.—And do you think that is possible for any people?—I think it is roughly.

33015. You talked just now of what you call reviewing the farmer's budget. Does not the farmer's budget depend to a certain extent on the prices of agricultural produce?—Very largely.

33016. It does?—Yes.

33017. And then the price of agricultural produce operates largely on what the farmer has to pay for his holding?—Certainly.

33018. Then if it can be shown that the price of agricultural produce has risen that has to go, to a certain extent, against any further reduction?—I would say so.

33019. In a country like ours, does not public opinion govern all questions of rent to a large extent?—I do not know what you mean by public opinion.

33020. This country is governed by public opinion. Parliament is governed by public opinion. And has not public opinion something to do with the fixing of rents in Ireland as much as economical causes?—I think so.

33021. That is an element that you have overlooked?—It is a most important element. In my opinion you cannot treat the Irish problem from the economic point of view.

33022. You cannot treat the Irish problem?—The Irish land problem; because it has never been in the past.

33023. You say that in fixing annuities the Inspectors should first of all arrange that the tenant and his family should derive a comfortable living from the holding. Let us take the case of a holding of which we have heard, of a man, which is so poor that it is incapable by itself of returning a livelihood for his family. What is to be the fair rent in that case?—Nothing.

33024. Then in all cases where the holding is so poor or so small that it is impossible for a farmer and his family to live on it, no rent should be paid to the landlord and no annuity paid to the State?—I should be very much surprised if the State bought such a holding.

33025. But in that case if the tenant was the purchaser of a small holding of that kind, the State should not demand any annuity at all?—Well, the State should not sell it to him except on terms that would enable him to earn a decent livelihood on it.

33026. And those terms are nothing, of course, as no possible rent could be got out of it, and therefore it represented no money value?—I would certainly be a strong opponent of the State purchasing a holding on which the tenant, no matter how hard he worked, could not make out an existence.

33027. Take the case of a labourer's cottage. The labourer has a house and an acre of land. It is obvious that he cannot make a living for his family out of an acre of land?—I do not think that is the object of the Labourers Act, but to give him such an allotment as will enable him to make a living for his family.

33028. If he is to live he has to look in other directions?—Yes.

33029. Does not the same thing apply to a certain extent to the man that has three acres of land?—I think there is the greatest possible difference between them. In one case the labourer has a garden attached to his house. In the other the man has a holding on which he is supposed to make a living.

33030. Suppose he has a holding of three acres?—Yes.

33031. And is it possible to make a living out of it?—No.

33032. In that case, is he a farmer or a labourer?—A labourer.

33033. In that case you say there should be rent paid although the holding is too small to give him a living?—I am speaking of farmers making a living out of farms.

33034. But there are obviously many holdings which are incapable of producing a living for a family?—Yes. That is a matter for the security of the advanced money.

33035. There are many cases where the holding is so small that the man cannot earn a living for his family from it, and he has to look to other sources of employment for his livelihood. What have you got to say to those cases—is that a fair rent or is it not?—It is, of course.

33036. But it is a fair rent on a different basis?—Quite so; but I should like to deal with the cases which are most numerous, in which the man has a holding from which he is supposed to make a livelihood.

33037. And then there are a great many holdings that do not fall under the Labourers Act, on which a judicial rent is fixed and on which a man lives who, in the opinion of most people, may be considered a farmer although he cannot make a living out of that.

On what basis is the rent to be fixed in a case of that kind?—I really think I know as little about that as the Commissioner who fixed the rent.

33038. That means to say that on that point you have got no information?—Absolutely none, and I do not believe any Judicial Commissioner has either.

33039. Sir JOHN COLOMB.—Are you a farmer?—No, sir.

33040. Have you had any experience of farming?—No, sir. Now, as regards the Labourers Act, I think that the legislation which was intended as an instrument for providing cottages with an acre of land was conceived on a wrong basis altogether. In the environs of towns it may be good and quite satisfactory, but out in the country there is absolutely no need for labourers. The farmers, in my opinion, as far as I can see, are not able to pay the labourers for their present agricultural work, and, on the other hand, the labourers are not able to live on the terms the farmers are able to offer.

33041. CHAIRMAN.—Then what is to be done?—The splitting up of the large grass farms.

33042. And have you ever calculated or gone into that subject at all?—I have.

33043. Do you know how much land is available?—I do generally.

33044. What do you mean by generally—can you tell us how much land is available in the province of Connaught?—I have never been over the province of Connaught, but I know that in this neighbourhood there are 3,000 acres.

33045. And what would you call this neighbourhood?—Between here and the town of Roscommon, away on the borders of Roscommon.

33046. Now, take the County Leitrim—do you know how many acres are available?—I do not.

33047. Or how many in the County Roscommon?—Generally I would say at least 3,000 acres between here and Roscommon.

33048. Have you calculated how many people there are?—I have not the slightest idea. If you cut up those 3,000 acres into 20-acre holdings you will get a decent farm for every one of them.

33049. How do you know that there are not many more men?—I am certain there are more who would be only too anxious to call themselves farmers.

33050. Do you think that if you broke up 3,000 acres in this neighbourhood you would satisfy this whole neighbourhood?—I do not say that, but it would go some way in that direction.

33051. What would happen to the remainder?—I think it would be better to settle some than settle none.

33052. But what is to happen to the remainder if you cannot settle them all on the land?—They cannot possibly get labour on the farms.

33053. And they cannot have land?—It is not there.

33054. Then what is to be done?—I suppose they will have to do what they are doing for the last thirty years

33055. What is that?—Trying to struggle as well as they can. I do not understand your notion that because you cannot provide for every labourer in Ireland you should not attempt to provide for some.

33056. How do you suggest that holdings should be found?—Except under the present system.

33057. What is that?—It is as bad as it can be.

33058. But if they have no place to live and if they do not labour and have not got land?—They would emigrate.

33059. That is not struggling on here?—No, but in the course of time the new generation will emigrate if the present conditions are allowed to prevail. If we cannot keep the whole of them at home I would suggest that you would try to keep the most you can, and I would propose the splitting up of all grass lands. If that will not keep them all at home it will keep at least a respectable percentage of them. I do not like the idea that because you cannot provide for the whole of them you should not attempt to provide for any of them.

33060. I do not think anybody would attempt to suggest that?—No.

33061. Most Rev. Dr. O'DONNELL.—Now is there no remedy but emigration for these? You say as things stand there will be no employment for labourers?—That is so.

33062. Now you suggest that a partial solution of the problem would be found if the large grass lands between here and Roscommon were taken and portioned out into moderately-sized farms?—Yes.

33063. It has been stated that there is much more than the quantity you mentioned?—I am sure, but I gave that as the most conservative estimate.

33064. Now, what should be done with those 3,000 acres? Should they be all under grass or should they be tilled?—At least a fourth of it, I imagine, should be tilled.

33065. Some portion of them should be tilled?—Yes.

33066. I believe it would be splendid land for tillage?—I believe it would, but I am only talking of it at second-hand. I am not a farmer myself.

33067. I assume that a fair proportion of the land between this place and Roscommon would be good for tillage?—I believe there is some of the best land in Ireland there, but I cannot tell you from what I know myself, but from what I have heard, because I am not a farmer myself.

33068. Would you provide for those labourers by making them peasant proprietors between here and Roscommon?—Yes.

33069. May I suggest to you that some of the others instead of having farms given to them would find employment as labourers on the tillage that would be developed in that way?—I do not believe they would. I do not believe that any of those peasant proprietors could afford to pay labourers half-a-crown a day all the year round, and I believe that is the minimum on which a man could live and bring up a family.

33070. On a question of that kind the labourer himself would be a better judge than you?—Certainly.

33071. Would you endeavour to supplement your answer to Lord Dudley then by considering how far the balance of the population could be provided for through agricultural employment and agricultural pursuits on those moderately-sized farms, and how far labourers at a greater distance from Roscommon could also be provided for on those holdings?—I cannot speak for Roscommon.

33072. Mr. SUTHERLAND.—There is no reason why it should be limited to Roscommon?—No.

33073. There is plenty of room in all Ireland?—Yes.

33074. And some of them might be shopkeepers and go into trade?—Yes.

33075. You stated that there ought to be emigration, but as things are, do you not think that the present need is to solve this problem of congestion, and look round and see how many of the Irish population may be provided for on Irish land?—I believe that as far as Roscommon is concerned the population that is existing in it can be dealt with in the manner suggested.

33076. If that be so there will be no need for some time at all events of emigration?—No.

33077. Sir JOHN COLOMB.—I understood you to say in answer to a question that you did not think that men with holdings of three acres should be charged any rent at all for using them as residences?—I cannot see how they would get a living.

33078. I ask you plainly under these circumstances do you think they ought to be charged anything at all?—Certainly not.

33079. Would you charge them anything for taxes?—Yes.

33080. Now, I ask you this in reference to the way in which you propose to carry out this scheme of dealing with the 3,000 acres. Those 3,000 acres being purchased and split up into 20-acre or 30-acre farms, you would take those very small men away, since they cannot live on the three acres, and transpose them there—what sort of men have you in your mind?—The three-acre tenants.

33081. Most Rev. Dr. O'DONNELL.—What would you do with the three acres?—I would let it go into the surrounding divisions.

33082. Would you allow the 3-acre man to sell his holding?—Yes; I would take that into consideration.

33083. Yes—that the land being taken and split up into 20-acre or 30-acre holdings the men that you have got in your mind ought to be transferred there, the men you are describing, with three acres of land, who cannot possibly make a living out of it now?—It was Lord Dudley who suggested the case of men living on small farms and asked me what I would do in that case.

33084. Sir JOHN COLOMB.—Surely, you must know cases of men similarly situated in the district with such small uneconomic farms that they cannot get a living out of them?—Yes.

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33085. I ask you is that the class of man you think ought to be transplanted from the congested area—the men of the smallest and most uneconomic holdings to be transposed from that area to the new lands—the 20-acre or 30-acre farms?—Yes, but I think there should be some inspector who should first report on the man's enterprise.

33086. But is it your opinion that for the relief of congestion, which involves the taking up of fresh land, striping it and all that, the class that is to be relieved by that operation is purely and exclusively the small holders in these congested areas?—Yes, I believe that they should get the first preference; and I believe also, apart from that altogether, that the grass lands of Roscommon and the surrounding district could be better developed than they are at present. You won't take me that my sole object in taking up grass lands is to present them to those who have uneconomic holdings.

33087. Would you explain that more fully?—My further reason is that they can be better developed than they are at present by being split up amongst people, who are thus able to earn decent livelihoods.

33088. I thought that you limited yourself to this, that the object of taking up the grass lands and dividing them up and building houses on them was with a view to transplanting men from the congested districts. I thought that was your principle and your view?—I thought that you wanted to commit me to that as the only reason that I would like to have the grass lands split up. Now, there is another question, that of the Cavan and Leitrim Light Railway which is passing over portion of the area, and for that the ratepayers I believe are now paying a shilling in the pound in this district. It is governed by a board of directors consisting of eight members, representatives of the shareholders. The shareholders get at present 5 per cent. and they have absolutely no interest one way or the other in its economical working. And there are also on it members of the County Council of the County Leitrim, the greater part of whom are not at all interested in the paying of the line. And there is a sum of £70,000 paid already out of the rates since the line was built in the year 1883 to the present time in part payment of dividends due to the shareholders who control the railway and have all the patronage in connection with it. I would suggest to you that the railway being in a congested district some portion at least of that most excessive burden should be borne by them.

33089. Leitrim is paying £6,759 towards the railway guarantee?—I do not think it is quite so much as that.

33090. These are the official figures, and I was going to ask you about it?—There is a Treasury contribution.

33091. That is the expenditure, but in relief of that local expenditure the Treasury contributes £4,295?—Well, the net sum given by the County Leitrim is about £3,000 I think. That represents a shilling in the pound on the railway-guaranteeing area, and the ratepayers who pay that rate have absolutely no control in the working of the line.

33092. Most Rev. Dr. O'Donnell.—How long have they been paying?—Since 1883 they have paid over £70,000.

33093. And do you think that that has a depressing effect on the farmers?—It must necessarily.

33094. Mr. Sutherland.—Is it a useful line of railway?—It is, yes. I think it could be much more developed if it was placed under more responsible management. And there are mineral works at Arigna which the directors proposed to extend the railway to, but they were alarmed at the fresh proposals and made it a *sine qua non* of their acquiescence in the suggestion that the railway should be put under popular or responsible control.

33095. Do you consider it a greater grievance to pay the money or to have no control over the management?—No control over the management.

33096. And do you think that it would make for the better management of the railway in future, and that there would be less to pay?—Yes. But apart from that altogether, I think that the Congested Districts Board ought to give some subsidy towards that line.

33097. Did the Government give any assistance towards the construction of the railway?—I do not think so. I do not believe they did.

33098. Most Rev. Dr. O'Donnell.—Is the capital all paid up?—The capital is not all paid up yet.

33099. Sir John Colomb.—Have you any means of knowing whether it is economically worked?—There is a baronial auditor, but he is merely an auditor, and of course an auditor cannot say whether a line is economically worked or not.

33100. Chairman.—Have you direct representation on the Board?—No direct representation of the people who pay. There are representatives of the County Council, but the majority of the ratepayers of the county do not pay the rate.

33101. They do not?—The majority of the ratepayers of Leitrim do not pay this rate at all. It is only the special area through which the railway runs. The County Council appoint four representatives, and of course the majority of the County Council represent portions of the county that are not included in the area at all.

33102. The County Council's representatives on the Board are men who come from the ratepaying districts?—They are in the minority.

33103. But they are on the Council, of course?—Yes, and on the directorate.

33104. Still they attend to the interests of the ratepayers?—They do. They are not always regarded. The majority of the directors are consistent representatives of the people who get their 5 per cent. no matter how the line pays.

33105. Sir John Colomb.—And they are responsible to the people who paid their money on condition that they should get their 5 per cent.?—Yes; it is just the case of a limited company on which the holders of the debenture stock run the entire concern. It is exactly the same case.

33106. Mr. Sutherland.—Do you make a point of the fact that the representatives of the ratepayers of the county should be limited to that particular area?—Yes; and that those representatives in conjunction with some representatives of the Treasury who give us a very large grant should control the entire line.

33107. Should the original shareholders not be represented at all—the men who gave their money to start it?—I cannot see that at all. They are perfectly sure of their 5 per cent.

33108. Sir John Colomb.—Is the line worked as an independent line or in connection with one of the big companies?—It is worked as an independent line.

33109. Mr. Sutherland.—Whose rolling stock runs on the line?—Their own. They have no connection with others. It is a narrow gauge.

33110. Sir John Colomb.—It is an entirely independent line?—An absolutely independent line.

33111. Now, speaking as a business man, where do you think you would be able to make the most of this money—where do you think money might be saved and improvements made which would be advantageous to the ratepayers?—I can, and I will, tell you one thing. The directors meet in Dublin once a month. They meet there once a month, and they have expensive offices to maintain in College Green in Dublin, and in my opinion this work might be just as well done in Ballinamore here. And another matter that I wish to bring before you is the construction of a bridge across the river between this and Cootehall, across the Shannon. Your lordship is familiar with the district by motoring. There is a tributary about a mile up the river, running through the town of Boyle, and the people in the country between that tributary and the upper reaches of the Shannon in coming into town have to go round by Cootehall.

33112. Has any representation ever been made to the County Council about a bridge?—Yes, sir, I think it has.

33113. And they did not see their way to doing anything?—They did not see their way to give the whole price of it.

33114. Mr. Kavanagh.—What is the whole price?—I believe the whole price would be £800 or £900.

33115. How many miles is that by road from here?—Ten miles, and if a bridge was constructed about one mile from Carrick-on-Shannon it would be a great convenience. It is quite common in this county that people coming to Carrick-on-Shannon have to go round by Cootehill. The people of Carrick-on-Shannon would be prepared to give a very handsome subscription towards it. On the far side of the river there is a very extensive bog, and there is no bog about Carrick-on-Shannon, and these people in the winter season find it very hard to save fuel, and I have known cases where people in indigent circumstances have had to pay a penny for six

sods of turf, which is barely sufficient to keep a fire lighting for half a day.

33116. Between Leitrim and Roscommon?—Between Leitrim and Roscommon.

33117. Sir JOHN COLOMB.—Should not the Leitrim County Council approach the Roscommon County Council in order to try to come to some arrangement if, as you say, the people of Carrick-on-Shannon are prepared to give a large contribution. Should not one County Council approach the other County Council—because really it is a matter for common arrangement and borrowing from the Board of Works?—The County Council of Leitrim have not considered that at all, because the people about Manorhamilton and other parts of the county are not sufficiently interested in it, and they do not believe in contributing a special rate for the accommodation of our town here.

33118. Most Rev. Dr. O'DONNELL.—Would the inhabitants of the congested districts here be benefited?—Very considerably by getting a market for their turf in Carrick-on-Shannon. 25 April 1907 Mr. Bernard Fox.

33119. Would the other bodies object to the construction of this bridge?—Boyle would to a certain extent. There is only one other point. In a portion of the district of Ballineen there is urgent need for the making of a road. The Congested Districts Board in one instance did give provisional sanction to a grant for making a road if the local rates also contributed, but the County Surveyor told us that we had reached the limit of expenditure imposed on us by the Local Government Act, with the result that a very large number of families have in the winter time to cross a stream and go by a precipitous route into Drumshambo a hardship which the proposed road if it were made would have obviated altogether.

Mr. PATRICK FLYNN examined.

33120. CHAIRMAN.—You are Chairman of the Rural District of Carrick-on-Shannon No. 1?—Yes.

33121. Are you in business?—I am in business, and a farmer as well.

33122. What business?—Grocery and spirit business.

33123. Carrick-on-Shannon?—Here in Carrick-on-Shannon. I may say in the first place that I am also Chairman of the County Committee of Technical Instruction and Agriculture, and that a great portion of the district over which I have the honour to preside as Chairman of the Rural District is congested, and I hold that all the county should be declared congested. You have the valuation, £138,000, and the population 69,400. That would leave about £2 per head. The Congested Districts Board, before amalgamating with the Department of Agriculture, spent each year something like £11,000 on live stock in Connaught, and since the amalgamation the only sum they spent is about £2,000, which they contribute to the Department.

33124. I do not think that is quite so. I think the improvement of live stock was only part of the work done before the handing over to the Department of the contribution of £2,000 a year?—Yes, for live stock only.

33125. Not for agricultural education?—For live stock only. What I want to point out to you in my evidence is this, that the congested areas are suffering severely by reason of not getting those bulls in those districts. They are losing a sum of £9,000 in the congested areas by reason of the amalgamation. Whereas the Congested Districts Board spent £11,000 on live stock, now the contribution towards that by the Department is only £2,000.

33126. £11,000 a year?—£11,000.

33127. They spent £11,000 a year before the amalgamation upon live stock in the county?—Yes.

33128. You are sure of that?—These are the figures.

33129. Then the remainder would not be made up by the Department?—The Department say that they have not sufficient funds to meet the deficit, and thus it is that the congested areas are neglected.

33130. Am I wrong in thinking that a sum of £14,000 was devoted by the Agriculture Department to live stock?—I am not aware of it.

33131. Sir JOHN COLOMB.—Are you aware what was the amount of the Department's scheme of agriculture for the county for the current year?—£400.

33132. For live stock in Leitrim?—Yes. The point of my evidence is this, that by reason of reducing the amount of the grant for live stock the congested areas are suffering.

33133. Most Rev. Dr. O'DONNELL.—In the first years after the transfer, I suppose the supply of animals was very small?—Very small; you might say practically neglected so far as that was concerned at all events.

33134. CHAIRMAN.—In the first place, I think you are wrong when you say that the Congested Districts Board spent £11,000 a year only for live stock. They spent £11,000 in 1903-4, the last year, not only for live stock. They spent it on agricultural work of all sorts in all the congested areas?—They spent a great deal more than that in Connaught.

33135. The Congested Districts Board spent £11,000 in 1903-4 on agricultural work in all the congested areas in Ireland?—In Connaught.

33136. Not only in Connaught, but the whole of the congested areas. Now, this current year, 1906-7, £14,700 is being spent by the new Department upon agricultural work in the congested areas in the same areas on which the £11,000 was spent before. That is made up of £1,500 of rates, the £2,000 that you have in the grant of the Congested Districts Board, £1,500 from the Department, and a special grant by the Department of an additional sum of £9,700, making up £14,700. Mr. Patrick Flynn.

33137. Most Rev. Dr. O'DONNELL.—You will find such big expenditure as for the current year was not made in the past year?—It was not.

33138. This big expenditure is only for the current year?—Yes. I am only confining myself to live stock. I beg to state that Leitrim is not fairly treated so far as scheduling a sufficient quantity of it, on the basis that, although the valuation is nearly £2 per head on the whole of the county, we have out of seventy-eight divisions only thirty-eight scheduled as congested; and whereas the valuation of the whole county is only £2 per head you have only thirty-eight divisions scheduled out of seventy-eight.

33139. And do you know of your own knowledge that in the area not scheduled there are lands as poor as those that are scheduled?—I do, and if the Commissioners go over the area during their visit I could show them districts that would convince them that they are districts that ought to be scheduled, and that have been neglected for years.

33140. Mr. KAVANAGH.—Do you suggest that the whole county should be scheduled as congested?—Yes.

33141. The whole county?—Yes.

33142. CHAIRMAN.—You do not suggest that the Congested Districts Board have had any power to schedule them?—I do not say that they had, but there was not sufficient attention given to them.

33143. You do not suggest that the Congested Districts Board had power to schedule?—I do. I believe there are several places where they could.

33144. Do you really believe that the Congested Districts Board have powers to schedule an area if they choose?—I do believe that.

33145. Then you have got to read the Act?—I dispute altogether the fact that they should stand on ceremony if the valuation is for a general election.

33146. You may be right, and I do not say that you are not right, but it has nothing to do with the Congested Districts Board, because that is laid down in the Act of Parliament. It may be that the Act requires amendment, but it has nothing to do with the Congested Districts Board. They have no power to alter it?—I hope the Commission will. The valuation of our rural districts is £26,000. I want to point out how the rural district of which I am chairman is circumstanced. At our last quarterly meeting we had, as a matter of fact, applications from a congested area to do work that would amount to about £1,000.

33147. Mr. SUTHERLAND.—In connection with what?—With the making of new roads and bridges there, the principal portion of which came from congested districts—I may say more than three-fourths—and we had with one stroke of the pen to strike out the whole amount, as we had not a penny piece available for any new work.

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33148. Mr. SUTHERLAND.—Could not you make a rate?—We had our rate fixed.

33149. But next year?—I am afraid our rates are too high.

33150. Sir JOHN COLOMB.—Was that an unusual demand made from the district which you refer to, or was it the same last year?—Well, since the Local Government Act we have had to keep these people waiting till we would get funds.

33151. Last year was there an application?—Yes, we had an application last year; and I want to take a case in point that came up a few days ago. The taxation on the land in the district I am referring to is 3*s.* 10*d.* in the pound. We considered that heavy enough without adding a new additional rate for the purpose of making a road.

33152. Mr. SUTHERLAND.—What is the principal item in that 3*s.* 10*d.*—poor rate?—Poor rate and county cess.

33153. What are the other rates?—The annual cost of upkeep. A great portion of the congested district is paying that shilling in the pound.

33154. Is sanitary rate included?—I am not including sanitary rate at all.

33155. Most Rev. Dr. O'DONNELL.—You say a great portion of the congested districts pays this railway rate?—Oh, yes. At that meeting of the Rural District Council there was a statement made that the congested districts would get a grant if the local authority signified their intention of joining them or finding a certain amount. That is the point, that I think the Congested Districts Board should not wait, because we have no money to expend unless we raise the rate. That is our position exactly.

33156. Mr. SUTHERLAND.—You think they ought not to wait till you have raised the rate?—I do not know. It would be very serious to raise the rates, because they are high.

33157. Mr. KAVANAGH.—Are you nearly up to your mark?—Yes.

Mr. SUTHERLAND.—Is there a limit?

Mr. KAVANAGH.—Oh, yes.

33158. Most Rev. Dr. O'DONNELL.—These people are not in a condition to bear an increase of rate?—They are not presently. I was present in the Court when the last witness was being examined on the question of uneconomic holdings, and I would like to say one or two words with reference to that. There are a lot of uneconomic holdings in more districts than the ones that are scheduled as being congested, and I see that in this very district there are about 1,300 or 1,400 acres of land available I do not say that it is not all occupied, but I know of my own knowledge that the land is available and could be had at a reasonable price for the purpose of relieving congestion and doing some little migration.

33159. CHAIRMAN.—You are a farmer yourself?—Yes.

33160. How many acres have you?—I have in the County Leitrim about forty-five Irish acres, and I have also some land in Roscommon amounting to about 200 acres.

33161. Do you graze cattle?—Oh, I graze my own cattle.

33162. But you have 200 acres?—I have no land except that I bought the tenant's interest in the land myself, and that is presently occupied.

33163. You are not a landlord?—No, a tenant farmer, paying a good deal too much rent.

33164. Did you ever hear of one who was not?—I have. I want to say that although I am a tenant of this land, if the resources of civilization were exhausted, I would not mind parting with any portion that was necessary for the country.

33165. Sir FRANCIS MOWATT.—How much altogether is the holding?—About 240 acres. My Roscommon farm was occupied by my father and mother. They are alive and they are occupying the farm.

33166. CHAIRMAN.—About how much is it?—About 200 acres.

33167. That is also a grazing farm?—Grazing and tillage.

33168. How much tillage?—I suppose about eight or nine acres. There are two families there on it at present.

33169. Sir JOHN COLOMB.—Sub-tenants?—No, sir, workingmen, herds.

33170. CHAIRMAN.—Are your father and mother judicial tenants?—Judicial tenants, yes.

33171. What would you say if it was proposed to take 150 acres from them?—Well, if there was 150 acres taken—the farm is divided into two by the road—I would not have the slightest objection, not a bit, if they were properly compensated. Of course they bought at a high price.

33172. Sir JOHN COLOMB.—It is a question of business and a question of money?—Well, more or less. But there is a little more than that, there is a sentiment, too, because there might be some men that would not like to give it up at all, no matter what the price was.

33173. "There might be some." You mean that there are some. And what would you do in that case?—A compulsory Bill. That is the only thing I can see.

33174. Are those men tenants?—Very few tenants.

33175. Landlords?—Yes, men who have land in their occupation and do not want to part with it, and men who have property and do not want to part with it.

33176. Most Rev. Dr. O'DONNELL.—Where do you buy the cattle?—In the fairs.

33177. What age?—One, two, and three years old. I forget whether I stated that about 1,300 or 1,400 acres are available—1,300 or 1,400 acres in the rural district alone, 700 of what I call not occupied by the owner, not in their immediate control. They are not working it themselves with their capital.

33178. Sir JOHN COLOMB.—They are let on the eleven months' system?—Yes. Quite so. And then the balance of the land I refer to is land that the owners or tenants all could do without if they got a reasonable price for it, and it could be used for the benefit of the congested area.

33179. So it comes down to the question of price in the main?—I have already stated that I believe there are cases where men would not part with them.

33180. Those are the exceptions?—They are. I hold that if a man has 100 or 200 acres, and works it for the benefit of the district and lays out his money on it, somebody gets the benefit of that.

33181. Most Rev. Dr. O'DONNELL.—Supposing he works it as a grazing farm?—There may be cases in which the land is not suited to anything else, but they are very few.

33182. Do you employ labour?—Yes.

33183. Throughout the year?—Yes.

33184. How many labourers?—According to the season and the work to be done. In the harvest season we do have a great deal of men and also in the spring season, and there are other times when we have not.

33185. And do you hire those men from the neighbourhood?—Yes.

33186. Men with very small holdings?—Yes. I keep some of them constantly myself in my own employment.

33187. They have houses on your land?—Yes, they have two houses, and two families, and two families living in them in addition to the men themselves.

33188. Sir FRANCIS MOWATT.—Is that common to farmers holding as many acres as yourself, that they employ labour?—I know some of them in Roscommon having a couple of thousand acres of land and they never employ labour at all.

33189. Sir JOHN COLOMB.—They take it on the eleven months' system, and they only require a herd?—It is the owner of the land that provides a herd generally.

33190. Whether the owner stocks it or not, or whether he lets it out, there is a herd?—Yes.

33191. And there may be one or two herds?—According to size.

33192. Mr. SUTHERLAND.—That is all the labour that is required in a large farm of 2,000 acres?—Very often that is all.

33193. Now you say you have some three-year-old cattle. When they are disposed of are they ready for the butcher?—Yes. We fatten some on the land and also fatten some in the winter.

33194. And then they are ready?—Yes; they are sold ready; and some others are shipped to Scotland and England to be sold there.

33195. And what is the reason why they do not do that more commonly on the large grass farms—keep them till they are ready for the market?—They keep them as long as they are able till they cannot do any more. That is what I do.

33196. Do you house those cattle?—In the winter time.

33197. And do you feed them with any artificial food?—Yes; those cattle that we want to finish we feed on turnips and cake and meal.

33198. Which is more profitable for you—to fatten them to the third year or sell the second year?—I never keep cattle after three years. I buy at two years and sell them at three.

33199. CHAIRMAN.—Which would pay best?—If they could be fattened it would pay best.

33200. Do you find that you have more profit with those that you yourself fatten?—Yes.

33201. Why, then, do you not fatten all your cattle—why sell any small stock?—It would be impossible to fatten them all.

33202. Tell me why?—Well, in the first place it would entail a great deal of labour and superintendence.

33203. But if your profits are so much better, would not it more than pay for the increased labour?—These things require close attention and consideration and all that.

33204. Mr. SUTHERLAND.—If you had two cattle, three-year-old, stall-fed, would not the same labour feed twenty?—I do not think it would feed twenty. I would say ten.

33205. CHAIRMAN.—But if you were released from your business here and had time to devote to it?—I would not fatten any more cattle.

33206. Not even then?—No.

33207. Why not?—Because it would be just as well to get them into such a forward condition that they would be used for shipping purposes. Some of them might go across and some of them be finished.

33208. You told us that you found that you derived much more profit from the animals which you fattened up for the butcher than from those stores?—I think my evidence was that it paid best to keep a beast till it would be fat—I think that is to put them into the most forward condition that you can put them.

33209. Why should not it be done?—Well, my opinion is that they pay me as well to have them fattened for shipping as any other way; and then there are certain kinds of cattle that we have at all events for the butcher. We get two-year-old stores and fatten them.

33210. What do you do with the others?—Put them into a forward condition for shipping purposes.

33211. It would not pay to fatten them?—No.

33212. Why not?—They would not be weight enough. There is very little shipping of butchers' cattle, and the principal shipping trade in cattle is that a man buys stores, puts them into a forward condition, sends them on, and then they would be kept for a short time still and then sent to England.

33213. Then the cattle which he fattens are fattened entirely for local use?—Yes.

33214. You have not got a market for fat beef?—Not in the district, not nearer than Dublin.

33215. That is for foreign use; but you have got a certain local market for fat cattle?—Yes.

33216. And that you meet by fattening a certain number of your beasts for that at home?—Yes.

33217. But you have not got any direct market for fat beef in England?—Not in the neighbourhood.

33218. In England?—I dare say there is.

33219. But you could not attend it?—No.

33220. But you are in connection with people who buy and forward stores?—Yes.

33221. And they pass these forward stores on to the men at the other side?—Quite so.

33222. That is you are not in immediate touch with the demand for fat meat in England? You prefer not to fatten your beasts to the last point?—Yes; I am not well acquainted with the details of the cross-Channel trade.

33223. Sir FRANCIS MOWATT.—Do you find that the cattle now being sent suffer?—I think they do.

33224. From your experience, can you say whether cattle fattened for immediate killing are more likely to suffer in going over to England than store cattle, the more forward cattle?—I believe they would—the fat cattle.

33225. Have you no experience of that?—No, sir; I have not sold any fat cattle at all.

33226. Sir JOHN COLOMB.—May I ask you, on the average, how many cattle have you on the 200-acre farm?—I will tell you as nearly as I can—and sheep and horses. I breed a good many horses. I think I have about nineteen or twenty; and what we generally would have would be 100 cattle.

33227. And what proportion, approximately, do you keep till they are fat for the local market—a very small proportion?—Yes, the number would be small. I could not say all the year round. People might not take them in summer and in the winter time.

33228. So that in the process of working your farm you employ labour, and you also are keeping the land in heart by putting cake upon it—is not that so?—Yes, that is so.

33229. You are not merely working it as a grass farm—you are not taking everything out of the land?—No.

33230. And you employ labour and capital on the land in order to do your business most efficiently?—Yes.

33231. And do you find that treating the land in that way for grazing purposes, giving it cake, and treating it fairly, and putting capital into the land, is really more profitable than if you were to break up more land in tillage for the purpose?—Well, at present it suits my programme best not to have any more, because I find great difficulty in getting labour, and labour is very dear.

33232. Now, tell me is that the general custom in dealing with this class of land for the owner to put out cake and to put the land in heart?—As far as my experience goes of the men of that description or size of holding all about that neighbourhood they take in grazing cattle, put in as many cattle as they can generally. That is what they do. Other people's cattle.

33233. When the land is worked, as you are working yours, would owners or occupiers mostly treat their land as you do, putting in cake?—I would say that the majority do not.

33234. Now come to the farm worked on the eleven months' business. Is there anything put on that land at all?—Not that I know of.

33235. Then as to any land under your observation that has been worked for a long period of years on the eleven months' system, do you consider it to be deteriorating?—Well, as a general rule land that is kept under grazing cattle and that is under meadow, as a rule is not deteriorating, but it is not as productive as it might be made. It is what I call neglected land. The man tries to take whatever is in it out of it.

33236. Again, I ask you as to those lands which are worked on the eleven months' system, and where nothing is put into the land, is it your opinion, from your observation, that that land is deteriorating?—I think as a general rule with cattle grazing on the land it is not deteriorating—certain kinds of land might; but I say that the land might be made more productive.

33237. Mr. SUTHERLAND.—Have you seen land with cattle go back to rushes?—I believe that is so. That is what I say, that the land could be made more productive. I also heard the last witness make a statement about the sale of the property. A question was put to the last witness, who is a colleague of mine, whether the landlord should get his rent or not if he sold his estate. There is an instance on record where I offered myself on behalf of the tenants and made application to the landlord to purchase their holdings under the present Act, and we offered to give the landlord his present net income provided that he gave us the right to have a public accountant to say what the net income was, and the result was a refusal to sell.

33238. Sir JOHN COLOMB.—Had you a correspondence with him?—No, sir; we met him together in the Courthouse in Drumsna.

33239. And what was the ground of objection?—He would not allow anybody to see his books.

33240. CHAIRMAN.—Was it through the Estates Commissioners that you made the proposition?—We made it through the Estates Commissioners to give him his proved net income provided he gave us a public accountant to say what his net income was, or any other independent authority.

33241. Have you any objection to give the name?—Not the slightest. The estate is the Rowley estate—Mr. Rowley.

33242. Sir JOHN COLOMB.—You mentioned an independent authority. Did you understand the landlord to object to letting the Estates Commissioners see his

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books?—No; but in speaking of representing the tenant, he did not want to have anybody representing the tenant knowing his business.

33243. Did you understand him to object to show his accounts to the Estates Commissioners?—My impression was that he objected to allowing any independent authority to find out what his net income was.

33244. But do you call the Estates Commissioners an independent authority?—I do.

33245. Did you ask him if he thought that?—No, sir; we did not ask him that.

33246. Would the tenants have been satisfied—would you now say, as you negotiated the matter, and are a man of business yourself and of large experience—"We are satisfied to give you your net income if on an examination of the Estates Commissioners they say it is your net income"?—Well, sir, that is rather a stiff question to put to me, because the tenants might have changed their minds since.

33247. But going back to that time?—Yes, at that time the tenants were prepared.

33248. Did they say so?—They did, sir.

33249. They were prepared to give him the amount to secure his net income provided that the Estates Commissioners certified what the income was?—I stated that we offered to pay the lawful price to be settled by the Estates Commissioners; and the tenants would be prepared to do that again to-morrow, I believe.

33250. CHAIRMAN.—What you offered to him was to give the full net income on condition that some public authority should certify that that was the net income?—Quite so.

33251. Sir JOHN COLOMB.—And did you consider at the time and did the tenants agree that the independent authority should be the Estates Commissioners?—No, they did not; but he did not think it was any part of their business to look into his books and find out what his net income was.

33252. CHAIRMAN.—You did not suggest any special authority and you did not say that the authority should be one appointed from the tenants' point of view, but merely to have an expert accountant?—Merely an expert independent authority to find out what the net income was.

33253. Sir JOHN COLOMB.—Who should appoint him?—The tenants.

33254. The independent authority was to be appointed by the tenants?—Yes. When I say independent authority I am afraid the Commissioners do not understand. I mean a recognised authority such as a public accountant, who would know what figures meant and what the keeping of accounts meant.

33255. And appointed by the tenants?—Yes, sir.

33256. Mr. SUTHERLAND.—You did not name any person?—No.

33257. CHAIRMAN.—I suppose any chartered accountant would have satisfied you?—Yes.

33258. Any certified chartered accountant who was well known would have satisfied you?—Yes, when we were satisfied that he was an independent authority and that he would give an honest opinion about the matter without any suggestion on the part of the landlord.

33259. Take a firm of recognized chartered accountants in Dublin?—We would have been quite satisfied.

33260. Mr. KAVANAGH.—What class of tenants?—Generally all second term.

33261. Any untenanted land—were you an eleven months' tenant yourself?—No.

33262. All judicial tenants?—Yes.

33263. Would not you say the second term rents, less a certain amount?—And other expenses, too.

33264. Less the cost of collection. You have probably read the terms of the Land Conference, that second term rents less 10 per cent. for collection would be the net income?—I think it would be a little more.

33265. Those are the terms of the Land Conference?—I will admit that, but I do not think the landlord should get it at 10 per cent.

33266. But that would be the quickest and surest method of arriving at net income from judicial tenancies?—I still hold that there are other expenses that the landlord must be out.

33267. Sir JOHN COLOMB.—Who is to direct the accountant as to what were the expenses that should be included?—You could see by the books, of course.

33268. But Mr. Kavanagh asked you with respect to 10 per cent., and you said you were not satisfied with that because there were other expenses?—I believe it costs the landlord more than 10 per cent.

33269. Mr. KAVANAGH.—What other expenses?—For instance, he has a lot of income tax to pay. That is not included in the 10 per cent.

33270. But he will have to pay income tax on his net income?—And there are certain cases where a man through no fault of his own can pay no rent; and in my opinion it takes more than 10 per cent.

33271. Sir JOHN COLOMB.—Was the question in dispute in this case, that the net income should be not the net income of a particular year, but the average over a series of years?—For that year; for the very present year; to give him his present net income.

33272. It was not to give him his net income calculated over a series of years, but on the particular year immediately preceding the tenants' application?—"The present net income." That is easily understood.

33273. The proposal was not to give him his net income calculated on an average of years, but his net income on a particular year, the year immediately preceding the negotiations for sale?—The income of that very year.

33274. Now tell me another thing. Had the landlord had any question between him and his tenants the previous year—was there any feeling that he would not sell, or anything about withholding rent?—The tenants believed that the rents were fixed a bit too stiff, and they tried to reduce the liability by buying it at a reasonable price, and they offered 22 years' purchase, and the landlord wanted 24½, and there was considerable pressure used by myself and the Parish Priest of the district, and we tried to come to a conclusion at 23 years' purchase of second term rents, and the landlord also refused to accept that; which I considered was a very stiff price

33275. What year was this that you had that meeting with the landlord?—It was in 1905.

33276. The tenants wanted to buy, thinking that their second term rents were too stiff?—Yes.

33277. When you were going into the question—were there large arrears on that estate?—I am not aware that there was a single tenant on it that owed more than a year's rent.

33278. And was it on the particular year preceding that that the net income was to be calculated?—That very year. You asked me were there any arrears of rent due and my answer was that I did not think there was any tenant that owed more than a year's rent, and my belief is that nine-tenths of them did not owe a shilling at all. Well, that is my opinion. There might be an exceptional case where a tenant had not time to pay his rent or had no means.

33279. CHAIRMAN.—And was there any mention of coming to any arrangement or compromise?—This was a final offer to make it 23 years' purchase and then he would be entitled to his bonus.

33280. Was there any sort of reply to that?—The statement was that we would have to take his net income from his figures.

33281. And then there was no question of splitting merely upon the fact that you wished to buy out on the net income for one year. He did not say that taking the net income for one year would not do, and that you must take it on the average of five years? He did not say that?—No, he did not.

33282. Sir JOHN COLOMB.—Taking your own case, made in a particular year as a basis (because there are good years and bad years)—would you, as a man of business, accept the purchase of your trade on the basis of a particular year?—As a man of business if I found the interest in my business was going down every year I think it would be my interest to sell on that present year's income rather than to wait longer and get less.

33283. If your business was going down?—Yes.

33284. And if it was not going down?—I hold that that was the exact condition of the landlord, and I can prove it.

33285. CHAIRMAN.—But whether business is going up or down, that point was never made?—No.

33286. He never did state that he was not prepared to take it for one year?—No.

33287. There was never any suggestion whatsoever or any point made that it should be spread over a period of five years?—No.

33288. And do you think if he said, "One year is not a good guide. You will buy me out on the basis

of the income as shown for the last five years," do you think you would have split over that?—He would not have made any proposition of that sort, because the basis was so many years' purchase of the second term rents or so many of the first term, so that you could not say that the average for five years would mean any more or less.

33289. But supposing he wished to put it in that way. If he said, "One year's net income is not, to my mind, a sufficient guide, and I am willing to sell on the basis of net income as shown by an average of five years," do you think that would be agreed to?—I do not think that would interfere with the tenants in the least if he was satisfied to leave the finding out of that net income.

33290. To a chartered accountant?—Yes.

33291. If he said, "I will sell on the understanding that the basis on which the net income is to be arrived at is not the income of one year, but the average income of five years," you do not know any reason why the tenants would have objected?—I do not.

33292. Most Rev. Dr. O'Donnell.—How many years before were the first term rents fixed?—The times varied, my lord. Some went in immediately after the Act came into operation. Some did not go in for three or four years.

33293. Suppose they had been fixed only three years before, in those circumstances it would be reasonable for the tenants to say, "In case you took the average of five years, only the second term rents, or rents taken on the basis of the second term should come in?—Yes, it would.

33294. And was the programme of so many years' purchase of the existing rents in reference to second term rents?—I may say that the first offer to the owner was to give him a certain number of years' purchase, and if he did not like that, to give him his present income as found out by a public authority or chartered accountant, and the third was to buy out through the Estates Commissioners.

33295. What I want to know is, were those offers definitely made to the owner?—I am the person myself that met the owner and made the offer in the public court, in the courthouse.

33296. And it took three forms?—It took three forms.

33297. So that there were three bases?—Yes. And the substance of the reply was that he would make out his net income himself, and that if we did not take that, and if we wanted to buy our holdings we would get them for twenty-four and a half years' purchase; and I believe he afterwards agreed to drop the half-year.

33298. Sir John Colomb.—Some were first term rents, and some second term?—Nine-tenths of them were second term.

33299. Was the number of years' purchase named on second term rents?—First term would be twenty years, and second twenty-three. We offered him twenty-three for second, which, of course, comprised a very large majority of the tenants.

33300. Chairman.—You, on behalf of the tenants, made a proposition to buy on three bases—first twenty-three years purchase of second term rents, and twenty of first term?—I could not positively swear to the twenty years' purchase of the first term, because it did not enter much into our terms at all; but on an equivalent, you may be satisfied about that.

33301. And if he did not take that you were prepared to buy him out on the basis of net income so long as he allowed a chartered accountant to find what his income was?—Yes.

33302. And, third, that you would be prepared to leave it to the Estates Commissioners to decide what was to be the price?—Yes, that is so.

33303. And the reply was that as regards the first, he would only accept twenty-four years' purchase of the second term rents; and as to the second, that he would accept his net income, but that you must take from him what was his net income. And then as regards the proposal with respect to the Estates Commissioners?—He refused it altogether. The tenants would be prepared to buy through the Estates Commissioners—even now.

33304. Do you mean that even now they would be prepared to buy at his net income as certified by the Estates Commissioners over a period of five years?—I have not consulted the tenants, because I think if they asked my advice—I am sure they offered too much at that time.

33305. How many tenants?—Some hundreds of tenants.

33306. Is it a very large property?—Very large.

33307. Do you know the acreage?—I do not know the acreage. The agent to this landlord is in court and he can tell you.

33308. Sir John Colomb.—Was there any untenanted land on this estate?—No.

33309. Chairman.—What is the agent's name?—Captain Darley.

Captain Darley.—I am Captain Darley. I have not looked into the figures so as to be able to answer all the questions connected with this. Otherwise I would not have the least objection.

33310. Chairman.—Can you between this and the morning, or on Saturday, give us the figures?

Captain Darley.—I would rather say anything I can about it at present. I cannot give you the acreage of the estate which you ask for, but I can find it out very quickly.

33311. Chairman.—I do not want the acreage of the estate. What we would like to know would be Mr. Rowley's point of view with regard to the offer we have been told about, and if you are not prepared to do that to-day, because you have not had opportunity of refreshing your memory about the transaction, the Commission would be very pleased if you could come here or to Mohill to-morrow or next day.

Captain Darley.—I have no objection to giving you my recollection of it at present.

33312. Sir John Colomb (*to Witness*).—You have something to say about the light railway?—A great portion of this district that we are in at present contributes 1*s.* in the pound in order to maintain the upkeep of the railway. A few years ago we paid 2*s.* or 2*s.* 6*d.* I know we paid 2*s.* for the upkeep of that railway.

33313. Mr. Sutherland.—Therefore the railway is improving?—Yes.

33314. Do you anticipate that by and by it will pay its way?—I do not. I am in the happy position of being a director myself. I am one of the directors representing the County Council.

33315. Sir John Colomb.—And you are representing on the County Council the barony charged with the taxation?—Yes.

33316. Mr. Sutherland.—May I ask whether the amount of the guarantee has been increasing?—It did increase, because we had a rate of 10*d.* and it is 1*s.* But there has been a decrease.

33317. Has the decrease of the guarantee been steady?—It fluctuated considerably for some years.

33318. It is in proportion to the amount the railway earns?—Yes. Some years there is a large amount of expenditure in the purchase of new rolling stock and material for which the rate is paid by the guaranteeing area. I may say at once that in my capacity of director of it I am completely powerless to do anything on behalf of the ratepayers so long as the gentlemen representing the shareholders' capital are in the majority, and I hold the same view as my friend, Mr. Fox, when he says that those people have not the slightest interest in the good working of the railway because no matter how it goes they get this money from the guarantee.

33319. Have you done your best?—I have done my best.

33320. Sir John Colomb.—Have you offered to give evidence before the Railway Commission?—Yes, we have offered to give evidence before the Railway Commission, but the time is not fixed.

33321. Mr. Kavanagh.—What is the name of it?—The Cavan and Leitrim Railway. I hold that if the Commission has power to make a suggestion, it would be a great remedy for the grievances I refer to if the County Council was better represented on the Board of Directors, if it had a majority on the Board.

33322. Sir John Colomb.—What is the deficit in relation to the capital?—The deficit forms, I believe, the mass of the shilling in the pound that is given.

33323. I mean that the deficit you have to make up represents a certain amount, and I want to know what proportion or what relation that bears to the total of the capital?—I cannot show you the figures of the exact amount of their capital, but I will explain it in this way, that 5 per cent. is paid on their capital though it is only an odd year that they pay

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their expenses without paying any dividend on the capital.

33324. Mr. KAVANAGH.—Do you think you could make the line pay if you could look better into it?—I am afraid not, but I think a great many grievances could be relieved if we had a voice on the Board.

33325. And could the expenses be reduced?—I think they could, and that there could be a good many amendments.

33326. But it never could be made to pay?—I am afraid not.

33327. How long has the guarantee to run?—It is for ever.

33328. It is not for a certain number of years?—No; for ever. And whereas several of the other light railways in Ireland got their capital at 4 per cent., on this light railway 5 per cent. has to be paid. Then look at the amount of dividends paid up. There could be plenty of money got at 4 per cent. for this line too.

33329. Do you suppose you would get people to pay off 5 per cent. debentures and be prepared to take debentures at 4 per cent.?—I believe we could get plenty of money at 4 per cent. for the asking of it.

33330 Taking it as a business man, there are certain debentures at 5 per cent.?—Yes.

33331. And of course one per cent. makes a difference in the guarantee. Do you think there is enough money in this railway under present conditions to pay off that and give 4 per cent.?—They would not take the money. They want to get the market value.

33332. You mean to say that they are not terminable annuities?—Yes.

33333. And there would be no power on the part of anybody connected with the railway to redeem?—No. In my representative position I am asked to bring before you as forcibly as I can the fact that Leitrim has been very much neglected by the Congested Districts Board—a very much neglected county. I have already pointed out to you in the early part of my evidence that a great portion of this Rural District is mountainous country, on the slope of the mountain, and we have not sufficient money, as I said before, for making accommodation roads there, or roads at all, and a great many of these people have to grow farm produce and carry the farm produce on their backs to bring it into the market. And I wish to bring it before you that these districts want more particular attention. And within a mile or a mile and a-half of Carrick-on-Shannon we have a case that has been already mentioned to you, where simply because we cannot get sufficient money to build a bridge, there are people who have to travel nine Irish miles to get to their market, which they could get to in less than two miles.

33334. CHAIRMAN.—We have heard about the bridge?—There is one little matter in connection with it that I would like to mention, that a further advantage from it would be that there are three or four miles of bog unexplored except when a sportsman goes over it, and that could be made available. And on the other side of the Shannon they have no such thing at all; they have no bog to get fuel from unless they went across in a row boat.

33335.—That was also mentioned?—Well, I did not hear that.

33336. Most Rev. Dr. O'DONNELL.—The land on the other side would be used for fuel?—Yes, and it would be very valuable. You have a large territory of unoccupied land right beside the bog on the other side of the river. It is not my view, sir, that public opinion at all affects the case of rent, that it has anything at all to do with the fixing of a fair rent. That question was put by one of the Commissioners.

33337. Mr. SUTHERLAND.—What do you think?—I think the market value of farm produce in addition to the cost of labour—I think those are the things that should form the basis.

33338. What fixed the rent in Ireland?—The Land Act, I take it.

33339. What fixed rent in Ireland previous to 1881?—The landlord and the bailiff, of course.

33340. Then after that the Act regulated it?—Yes, it did.

33341. And public opinion?—Yes; but I do not believe the Commissioners fix fair rents on a holding.

33342. But I should say that would be a question for legislation?—But you asked a previous witness whether public opinion was a matter that affected the fixing of fair rents.

33343. That was not the way?—Then it is all right, sir. I was also asked to point out as our suggestion to the present Commission that there should be a representative from each of the congested district counties, that there might be more attention paid to them, on the Congested Districts Board.

33344. CHAIRMAN.—You want five representatives for Connaught?—We would be anxious. We believe that these districts would not be neglected as they are at present.

33345. Mr. SUTHERLAND.—You do not assume that that is part of their duty?—I do assume that.

33346. Is the present Board representative?—Oh, yes; there are representatives on the Board; representatives of Connaught, of course.

33347. And is it because they represent Connaught?—It was believed at the time that they would make the best representatives for Connaught; but these gentlemen, rightly or wrongly, gave more of their time and attention to other counties, for instance, Mayo.

33348. Mayo has had more attention from the Congested Districts Board than Leitrim?—A great deal more.

33349. Why?—Because it was better looked after—because the same interest has not been taken in it as in Mayo.

33350. Do you mean that Leitrim has not a representative?—Yes.

33351. Has Mayo a representative?—Oh, yes; a very good one.

33352. Do you think that that is the reason that the gentleman from Mayo is on the Board?—I am aware that he would have more interest in his own county, and he has not sufficient knowledge of Leitrim.

33353. Mr. KAVANAGH.—Do you suggest that that gentleman was put there as a representative for Mayo?—Oh, no, I do not. There was no opportunity for Leitrim, but Connaught had the opportunity.

33354. Mr. SUTHERLAND.—I presume you refer to Father O'Hara?—Yes.

33355. Was he put on the Board simply because he was from Connaught, or because he was a gentleman who had an interest in the work?—I suppose because he had an interest in the work.

33356. CHAIRMAN.—If you were to have a representative on the Congested Districts Board, how would you suggest that that representative should be chosen?—From some elected body. The County Council might make the best selection.

33357 Nominated by an elected body?—Nominated by an elected body.

33358. You think that a better plan than asking the Government to do so?—Yes; that might be an element; they might be selected by the Government. I think these people would know the districts best and the county best, and know what would be the best remedy for it. Those are the counties that would have the best right to select the men and would be the best judges, and the County Councils could nominate two or three, and then they could select one out of the three.

33359. Mr. SUTHERLAND.—And then you would have a representative from each county of Ireland in which there was congested districts?—Yes.

33360. You know the number?—The number is not very large.

Captain DARLEY examined.

Captain Darley.

33361. CHAIRMAN.—You are agent of the Rowley property?—Yes; I have been agent for the last twenty-five years, from about 1882 or 1883.

33362. You remember the occurrence to which the last witness referred?—Yes.

33363. Can you tell us why the landlord declined to allow an accountant to advise the tenants as to the amount of his net income?—There was no question of any accountant at all, but a question of the tenants wanting to investigate Mr. Rowley's private affairs, and he said he would not allow them to investigate his books.

33364. But you have heard from the last witness that according to his account of the transaction he on behalf of the tenants made an offer that the estate should be bought on the basis of net income on the condition that some chartered accountant or other independent authority should examine the books, and should advise the tenants what his real net income was?—I am afraid I dispute that entirely.

33365. What is your view?—My impression is that the tenants wanted themselves to investigate Mr. Rowley's accounts and Mr. Rowley's books.

33366. Most Rev. Dr. O'Donnell.—Were you present during the negotiations?—Yes.

33367. And listening to what passed?—Yes; I was with Mr. Rowley at the time.

33369. If there had been a proposal to pay an accountant to examine the books do you think that the landlord would have accepted it?—I think he was quite satisfied to sell provided he got his net income calculated on the investment of the purchase money at 3¼ per cent., that is the average price, or fair price for trust securities; and of course he would more or less have dealt with that through me, but in the office. Those were the terms of the Land Conference. But there was nothing more about it. We had no letter, and there was no more about it.

33370. Sir John Colomb.—I presume, Captain Darley, that on this estate, as on every great estate, the rental and cash account would show the receipts and the disbursements, and the remittances?—Yes.

33371. And I presume there would be no difficulty on taking your books in finding out over a series of years, whatever the number of years might be, what were the receipts, and what were the outgoings, and what was, in fact, the net income?—There was no difficulty at all, no. Of course you must remember that remittances do not represent income.

33372. I never suggested that remittances would; but really what I merely wanted to know was that there was an accurate account kept in the office year after year?—Yes.

33373. So that if the Estates Commissioners called upon you to produce your books and said, "We will base price on the net income," would there be any objection on the part of the landlord or yourself to show the Estates Commissioners or any person in authority your books?—Not the least.

33374. Mr. Sutherland.—Why was not it done?—It was not called for.

33375. Sir John Colomb.—We heard there were three methods proposed. The first was so many years' purchase of second term rents; the second was this net income question, and the third was to leave it to the Estates Commissioners?—As a matter of fact the net income proposal came from Mr. Rowley himself. He said to the tenants that he was prepared to sell to them if they gave him his net income.

33376. Chairman.—What was the reply to that?—I think that the reply to that was this meeting. I think this meeting was in reply to that. I have not looked into the sequence of it.

33377. Are there no written records of this transaction?—I do not know whether there are or not.

33378. Are there no letters or correspondence which passed as to the employment of a chartered accountant or the production of the books which you mentioned to Sir John?—No.

33379. No letters on this particular subject at all?—No.

33380. And the whole of the communications with regard to that matter were made by word of mouth?—Exactly. Made at the time by word of mouth.

33381. When the owner made that proposition about his net income did he make any proposition about proving to them what his net income had been?—I do not think so.

33382. You say that the tenants wanted to examine his books?—Yes.

33383. Did he meet that by offering to submit his books to a public authority?—I do not think so. I do not recollect.

33384. Chairman.—Mr. Rowley was willing to sell the estate to the tenants on the basis of his net income, but you could not expect them to take his bare word as to what the net income was?—I should hardly think that. I should have thought that if the principle of it was accepted the figures would have been produced, and would have been gone into in a businesslike manner; but there was nothing to lead up to its being a businesslike transaction.

33385. But how did he consider that the actual amount of his net income should be ascertained by the tenants?—I think his books show that, and the rental would show that.

33386. The rental would not show his net income—the bare statement in the rental would not show your net income?—Well, the rental shows the rental of the estate, the account books show the outgoings of the estate. They might all go together.

33387. But that comes to the same thing. How could the tenants be expected to take these figures on your merely presenting them with a statement of rental and a statement of outgoings, or merely saying, "give me so and so," unless you gave them an opportunity of checking the figures?—I should think that if there was any proper person appointed the landlord would have no objection to his seeing them, but he did not wish to have all his accounts investigated and spoken of by every person all over the country. Handing the books to an accountant who keeps his information to himself is a very different thing from letting every person about the country know all about your business.

33388. Sir John Colomb.—Who made the first proposal about sale or purchase at all—did it come from the tenants?—I think it probably did. I think that they probably must have expressed a wish to him to buy.

33389. And so that first proposal resolves itself into a proposal made by one side or the other, at all events, of a definite number of years' purchase?—I think Mr. Rowley, when he was applied to directly, offered to sell at twenty-four and a half years' purchase.

33390. Were those negotiations carried on through you?—They were very largely carried on by himself. I met the tenants with him. He called the tenants together.

33391. Did this meeting arise out of an inability to come to terms about the twenty-four years or whatever the number of years was?—No; I think it arose from Mr. Rowley meeting his tenants to discuss the matter. He met them in the courthouse.

33392. In this courthouse?—In the courthouse of Drumsna.

33393. Was there any reporter present?—I do not think so.

33394. Was there any report in the press?—There was a report in the country press, but I do not think there was any reporter present.

33395. That was quite a year ago?—It was more than that.

33396. Now, is it your belief or opinion that the landlord would be satisfied on the fixed basis that he was to retain his net income as the result of the transaction, and that that net income was to be established by an examination of his books by the Estates Commissioners or any other public body—am I to understand that the landlord would agree to that?—Of course I have had no consultation with him to answer it, but from what he has generally spoken to me I believe he would, the net income being calculated on the basis of investment of the price at 3¼ per cent.

33397. Now, the other question is this. I presume it is proposed that the net income should be ascertained over an average of years?—I do not think it makes any difference on second term rents.

33398. Does not one year vary with another?—But you buy on the rental. I do not think there is any very great variation.

33399. I will ask you one other question. Previous to the landlord offering to sell, and the question of purchase arising, had there been any other little difficulty?—No, none whatever. I would like to say a word. It is a little beside the question, perhaps, that you are talking about, yet I think it is not altogether irrelevant?—That is with respect to the railway line. As a matter of fact in all the fixing of the second term rents the railway rates are deducted from the landlord, and the tenants do not actually pay a penny of the railway rates. It is not taken out of their pockets, it is taken out of the landlord's pocket in the fixing of second term rents. The pink schedule will show that.

33400. Your evidence is that the pink schedule shows that the landlord pays that?—Yes, that is one of the things.

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Captain Darley.

33401. Is it one of the things that go to the reduction of the landlord's net income?—Yes.

33402. CHAIRMAN.—Would you say 3¼ per cent. was the proper standard?—That, I understand, is what the Land Conference took as being the average price.

33403. But the money market has changed since that?—It has not changed by going up, at all events.

33404. But would you be surprised to hear that the stockbroker of the Bank of England told us the other day that in his opinion at the present time ten millions of money could be easily invested in trustee securities at 4 per cent.?—I have invested some trust funds of my own which I have had, and have not been able to get that rate, but that was what I understood that all the calculations were made on, taking the income at the average value of 3¼.

33405. Mr. SUTHERLAND.—Do you say Mr. Rowley was perfectly ready to submit his books to examination, but that he was never asked?—I did not say that, but I am perfectly satisfied he would be perfectly willing to hand them over to any authorised person, but not a person the tenants chose to appoint, and I do not think any landlord in the whole country would agree to do it.

33406. What were the terms of their proposal—did they ask to see the books? (That is what I gather from you.) They would not accept any information or figures unless they saw the books?—That is what I said. There was no question of any independent person being appointed.

Mr. MICHAEL CARTER examined.

Mr. Michael Carter.

33407. CHAIRMAN.—Where do you reside?—At Shanraw, Keshcarrigan.

33408. Would you kindly make any statement that you wish to submit?—All the divisions are congested with the exception of Keshcarrigan. There are very few grazing or untenanted farms which would be available for the purpose of enlarging the present uneconomic holdings. The only means through which an improvement could be effected at present would be through a proper system of drainage, and by the promotion of suitable industries. Every year hundreds of acres of cropped land are rendered useless through flooding. Too often the poor struggling tenants see their whole year's work rendered futile by the overflowing of their badly-engineered waterways. The task of facing this grievance without proper funds is an impossible one, and can never be undertaken without the assistance of the Government. The whole district abounds in peat, and, had the necessary money been available, there is no doubt but this commodity could be utilised in a manner similar to other parts of Ireland. Slieve-an-ierin which forms the northern boundary of the parish, has, even in the earliest ages been famous for its minerals. Several attempts have been made to establish mining industries along it, and, notwithstanding the opinion of several experts as to the richness of the locality, those efforts ended in failure for want of capital and proper means of transit. Only two estates have been purchased since 1903 on account of the extravagant demands of the landlord. These demands appear more extraordinary when contrasted with the prices at which estates in the surrounding parishes have been sold previous to that date. On the Peyton Estate, for instance, which lies between two others which were purchased out before the passing of the Land Act of 1903, the landlord demanded twenty-four and a half years' purchase. One of the two adjoining properties, the Fitzgerald Estate, was bought out ten years ago at ten years' purchase; whilst the other, the Lloyd Estate, was disposed of at an average of thirteen years' purchase; nor is this estate in any way superior to the others, as a matter of fact it is inferior, and consists chiefly of hilly, clayey land of the worst quality, worthy of the highest traditions of Leitrim hills. But the best example of the landlord's methods was furnished on the O'Byrne Estate. Seventeen years ago it was offered to the tenants at eighteen years' purchase, and to-day for the same property twenty-three and a half years' purchase is demanded. The same can be said of other estates in this district, and the exorbitant demands of the landlords clearly show that either the Congested Districts Board or the Estates Commissioners must interfere to see that the tenants get their land at fair value and not get them bound down by the payment of annuities which must render future comfort or prosperity impossible, and destroy every hope of success. There is not an estate in this district which is clear of arrears. The tenants have been so heavily pressed to meet the calls of their landlords that they would freely grasp at any appearance of relief, however transient, without taking into account the serious consequences of such a course as the free importation of foreign cattle. The threat of recovery of those arrears would have serious results, as it would be impossible for the tenantry to clear them off, and the abolition of State inspection would simply spell ruin. Instances of the injustices produced from want of this inspection have been demonstrated on the adjoining Lawder Estate, which was sold out last year. On this property the tenants no sooner signed their agreements to twenty-four and a half years' purchase than they found they had to pay rent for the turbary, which was before free, and they also became liable to a drainage tax. Both these additions, together with their present annuity, leave them paying as much as before, and they now find themselves in a more serious position than previously. Then if adverse circumstances prevented the payment of their rents they might hope in the landlord's mercy, but now even this hope is denied them. Numbers of our boys and girls have to emigrate every year to America to assist their parents in meeting their demands. The male population who are unable to purchase their passage to the United States must have recourse to migratory labour to England or Scotland to accomplish a similar purpose, and ninety per cent. of the rents paid in this locality are derived from either or both these resources. Without dealing with the evils of this system on economic grounds, had it been cut off from farmers who must depend on the land for a living, and as they are at present circumstanced, it would reduce them to the deepest poverty. There seems no tangible reason for excluding Keshcarrigan from the congested districts, as many of the holdings in the district are just as uneconomic as those in the scheduled areas, and the poor tenants on them as much require the benefits of being included, as those in any of the others.

33409. Most Rev. Dr. O'DONNELL.—The annuity would go on for sixty-eight and a half years?—Yes.

33410. And if there was a bad year the result would be this, that they could not pay their rent?—Yes.

33411. You say that the annuity should be fixed at such a standard that if there was a bad year the annuity would be paid?—Yes.

33412. That is to say that taking good years with bad he should be able to pay it?—Yes.

33413. Do you think that in this case to which you alluded some of these annuitants may not be able to pay a particular instalment?—They did their best to break off the agreement, and they have a solicitor employed with a view to their breaking it at present.

33414. On what grounds?—On the ground that they were not aware at the time of what they were doing. They were led to believe that they would get four shillings in the pound reduction, and even some of them were not two shillings in the pound better.

33415. Do you mean that there should be the supervision of some public body to see that the tenants should be advised of their liability in these matters?—Oh, yes; I expect that such a body would not advance much more than seventeen years' purchase on this land.

33416. Apart altogether from the amount of the instalment, are you in favour of this, that when land is being sold the greatest care should be taken to provide as far as possible, a reasonable amount of turbary for each person?—I would say that it should be provided, as they are at present paying for it appreciably in the fixing of the rents. But instead of that, here is a case where when the estate is sold the landlord reserves it and the tenant has to again purchase.

33417. Has he provided any?—Not very much, my

lord. Some of them have only twenty perches. He allows a strip of about seven yards in width and about twenty perches long.

33418. Was there any estate charge?—No, not on that estate.

33419. The charge was altogether a new thing?—Altogether a new thing.

33420. And the bogs finally were not included in the sale?—Not in the sale. Of course they had a right to turbary before the sale came off at all.

33421. And that is the ground on which they are going now?—Yes, my lord; and at the time the sale was going to be perfected the landlord brought them into his place, and, what was very uncommon, there was a certain amount of drink, and they were led into this, and they were not quite aware of what they were doing or they would never have faced it.

33422. How did the drink come in?—He was most anxious for the sale, and there were several townlands that held out and were not wishful to agree with the rest. The landlord resided in the place, and he came to them on several occasions and asked them to purchase, and told them when the inspector came they were to say that they had their land at reasonable value.

33423. Give us the name of that property, too?—The Lauder estate.

33424. Sir JOHN COLOMB.—Are you a tenant on that estate?—No.

33425. You are a farmer?—Yes.

33426. What is the size of your holding and the valuation?—17A. 3R. 9P., and the valuation is £9 15*s*.

33427. Now, with regard to these two questions, had those tenants had judicial rents fixed?—Yes.

33428. And was the question of turf to each of those tenants part and parcel of the facts stated in the pink schedule and basis of the rent—was it not?—Yes.

33429. And those were judicial tenants who had those rights secured to them under judicial decision?—Yes.

33430. Now, do I understand you rightly to tell the Commission that by the sale of this estate those rights were absolutely taken away from the tenants?—Yes, sir; he reserved them all and sold them.

33431. The tenants' rights were rights of turbary to each holding?—Yes.

33432. But outside of that the landlord had other bog?—Oh, yes, he might.

33433. I want to know had he?—I do not believe he had any more than what they were using.

33434. But a quantity of turbary remained in the landlord's hands after the other portion was applotted out under judicial agreement to the tenants?—Yes, by the sale.

33435. I am talking of before the sale. The tenants made judicial agreements about turbary?—Yes.

33436. Secured to them absolutely by the judicial agreement?—Yes, quite so.

33437. Did any bog remain over from that in the landlord's hands?—None whatever; the landlord reserved the whole of the bog.

33438. There is a bog, and there were so many tenants, and each had their piece?—Yes.

33439. I want to know did that cover the whole of the bog?—The whole of the bog.

33440. And the landlord had nothing whatever after the tenants were fully provided by judicial agreement with turbary attached to their holdings. Nothing left?—Nothing left.

33441. And is your statement to the Commission this, that the tenants when they agreed to purchase were allowed by the Estates Commissioners actually to lose their turbary rights?—Quite so. They lost their turbary. They had to pay for it. Each man had to pay a certain amount who took turbary—on the average £5 to £10.

33442. When did this sale actually take place?—About eighteen months ago.

33443. Have the tenants made any communication to the Estates Commissioners?—Yes, by petition.

33444. Has it been by letter?—By letter.

33445. Who carried on the correspondence?—Mr. Smyth. He is Member of Parliament for South Leitrim.

33446. Have you seen any of the letters?—Yes, I saw some of them. They said they had them under consideration, and the inspector would act on them.

33447. Is that since the purchase transaction?—Yes.

33448. But the land has not been vested in the tenants?—Oh, no, it has not.

33449. And the landlord has not received his money yet?—No.

33450. And you have it, as I understand, from the Estates Commissioners that there is an inspector going down to examine the whole thing?—Yes.

33451. And therefore you are crying out before you are hurt?—But at the present time you are paying 3½ per cent. till the matter is forwarded by the Government.

33452. That is a different question. This whole matter is now *sub judice*, and there is an inspector going down, and, therefore, it is not right to say that the tenants have lost, and have to pay for the thing?—Well, I hope not. I hope there may be some relief for them.

33453. Sir FRANCIS MOWATT.—The tenants thought that they had turbary when they bought the holdings?—Yes.

33454. And the landlord thought they had not bought the turbary?—Yes.

33455. Does the landlord say that he specially reserved it from the property he was selling?—It seems he did.

33456. The tenants say, "You included turbary in the holdings you sold us," and the landlord says, "I did not, and I am going to charge you extra for it." That is the position?—It is not even that the landlord said he reserved it, and that they said he had sold it, but the tenants would have a grievance inasmuch as they were paying rent before for it under the judicial agreements.

33457. Yes, but that is the position of the matter?—Yes.

33458. Sir JOHN COLOMB.—Have you ever seen an agreement for purchase between landlord and tenant?—Yes.

33459. You know that the position of the tenant, as defined by the decision of the judicial courts, is that the tenant agrees to purchase on certain terms everything he has under his judicial agreement. Do you understand that?—Yes.

33460. And that is what the landlord and the tenant is bound to?—What I wish to say to the Commission is that these landed tenants purchasing got 4*s*. in the pound, and when they paid for the property they had other taxes put on them.

33461. You are saying what I think you will find is not the case if they have a right to turbary under the judicial agreements?—Well, I hope so.

33462. Mr. SUTHERLAND.—When you say these tenants were worse off now than before they purchased, would they be worse off?—No, but only that they were worse off if they had to pay an annuity, and that the Government would not give them time.

33463. And then in that case they would be worse off?—Yes. They were led to believe 4*s*. in the pound would be of great value to them on second term rents.

33464. Mr. KAVANAGH.—Who led them to believe that?—Some of themselves.

33465. Sir JOHN COLOMB.—Then, having been given time, is it the difference between the landlord and the Government that makes you apprehensive—the landlord might give time, and the Government cannot do it?—No; they cannot possibly.

33466. Mr. SUTHERLAND.—Then if the landlord is so good, why not keep him?—We have been paying far too much for our lands. I may mention this about the wants of the parish I represent. It is a mountain district, with about 700 families in it, 300 of whom are living on small holdings ranging from £1 to £5 valuation, and 200 from £5 to £10 valuation, and the tenants of large grazing ranches in the place have signified their intention of allowing these to be split up. In all there are about 1,100 acres or so, and in Laheen Peyton between 400 and 500 acres, and the tenant is prepared to give up that, with the exception of what would make a reasonable holding for himself, as he finds it is not in any way profitable to him, as he is depending on the country to get grazing, and he said that if he had a small holding it would be far more profitable to him. Then there is another in Aughacashel, a grazing farm under a very small rent, about 300 acres, and the owner is prepared to sell that holding to the Congested Districts Board for distribution among those small holders.

33467. Mr. SUTHERLAND.—Is it in a congested district?—It is. And then there are two farms at present in the market—Aughamore and Drumrookill,

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one of 103 acres and the other of 173, and those two are not in the congested portion of the parish. One other farm, Driney, is in that portion, and it would be a great advantage to the district if those holdings were purchased by the Congested Districts Board. Then there are other small farms. Those farms might be greatly improved by migration. Then, as the other witness said, the parish is liable to the railway tax, and I heard the last witness say that the landlords are the payers of this tax by the reduction of rent, but I can safely say that outside the guaranteeing area rents are reduced as much, though they are not paying this tax. He says the rents are reduced more on account of the people paying the railway tax. Well, I do not think such a statement can be true, for I find that outside the guaranteeing area they are reduced on the average just as much as within it.

33468. Are you charged with this tax?—Yes, I have to pay it.

33469. Is there any deduction for payment of this?—We pay it—1*s.* in the pound. Then I wish to refer to the want of drainage, which is badly required in my district. I have received a petition from the people which I hope the Commission will allow me to read. We have some rivers which badly need to be cleaned and scoured up generally in the district, and there are three or four rivers which are very badly in need of being opened, and, as I said, the evidence is sent forward to the Commission. The people are very poor in the district, and they cannot face it without assistance—some small assistance. There is a parish committee grant, and if that could be enlarged it would benefit the parish very much, as there are 700 families in it, and if it was doubled these things could be faced, and it would make great improvements practicable. If the Congested Districts Board would give us £100, or anything like that, it would be a great improvement. For the last three years our Parish Committee has got £50, and if it were increased to £100 it would help the district very much.

Mr. John M'Cabe examined.

Mr. John M'Cabe.

33470. Chairman.—You are a farmer?—Yes.

33471. Where do you reside?—At Gorteenmore, Carrigallen.

33472. What size is your farm?—Twenty Irish acres.

33473. Sir John Colomb.—What do you reckon that in statute?—Thirty-two.

33474. Chairman.—What is your valuation?—£14 5*s.* I have two small farms, one at £8 valuation, and the other £6 5*s.* They are under the one landlord, and they are near each other. They run beside each other; and they are under the one landlord.

33475. The two of them twenty acres together?—In or about twenty acres.

33476. Mr. Sutherland.—Is there a house on them?—No house on one.

33477. Chairman.—What sort of land is it?—It is both grass and crop. It is bad land, too. It is as bad land as I suppose there is in Leitrim.

33478. But you could manage to live on it?—I could if I had no rent to pay.

33479. What is it?—£11 15*s.* 6*d.* I don't suppose I could pay any rent at all in fair play.

33480. What?—In fair play I don't think I could pay any rent, except what would be very little.

33481. How long have you been on it?—I have been reared on it, and I am forty years of age, and I am working with my father since I was twenty. They had only ten acres first and they paid £8 1*s.* The money they paid it with came from America, and that is what kept us up and what paid the rent; and only for money which has come from that country there are not many in our locality who would be able to pay any rent. Of course they would be able to pay some, but it would be very little, that is, if they got fair play, because they are hardly able to live, hardly able to keep clothes on their children, and if they have any sort of a family and have them reared, one is destined for the States.

33482. About these remittances, suppose a man has a home in Ireland and some of his sons and daughters go to America, they send him money?—Yes.

33483. And if they married and died out in America would their children continue to send money to the grandfather and grandmother?—Perhaps there would be another family, but some of them might; and they might have some friend or another. And they would often get legacies, too. My father got one that kept him for years and years.

33484. Are there many remittances from America received by grandfathers from their grand-children?—No. Hardly any that I know. It is from their children before they marry, from their brothers or sisters or daughters or sons.

33485. Read what you have prepared?—This south-east portion of County Leitrim should be counted as congested, as the people are as poor in this locality as in the congested districts and the majority of the valuations are under £8. Drainage would improve this country more than anything, and if lime burning could be started as an industry it would also be of great use. The landlord of this estate, Mr. La Touche, offered it for sale twenty years ago at twenty years' purchase, and it was believed by the tenants that they could have got it for much less. He now offers, under the Act of 1903, to sell to the tenants at 4*s.* reduction in the £ on second term rents, and 5*s.* on first term rents. The Whyte estate was sold at thirteen years' purchase under the Ashbourne Act, and the Nichol estate at seventeen and a half years' purchase under the same Act, and some of the tenants find it difficult to pay their rents even with this reduction and a decadal reduction since. Most of the tenants in this country get their rent from America, as it would be impossible for them to make it out of the land.

33486. How many years' purchase would that be?—I suppose 23 or 24 years'. I think about that. That is the way the landlord offered it anyway. I was listening to him.

33487. Sir John Colomb.—Twenty-one years ago he offered it at 20 years' purchase?—Yes; there is a man in court that has a letter of that time to that effect, and it is in court if you want to see it.

33488. He had to pay 4 per cent. on his purchase money that time?—Yes; that was the Ashbourne Act.

33489. And now 3¼. That makes a difference?—Yes; it is a long time since.

33490. Had the tenants been into court?—They had not been into court at that time.

33491. Was it an old rent?—An old rent.

33492. And have the rents been reduced since?—Yes.

33493. I think you said your rent was £11?—£11 15*s.* 6*d.*

33494. Now what is your valuation?—£14 5*s.*

33495. Then would you be able to tell his lordship here in the chair that as a rule the rents are lower than the valuation?—Yes, that is right.

33496. The valuation is actually higher than the rent?—Yes.

33497. Well, have you heard of sales at about 20 years' purchase formerly?—Yes.

33498. Do you know that it was 20 years' purchase on the valuation that was higher?—It was giving the tenant a chance.

33499. Chairman.—Now, if it was 20 years' purchase on the valuation, were the rents then lower than the valuation?—My rent, or rather my father's, was more twenty years ago than what I pay now. It was about even. We held ten acres twenty years ago and it was £8 valuation and £8 1*s.* rent.

33500. Sir John Colomb.—The valuation now is more than that?—Twenty years ago it was £8 1*s.*

33501. Rent?—Yes. £8 1*s.* on one particular farm we held. We did not hold two farms twenty years ago, only one. It was £8 valuation and the rent was £8 1*s.*, and there would be very little difference.

33502. Tell me what the rent on that is now?—The rent is £6 on that now.

33503. Then the rent has come down?—Yes, from £8 to £6.

33504. Sir John Colomb.—Let me ask you about lime. You said lime-burning would be a great advantage?—I mean that it would give employment, but if it could be bought and given to the tenants to be

put on the land after draining. Draining is the first thing we want.

33505. You tell me, that years ago, when you were a boy, lime was put on the land?—It was.

33506. And did that stop after the Act of 1881?—That stopped since the help got scarce in our county, or the land got worse.

33507. Who had the limekilns?—There were plenty of them—every farmer had his own.

33508. So that was in the old days?—They used the lime-burning because they had turf in those days. Now we have no turf.

33509. There was a lime-kiln on your land?—Yes.

33510. There were several lime-kilns in this district?—Yes.

33511. And the tenants would buy all their lime out of the kiln, would not they?—In some cases.

33512. Who kept the kilns going in those days—who were the men who had the kilns—were they tenant farmers like you that had the limestone in their land?—Yes.

33513. And they sold the lime?—They sold it.

33514. Now, tell me this. They have ceased burning lime—they have no kilns going?—It is burned in some places, but people are not fond of paying for it and putting it on the land, and the land gets so wet in the bad seasons that the lime is no use. It is no use without draining the land.

33515. And was the draining better and the lime better in the old days when you were a boy?—Yes. Twenty years, and I may say twenty-five years ago or so, it was better, and twice as good a crop.

33516. And do you consider the land is going back?—It is, certainly.

33517. And why have the drains gone bad? It was drier because the drains were there in the old days?—No; it belongs to the season. The season was drier twenty years ago than it is now.

33518. You say the climate has changed?—Yes.

33519. When you were a boy working with your father did he do much drainage?—He was the most part of his time at it. Yes.

33520. And since that you have been most of your time draining?—I have not made a drain these fifteen years, and I have not the time. I was helping my father to work twenty years ago. He could not afford to pay a man.

33521. And why, when your father died and you had to carry on, did you stop drainage?—I carried on for him for years before he died, and I had a younger brother who assisted my father and he worked and so did I, and we would have more crop on ten acres.

33522. And now you get no crop at all?—I must pay a man now in the spring time, and sometimes you can't get him if you give him 5*s.* a day.

33523. Have you any sons?—I have a young fellow twelve years of age, but I have not any son working on the land.

33524. The only help you get is from your brother?—I get no help from my brother.

33525. And is your case very much the same as the case of the small men all round about putting lime on?—Yes, most of them have the same story to tell, and I know that long ago the tenants spent their time in draining and putting lime on their land, and they do not put it now. Yes, and mending part of the time—I do not say all the time.

33526. And now there is neither drainage going on nor putting of lime on the land?—And it wants more drainage.

33527. Most Rev. Dr. O'Donnell.—What sort of drains—open drains?—An open drain is no good in land, because you could not labour the land when there would be open drains in, and without labour we could not live. Well, with regard to the change, the land is actually wet. I remember in our own land there was a large field, and now the greater part of it is rushes, although it was the best field we had. That was all through the change of climate, and there is no help but to drain it. The most important thing is drainage and lime. I remember reaping seven crops of oats out of the same field in succession after two crops of potatoes, and now a second oats crop is not worth the cutting. That happens for miles around, not on my farm only, but for six miles around.

33528. Mr. Sutherland.—Then till the land is drained it is not quite so fit for lime?—No. Lime is no use till it is drained.

33529. I think you said turf was not available for burning lime?—Yes, because we could not burn any lime now, for we are not able to keep the fire up. The turf that was used here we got out of bogs beside us. We did it for 100 perches before the landlord's men sent us off. It was in their estate, and there was no outgoing on our side except an odd amount.

33530. It was a neighbouring estate?—A neighbouring estate and a neighbouring county to boot.

33531. And was there a charge made then?—Yes, and it was very good to get it at that. And a new man took that farm from him, and he no longer gave the power to cut it, but kept it all for himself. We paid this con-acre rent to his tenant, and the tenant put it in his pocket, and the landlord knew nothing about it. And the landlord found out that he was selling the turf, and he took us up to the High Court in Dublin without our knowing anything about it, and he took up about seventy tenants, and made them pay about 13*s.* or 14*s.* costs.

33532. The tenant of a neighbouring estate was selling the turf to you?—Yes.

33533. And then the landlord discovered that?—Yes.

33534. And he objected to it?—He objected to it.

33535. And he took legal proceedings against you?—He did, and we paid our way there, and it was not us that he had a right to prosecute, only the man that sold it to us.

33536. He took an action at law?—Yes; they took an injunction restraining everybody from cutting turf there, and restraining also the party that was selling it, from selling it by the bag or crate or anyway.

33537. And then you had to go a distance?—We had to go to twenty times farther—six miles away, and that was not, I believe, more than about a quarter of a mile—about fifty perch.

33538. Is there an abundance of turbary where you are cutting it now?—There is, in the County Longford, but we have to pay for it, and it is just six miles.

33539. Sir John Colomb.—Do you think that the young men of those days were more inclined for work than they are now?—I know very well what old people could do then. They were the best workers. I know that when I wrought with my father I could do a day's work and take my rest, but I cannot take much now. I must work day and night or not be in it.

33540. Do you think the old men were the hardest workers?—Well, I don't say but they were. That is true.

33541. I mean do you consider that the old men when young were better workers than their sons are now?—Well, I do not say they were, but it was easier to make money. It was easier money; there was a better price for everything twenty years ago.

33542. But looking back to the time when you were a young man, and looking at things now, do you think fathers kept their sons more at work in the old days?—And the fathers must make them work or they won't be paid out, and the young people are more industrious than in those days, and they know that they must work at home or some place else if they must earn a shilling.

33543. Chairman.—Do you say that you got seven crops of oats from that farm?—I did, with my father.

33544. Seven in succession?—Seven in succession—one after the other. Well, that was an exceptional field in one farm.

33545. Were you altogether surprised to see the rushes?—The seventh was better than the second. I had it broken all up, one field after another. I had it broken, this particular field, and the second crop now out of the same field was not a bit better than the seventh twenty years ago. And I was talking of it to farmers, and they told me that the fifth crop of oats was better than the second. The second crop of oats, after taking two crops of potatoes out of the land, is a poor one. It is hardly worth the labour.

33546. Did you put manure into the land?—My father had only ten acres, and could not have very much manure on it, and I used to buy manure. I do have to mow a fourth of the land to have hay enough for the cattle to add to the manure I have to put on one field.

33547. There was not very much manure in those days?—No, and yet it went on producing good crops.

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Mr. John M'Cabe.

33548. It went on producing those marvellous crops?—I think it was the seasons of the year that did it.

33549. Do you mean that one, two, three, four years you grew oats in the same field?—My father grew seven one after the other after two crops of potatoes.

33550. Mr. SUTHERLAND.—Was that reclaimed land?—No, it was good land; no reclaimed land would do that. I suppose they took the good out of it, and it will never be good again. The good is gone out of it.

Mr. THOMAS SMYTH examined.

Mr. Thomas Smyth.

33551. CHAIRMAN.—You come from the same side as the last witness?—Yes; from Drumbreanlis, Currigallon.

33552. You might deal with your first point, but you need not go into the question of flooding?—There are 100 Irish acres of land in Killahurk which could be used for the relief of congestion. There are 300 or 400 acres of bog land on the Maguire estate which would largely benefit the people of this locality if judiciously worked by such a body as the Congested Districts Board. Is that all I need say?

33553. I think that is all you can tell us?—Well, there is more land than that. There is a grass farm of eighty acres, the tenant of which lives at Granard, County Longford, where he has several large farms. There is another in Drumsilla which is held by a man living in the County of Cavan, and he has two or three large farms unoccupied.

33554. Yes?—I know a family who from 1868 to 1893 have received upwards of £400 from the Colonies, and with the exception of £100, this money has all gone in rent to the landlord. I can also give details of three or four other cases where remittances from America alone keep the tenants in their homes. I believe it could be clearly proved that half or more of the rents of this locality are paid by this means. This money is concealed as much as possible.

33555. What do you mean by "this money is concealed"?—The people who get this money from abroad conceal it as much as possible, and give it to be understood that it is the result of their own efforts. I knew a man six or seven years ago, who was two years evicted out of his place, and he had no title in it, and his son, a boy of 16 or 16½ years of age, went to a neighbour's house one morning, and said that his father had sent him for the loan of a pound, and he would pay it to him. And he got the pound and he went to Scotland, and sent his father some little sum of money, and got on, and from that to this that man is as safe as any other man in our parish owing to the efforts of his children.

33556. I do not quite follow that?—The man was evicted out of his place for two years, and it required getting a summons to petty sessions to clear him away, but he was let remain on it, and his eldest son, a chap 16 or 16½ years of age, rose up one morning and went to a neighbour's house, and said his father sent him for the loan of a pound, and he would pay him on Friday, and he got the pound, and when he got it he ran away to Scotland, and never went back with the pound to his father's house, and sent home some money for him, and afterwards he got out his brothers and got on in the world, and from that to this that man and his family are just as safe as any neighbour.

33557. Most Rev. Dr. O'DONNELL.—Did you say that he remained in Scotland or went to America?—No, I did not say that.

33558. He remained in Scotland?—They remained. The three boys are still away.

33559. CHAIRMAN.—They are in Scotland?—No; there are two in London and one in Scotland.

33560. They are not in Ireland?—They are not in Ireland.

33561. And those three boys continue to send money to their father?—I cannot say that, but I say that they sent him enough to make him as safe as any other man in the locality.

33562. They made up between them enough money to put their father in more comfortable circumstances?—Yes.

33564. But you say that it is concealed as much as possible?—Yes.

33565. What is the particular objection the people have?—They do not wish it to be known. I knew a man who lived in the neighbourhood of a country post office. The sheriff and his staff arrived one morning to evict him; this man asked the sheriff to postpone the eviction while he would be sending to the post office, which he did, and his messenger got in the post office a letter from the man's daughter in America, and in the letter £27, which paid the sheriff and settled the eviction. In years when this girl returned from America she told, among other things, of the £27 that was lying in the post office waiting for her father, yet in all those years her father never told me.

33566. Most Rev. Dr. O'DONNELL.—Your reply in answer to the point that Lord Dudley, the Chairman, draws attention to is that the people have an idea of keeping up their self-respect and standing in the locality, and do not wish their neighbours to know that they required help from abroad?—That is the very thing—that is the very point.

33567. Sir JOHN COLOMB.—How do you reconcile that with this—that everybody is living mainly on money from America?—They could tell you the same if they were to do it.

33568. We have been told that everybody was living on money from America, so why should there be any concealment—why did not that man tell about the money that came into his own family? You mean that they don't like to tell, though everybody knows that everybody else is living on money from America, is that it?—Yes, everybody knows.

Mr. THOMAS FLYNN examined.

Mr. Thomas Flynn.

33569. CHAIRMAN.—You appear for Father King?—Yes.

33570. Father King was not able to come?—He was not.

33571. And he asked you to come?—Yes.

33572. I think you had better read Father King's evidence?—One estate, the townland of Kilgariff, which is partially a grazing ranch, was purchased about five years ago by the Congested Districts Board, but nothing has been done as yet to relieve the congestion. Two estates have been purchased by the Land Commission under the Ashbourne Act, and two other estates are at present in the hands of the Estates Commissioners. One estate has recently been purchased by the Estates Commissioners at a price averaging from about eight to twenty years' purchase, but nothing has been done so far to relieve the congestion on this or on the other estates. This parish comprises about sixteen small estates, and the number of holdings is about 440. The whole parish is congested, and about three-fourths of the holdings are uneconomic. There are no available means other than the promotion of industries to benefit the condition of the tenants living on those holdings.

33573. Sir JOHN COLOMB.—Is this your own evidence or Father King's?—Well, it is both.

33574. Are they mixed up?—Well, we are of the one mind on this. I am of opinion that the condition of the people of this parish could be vastly improved by the following means:—The purchase of their holdings by the Congested Districts Board or Estates Commissioners, the development of the industrial resources of the district, as the district abounds much in coal and iron ore; the construction of the necessary means of transit, as the absence of railway communication obliges farmers to dispose of their products in the neighbourhood to dealers who double their money in profit by disposing of them in some of the large market towns, and the construction of a woollen factory, as this is a great wool raising district, might be the means of establishing a great industry here. Through the Congested Districts Board we got a loan of about eighty or a hundred spinning wheels in the parish, and they sent a weaver here some years ago,

who taught the weaving industry. If there was any means of pressing their cloth after it had been woven it would be a very profitable business, as this is a great wool-growing district.

33575. CHAIRMAN.—You are speaking of the congested area?—Yes, my lord.

33576. Compared with Foxford?—Yes.

33577. How about the prices?—Well, I do not know about the prices. We do not sell any of the woven stuff. We manufacture it for our own use.

33578. You do not sell?—No, because we cannot press; but they weave it themselves. It is not smooth enough.

33579. Are there many new looms?—Only one new loom.

33580. Were any of them anxious to get an improved loom?—Oh, yes. We applied to the Department of Agriculture, and we were promised them, and did not get them, and they got a weaver there, and he came once, and never came again.

33581. Yet those looms may be had from the Congested Districts Board on loan?—Yes; I am aware of that, my lord—the same as the spinning wheels. I think we have got about 100 of the spinning wheels from the Congested Districts Board.

33582. You were saying that there ought to be a woollen mill in the district?—Yes; I do not think there could be anything done that would benefit the district so much.

33583. Is there a large wool production in the locality?—Yes.

33584. And is there water-power?—Oh, any amount—the Shannon, Lough Allen, and the Yellow River.

33585. Can you give us the views of your district about the woollen mill?—We wrote to the Department of Agriculture about it.

33586. You wrote to them?—Yes.

33587. And asked them to equip the establishment?—Yes.

33588. And what was the reply?—The usual reply—that it would be considered at some future date.

33589. And have you had any further reply?—No.

33590. And have you applied to the Congested Districts Board?—No.

33591. Where does the district lie from here?—On the east side of Lough Allen, north of Drumshambo town, along the Slieve-an-ierin mountain. And we are in want of some roads. We would have no road but one only the Congested Districts Board gave us a small grant for bridges and roads. Now, we had an application put before the District Council showing that there were eighty families that could not get out there, and the District Council had no money, and the Congested Districts Board gave us £400 or £500 for one road some years ago. There were no roads in the district except one till the Congested Districts Board came in and aided the parish.

33592. Is there anything else that you want to say?—Nothing else, except migration—plenty of land available in County Leitrim.

33593. The woollen mill seems to be the principal thing?—Yes, and a larger grant to the Parish Committee. They have done a great deal of work with the very poor people. It has been a great improvement to the very poorest, and there were 90 applications for the last £70 that came, but they could only entertain 48. We are to get a larger grant this year for dairy purposes, and the making of nice dairies would be a great benefit and great encouragement.

33594. Most Rev. Dr. O'DONNELL.—You mean cottage dairies?—Yes, my lord.

33595. CHAIRMAN.—Have you a creamery?—Yes, and my opinion is that creameries are not going to stop here.

33596. That particular one?—Any of them. My belief is that they will all go away again as fast as they came.

33597. Why?—Because some of the districts are starved.

33598. Why?—You have to buy in everything. You have to buy oil-cake for the calves, some substitute for the milk, if you take and send it to the creamery, and the price of the milk. You will have to buy butter back again for the house, and the money will all go out, and you have not your calves fattened unless they are fed on linseed meal or some other substitute for the milk that is sent to the creamery.

33599. And do you not think that your milk brings you in by sending it to the creamery much better money than you had before when you tried to do it yourself?—No, I do not. I take the things in this way. If I go to the butter market and get 8*d.* a pound for the butter it will pay me far better than to get 4½*d.*—and seldom you get it—a gallon for your milk.

33600. Mr. SUTHERLAND.—You are selling good food, and you are buying inferior food?—That has hit it. It is supposed that 2½ gallons of milk will make a pound of butter. I just worked it out for experimental purposes. You get butter at, say 8*d.* perhaps, and sometimes less, and, say, 4*d.* a gallon and sometimes 3½*d.* for your milk. And you have a pound of good butter at home for that 2½ gallons and you get the buttermilk. And would not it be better value than selling the milk to the creamery at 4*d.* a gallon? Besides we have a right to inquire into these creameries. It is all a pecuniary affair.

33601. Where is the market for your butter?—In Enniskillen we sell our butter. We got 10*d.* a pound last year, and 10½*d.* for butter in Enniskillen, and seldom is it up to 11*d.* from the creamery.

33602. CHAIRMAN.—What is the most?—I only went one year—I sent it only once.

33603. Most Rev. Dr. O'DONNELL.—If you got 10*d.* a pound for your butter it would be obviously profitable to make your butter yourself?—I believe, my lord, it would be a profit for 9*d.*

33604. You make a pound of butter from three gallons of milk. If you keep your milk at home and make the butter yourself you get 10*d.* a pound for the butter, and you have the buttermilk besides. Is not that it?—Yes, my lord.

33605. Sir JOHN COLOMB.—You say the butter, if brought to Enniskillen sells for 10*d.* a pound, but there will be boxes, and you will have to deduct all the expenses?—They are very little—just ordinary boxes. Therefore at market you have only to pay for the butter.

33606. How do you send it away—in boxes?—Yes.

33607. And there is no butter wrapper used?—Only lining paper.

33608. And then you have the carriage by railway?—Nothing at all. Last year, I know, I had 57*s.* for the butter.

33609. You get 10*d.* a pound in Enniskillen?—Yes.

33610. How much do you make out your expenses? I do not count anything for expenses. Are not ordinary people working for themselves.

33611. You take it in your cart?—Yes, and churn it and all.

33612. And is there a certain day for the butter market?—Yes, Tuesday.

33613. And you have to get a cart and horse that will bring you to Enniskillen?—Yes.

33614. And surely that comes out of the profits of the butter, because it is loss of time?—Oh, the horse's time—yes; but it is counted good business.

The Commissioners adjourned.

SIXTY-NINTH PUBLIC SITTING.

FRIDAY, APRIL 26TH, 1907,

AT 11.0 O'CLOCK, A.M.,

In the Board Room, Workhouse, Mohill, County Leitrim.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (Chairman); The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; Most Rev. Dr. O'DONNELL; WALTER KAVANAGH, Esq., D.L.; ANGUS SUTHERLAND, Esq.;

and WALTER CALLAN, Esq., Secretary.

Apr. 26, 1907.

Sir FRANCIS MOWATT (*in the chair*).—Before we proceed to take evidence I have been requested by my colleagues to acknowledge the receipt of an address of welcome from the poorer classes of Mohill to the Commission. I wish to say that we are very much obliged to you for your good opinion and for your welcome, and we hope quite as much as you can that the result of our inquiry may be for the benefit of the district. We have also a resolution from the Secretary of the Mohill Union that relates to the general inquiry, and I need not say that it will have our consideration with all other evidence that is brought before us in the course of the inquiry.

Rev. PATRICK NEWMAN examined.

Rev. Patrick Newman.

33616. Sir FRANCIS MOWATT.—You attend here, I think, deputed by the Leitrim County Council?—Yes.

33617. Your residence is in Mohill itself?—Yes, for over four years.

33618. If you will indicate to the Commission the particular points on which you wish to give evidence and make a statement, we will ask you whatever questions occur to us as your statement proceeds. What is the first point you wish to bring before the Commission?—I am acquainted with the district that is scheduled in this parish. It is the Breandrum Electoral Division. That is a poor district, and can be improved by the Board if they look to the drainage. It is in a bad state for the want of drainage.

33619. Speaking of drainage, are you referring to the big arterial drains?—Yes.

33620. And you would contemplate that the tenants would make their own smaller drains from their holdings if the arterial drainage of the district were improved?—Yes; they would be able to drain, I should say, if the principal drains were improved.

33621. What is the drainage at present—is it a river that runs up at the bottom of a hill?—A river.

33622. What leads to that river overflowing?—It gets choked up. Mud collects as it runs through a boggy soil. It gets choked up in the winter when the soil gets washed into the river. There would be a growth of grass in the spring and autumn when the rains are heavy, as they are in September, and the river will not take the water away. I have seen meadows covered occasionally, and the hay covered up by flooding.

33623. Is that state of affairs getting worse—is the river gradually choking from year to year, or has it always been a river liable to flooding?—It is choking from time to time.

33624. In your experience since you have been here has that got worse from year to year do you think?—I would say so.

33625. If that drainage were improved and the river put in a better state, say, by the assistance of the Congested Districts Board, have you thought at all how that would be maintained afterwards?—I consider that it would require to be attended to periodically. If put in a proper condition, then a little expenditure would be enough to keep it in condition.

33626. But your idea would be that the Congested Districts Board, or whatever authority dealt with it, should not only first of all provide the system of drainage, but should maintain it from year to year?—Yes.

33627. You don't think that would be the duty of the district or the tenants?—I think they should get help to keep the principal rivers in proper working order.

33628. Upon that system of drainage have you any further observations to make beyond bringing the subject before us as you have?—No.

33629. Most Rev. Dr. O'DONNELL.—Would it be difficult to get a sufficient fall for the improved drainage?—No; the fall is good enough.

33630. It is a question of work?—Yes.

33631. You would desire that some such body as the Congested Districts Board would have efficient authority to improve drainage of that class?—Yes.

33632. You are aware that there are many legal difficulties in the way at present. Do you know that as the law stands it is exceedingly difficult to get drainage promoted in the country?—Yes.

33633. Besides the river drainage, what about field drainage?—That would not be so difficult. The individual tenants could attend to that if the main drains were in proper working order.

33634. Do you think it would be a public advantage if there were some facilities to enable industrious tenants to obtain loans at reasonable interest to drain their own farms?—I think it would be an advantage to the individual farmer.

33635. Sir FRANCIS MOWATT.—Are you speaking of a hillside district or of a flat district?—It is varied. There is hill and there is valley.

33636. But part of the river runs through flat country?—Yes.

33637. Most Rev. Dr. O'DONNELL.—If these field drains were constructed in your district into a proper main drain, do you consider that the condition of the farms would be greatly improved?—Yes.

33638. You consider that the farms would be improved by such drainage?—They would.

33639. Until such drainage is carried out it is difficult to encourage agriculture to any considerable extent?—It is.

33640. Is much of that poor district to which you refer flooded as you describe?—Not very much, but I have seen considerable quantities of hay and meadow flooded from time to time.

33641. Is there a fairly large population still in the district?—Fairly large; the old people and the very young. When they get up to manhood they have to leave. They cannot get work at home. There are no industries; their own farms are small; they are not required, and they have to go away to get work to help the people at home to keep their homes.

33642. Do you consider that if arterial drainage were promoted as you suggest there would be more agriculture and more employment?—I don't know if

there would be more agriculture, but it would be more profitable.

33643. To whatever purpose the land was turned it would be well to have it drained?—Yes.

33644. Sir JOHN COLOMB.—There has never been any attempt made in this district to deal with the main drainage you speak of?—There has been a little done.

33645. Whom was that done by and when?—There was some done this spring. I don't know who got it done.

33646. There was an improvement made to a main drain?—Yes. I saw a main drain cleaned.

33647. There has been no new work done within your knowledge?—No new drain opened.

33648. Do you think that where the land abutted on the main drain the people in combination could clear the drain, each his own bit?—It was not done in that way, but I saw some people from the neighbourhood working as I passed, but I don't know who had them working.

33649. I presume if a main drain were made for the benefit of a half-dozen tenants whose land it passed through it would be a reasonable thing to expect that each tenant benefited by that main drain should afterwards keep it clear each season?—It would be reasonable that they should contribute towards it.

33650. I mean to clear it—if it gets choked with weeds and rushes, each tenant profiting from the Congested Districts Board having made this drain should undertake every year to clear it according as required so as to keep it in working order?—I would say that if there were a very heavy expenditure it would be hard to expect them to incur it in part, and it would be reasonable to give them some help.

33651. Suppose it meant a week's work for each tenant, would you think that too heavy?—I would not.

33652. Much would depend on the nature of the work and what was required to be done?—Yes.

33653. If it was a question of each tenant giving a week's work to maintain his particular part of the main drain you would think it quite reasonable that the Congested Districts Board before doing the work would make and insist upon that agreement?—Yes.

33654. Sir FRANCIS MOWATT.—What is your next point?—Part of this Breandrum Division is very much in need of roads, and tenants should be assisted to get a road in that large district where they have no road passing through.

33655. No road or no good road?—There is no road. In the winter season I don't know how the poor people get market produce in or out.

33656. Where do they find their market?—In Mohill. *Apr. 26, 1907.*

33657. How far have they to go without a road until they touch the road coming into Mohill?—Their furthest point from a road would be about an English mile. Rev. Patrick Newman.

33658. Is it that mile of road you are thinking of?—The road I would say that would benefit the locality would be over two miles.

33659. Most Rev. Dr. O'DONNELL.—I suppose they can scarcely bring in carts to the fields at present?—In the winter season it is impossible.

33660. So it is not easy for them to use a horse and cart?—No. Only one tenant in the district possesses a horse and cart.

33661. But if there were a road, probably others would have a horse and cart?—I don't know that they would. The holdings are small.

33662. Sir FRANCIS MOWATT.—Has the district ever applied to the Congested Districts Board for assistance in the matter?—Not that I am aware of.

33663. Nor to any local authority?—I think they applied to the District Council to have a road made.

33664. Do you recollect what answer they got?—No.

33665. It was not pressed upon them very strongly or you would have recollected?—They have the Cavan and Leitrim Light Railway to contend with. They would have to put up a gatehouse, and they objected to the expense.

33666. They objected not on the ground that the road was not required, but that they could not raise any money to help you?—Yes. They are very much in need of this road. It is very difficult to get through in winter. It is not difficult to make the road. It is a question of price. You could not walk through it in winter.

33667. Most Rev. Dr. O'DONNELL.—The road is required to enable the people to bring produce to market, manure the lands, and bring home the turf?—Yes. They have the turf near them. In every other respect it would be an advantage. They find it very hard to bring out pigs, cattle, or anything to market. With regard to hay, I was recently speaking to a man in that district, and he said, "If you don't happen to have hay enough for your cattle you cannot get it in here." He said, "We must sell our cattle before the winter comes; we must have the amount of hay that the cattle require."

33668. Have they very small holdings along this particular district?—Fairly large. I don't know what the acreage would be.

Mr. THOMAS F. SMYTH examined.

33669. Sir FRANCIS MOWATT.—You represent the Mohill District Council?—I am the member of the Mohill District Council, and I am the Parliamentary representative of South Leitrim. In Mohill Union there are twenty-three electoral divisions. Of those twenty-three electoral divisions there are only ten scheduled as congested. The remaining thirteen are unscheduled, although, as I have personal knowledge of the whole district, there is as much poverty in the thirteen districts non-scheduled as in the ten that are scheduled. Mr. Thomas F. Smyth.

33670. Is it certain large holdings, or what we call enriching areas, which have led to the thirteen not being scheduled?—The large holdings raise the general valuation per head of the population.

33671. Although a very large number of the holdings are very small indeed?—Yes. In the Mohill Union there are 3,205 holdings under £4 valuation, 2,519 over £4 and under £10, and 883 over £10 and under £25, and only 141 over £25 valuation in the whole Mohill Union.

33672. Mr. SUTHERLAND.—Have you any suggestion to make as to how the exclusion of these divisions can be remedied—you know that the definition is statutory?—I have practical experience of the whole of South Leitrim, and there is not a single portion of it, as far as I know, that should not be scheduled as congested.

33673. Sir JOHN COLOMB.—You are at present engaged in representing to the Commission that the standard of congestion is fictitious?—Yes. The whole of South Leitrim should be scheduled. The poor law valuation of the Mohill Union is £40,000. In that valuation the following towns and villages are included: Mohill, Dromod, Cloone, Carrigallen, Fenagh. There are six divisions of Carrick-on-Shannon Union in my Parliamentary constituency of South Leitrim. Only one of those divisions is scheduled as congested. That is Gortnacullen. Those six divisions cover an area of 26,931 statute acres. The poor law valuation is £16,493, according to a return supplied to me by the clerk of the Carrick-on-Shannon Union, Mr. O'Connor. Dealing with this particular district then, according to this return so supplied to me, there are 487 holdings under £4 valuation, 650 over £4 and under £10, 308 over £10 and under £25, and ninety-six over £25. Those divisions also include the towns of Carrick-on-Shannon, Drumsna, and Leitrim. That will account for the larger unions. There is a portion of Bawnboy Union in the Parliamentary constituency of South Leitrim, but I am very sorry that I have not been able to get the figures as to this portion of my constituency, though I wrote endeavouring to obtain them.

33674. But you know the district practically?—Yes. I know from going through the districts that as much congestion prevails in those districts as in any of the districts scheduled as congested.

33675. Most Rev. Dr. O'DONNELL.—We have got an actual return for each division of the number of holdings under £4 and under £10 valuation?—Of course I have a fairly good knowledge of the district, as in addition to being a District Councillor for

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Mohill, and representing the division in Parliament, my business as an auctioneer brings me into contact with the small farmers of the district as regards selling meadows, selling farms, agricultural produce, and things like that; and not alone does this whole Mohill Union need to be scheduled as congested, but the whole of South Leitrim. I don't think there is a bit of it that I could take out. The divison comprises the Mohill Union, six divisions of Carrick-on-Shannon Union, and five or six divisions of the Bawnboy Union.

33676. Mr. KAVANAGH.—Have you any suggestion to make as to the alteration of that definition of congestion which would bring in the whole of South Leitrim?—From the existing circumstances, the number of small uneconomic holdings, and the disadvantages suffered in many ways, the poverty in South Leitrim is such that the whole division should be scheduled.

33677. But you know the present definition of congestion?—Yes. That is, dealing with holdings under £7.

33678. Most Rev. Dr. O'DONNELL.—It comes pretty close to that—thirty shillings per head of the population?—I suppose so.

33679. Mr. KAVANAGH.—You have no suggestion to make as regards an alteration in the definition?—No.

33680. Most Rev. Dr. O'DONNELL.—But you do say that the authority dealing with congestion should be able to deal with it wherever they find it?—That is the suggestion.

33681. Mr. SUTHERLAND.—Are you willing to go that length?—Yes.

33682. Would you, in your place in Parliament, support an amendment to give whatever body is in charge of the work of relieving congestion, discretion to schedule what is necessary?—Yes. I would be glad to give a vote to have all South Leitrim scheduled.

33683. You understand that there must be a general definition applying to the whole of Ireland, and that you cannot separate South Leitrim?—I quite understand that.

33684. Mr. KAVANAGH.—You would rather schedule your whole county than enlarge the present area of congestion?—Yes. Not alone does South Leitrim require to be scheduled as congested, but different other parts of Ireland. For instance, part of the County Longford—I know a good deal of it in business relations—should be scheduled as congested, but is not. It does not apply to Leitrim or Connaught alone. It applies all over.

33685. Sir JOHN COLOMB.—Do you apply that observation of yours from your knowledge of special spots in Longford or to the whole of it?—To special parts of it.

33686. Could you indicate to the Commission the special parts of Longford that struck you in that way?—Portions in the vicinity of Killough, Ballinamuck and Drumlish.

33687. Most Rev. Dr. O'DONNELL.—Around Drumlish the holdings are pretty small?—Particularly small and uneconomic. There are different parts of South Leitrim where there are large tracts of bog and marshy land, and it would be a very good thing if they could be drained and planted with timber. They are not fit for any other kind of crops.

33688. Sir FRANCIS MOWATT.—When you speak of the drainage, are you alluding to what I may call arterial drainage?—To arterial drainage, and the drainage of small holdings by the farmers themselves.

33689. Would not you say if the arterial drainage were carried out wholly or partly at the public expense, the holder might very well be asked to make his own drains through his holding into the arterial drainage?—Yes. The great majority of them would be quite satisfied to do that. In some cases there is not fall for the water.

33690. Sir JOHN COLOMB.—Suppose the Congested Districts Board made a cut or arterial drain, would you think it right that the tenants on their part should undertake to keep it clear?—Yes, and if they all did it in a body it would only amount to a small portion of work, but it generally happens that what is everybody's business is nobody's business, and the thing might not be taken up in the spirit that it should.

33691. That is the point, and as a business man do you think that, having given several tenants the advantage of arterial drainage, and having made the necessary capital outlay, it would be quite reasonable for the Board to have some power to compel the holders who are benefited to do the work in future?—I quite agree with that suggestion.

33692. Most Rev. Dr. O'DONNELL.—You agree that there should be some organised effort to maintain the drainage?—Yes.

33693. Sir JOHN COLOMB.—On the principle that what is everybody's business is nobody's business, do you want some central authority?—Yes, to insist that it should be done, and I believe, speaking of the farmers of South Leitrim, and of the parts of the country that I know, that if they got these facilities they would be glad to avail of them as far as they could.

33694. I suppose you corroborate the previous witness, Father Newman, that there are places in this district where the tenants and agriculture suffer severely from the want of arterial drainage?—Yes. Living at home, I see my father's land, and other people's in the district, flooded. There was no fall for the water. South Leitrim is about one of the wettest districts in Ireland. You have rain here when it is in no other part of Ireland.

33695. Are there any official figures of the rainfall—does anybody keep rain gauges—can it be established that there is more rain here?—Yes. Mr. Lauder, of Lauderdale, has a rain gauge, and other gentlemen round about have them, too. A great deal of the land is very shallow, and wholly unsuited for grazing and meadowing, and only for the great care the small farmers bestow on it it would be impossible for it to produce crops at all.

33696. Sir FRANCIS MOWATT.—That is the land of which we have heard evidence during the last few days—the depth of the soil varies from 4 and 5 inches to 9 and 10 inches?—Yes, and in some cases it is practically less than 4 or 5 inches, and I believe that the cause of the burning of farms is that the people had no manure, and they used to burn the land to make manure to have ashes for it. It was the means of reducing the land to a great extent.

33697. Upon those lands to which you refer, the cultivation by the tenant is for grass growing?—Yes; only for the great care they give to some of the land, in shallow places not fit for grazing and meadowing, they would not knock any crops at all out of it. They are not able to carry grass or meadow. I have great experience of what the land is from letting small farms and meadows, and things like that.

33698. What comes below—not rock?—Blue clay in a great many cases.

33699. In cutting drains the blue clay is not porous at all?—It is not porous.

33700. On the other hand, would you leave the drain an open drain—I suppose that that blue clay makes a very good permanent ditch—it does not fall in at all?—Yes.

33701. You cannot fill it with stones?—Not very well.

33702. Therefore, if it is an open drain, when it gets through 4 inches of soil, it is a very good drain for carrying water off?—It is a very good drain.

33703. It has to be left open?—Yes.

33704. Most Rev. Dr. O'DONNELL.—One can readily understand, as far as field drainage is concerned, the loans would be to the occupiers?—Yes, from the Board of Works.

33705. From your experience and observation, how would you suggest the carrying out of main drains or arterial drainage, drainage on a large scale, either the deepening of rivers or the making of main drains?—If the Congested Districts Board, or some other body like them, could be empowered by Act of Parliament to give loans for the arterial drainage of a district it would facilitate very much, and also when they would get those powers they should get further powers so that the farmers could avail of the arterial drainage, and would drain their holdings and keep it up.

33706. Sir FRANCIS MOWATT.—You say power should be given to make loans; is it loans to any local authority?—To make loans on a large scale.

33707. Most Rev. Dr. O'DONNELL.—Which of these two would be the better course, the Congested Districts Board or a public body like that to make the drains,

or to advance the money to, say, the Rural District Council, so that the drain would be made by the local authority?—I don't know. Either course would be equally good. I don't want to give a preference to one course over the other. It would be a better thing to advance money to small holders. Unless you have arterial drainage carried out in a great many districts it would be practically useless for individual farmers to go on draining farms of land. There is no fall for the water.

33708. One can understand that if a district were large it could not be dealt with by one District Council?—No. It could not.

33709. You should deal with two?—Or three. sometimes. There are portions of three rural districts in South Leitrim—Mohill, Carrick-on-Shannon, and Bawnboy.

33710. More than that. Take the boundary between Leitrim and Longford; if drainage was being done there it might be necessary to deal with two County Councils?—Yes.

33711. Does not it look as if there should be some authority over the whole country or over large sections of the country in general control of this class of work?—Yes.

33712. You are aware that at present when people ask to have drainage promoted they are generally told to form a Drainage Board?—Yes.

33713. Do you know that that is a very expensive and troublesome course?—Yes. It is rather expensive to get it incorporated.

33714. You could scarcely get a locality to take up that organisation?—In poor districts it might come very heavy on the people. People who have bought out their holdings, as happened in many cases in South Leitrim, have to pay drainage rates. Some of those tenants, although they got a reduction when they bought the land, practically gained nothing as they have to pay a drainage charge. The occupiers of the farm, having bought it from the landlord, have to pay drainage rates. I have known cases where a number of tenants got a reduction by buying their farms and it went afterwards practically to pay the drainage rates.

33715. In making the bargain they scarcely adverted sufficiently to the incidence of this rate when they became purchasers?—They did not know that it existed, or that they would be liable to pay these rates. Generally the landlords pay the drainage rates until the estates are sold, and then they fall on the individual occupiers.

33716. Sir Francis Mowatt.—You are not speaking of a rate imposed after the tenant purchased his holding, but of a rate which existed when he purchased his holding?—Generally the landlord has to pay off the drainage rate.

33717. Most Rev. Dr. O'Donnell.—You are speaking of a rate which is being paid by the incoming proprietor?—It was for grants made afterwards for the construction of a drainage board.

33718. I thought you meant that when they purchased their holdings they had not adverted to the fact that they would have to pay a drainage rate?—No. The landlord would have to pay that; but as a rule you will find that people who are living on properties as judicial tenants are more anxious for those drainage boards to be got up than tenants who have purchased, because tenants who have purchased have to pay drainage rates.

33719. If this drainage were undertaken on a large scale by a public body, from what you say of the natural reluctance of tenant purchasers to add to the rates and bring up the instalments almost to the amount of the preceding rent it would look as if it would be necessary that the body promoting this drainage should not expect the whole of the expenditure back again?—No.

33720. Some of it should be a grant?—Yes.

33721. Mr. Kavanagh.—There has been a Commission sitting on this subject lately?—Yes.

33722. Was any evidence given from this locality before that Commission?—I think Mr. Wallace gave evidence as representing the County Council.

33723. I presume all this evidence was brought before them, too?—It was.

33724. They have already reported?—Yes. I saw the report issued a week or two ago. The want of roads in many districts is very marked. It is with great difficulty that the people get in and out of these districts. Roads are required to be made by the Congested Districts Board or by some other body, because at present the County Council or the different Rural District Councils have no power to make those roads. They are practically one-end roads going into the country with no outlet for them. I may say also as a member of the Mohill District Council that even if the County Council or District Council have powers to make roads the local public authorities would be rather reluctant to make too many new roads. At present the rates are very high. This portion of Leitrim is in the guaranteeing area for the Cavan and Leitrim Railway, and the rates for that are now a shilling in the pound, and sometimes go up to two shillings; so that the County Council and the District Councils as custodians of the ratepayers' money don't wish to increase the rates further if possible; but in any case they have no powers to make those one-end roads

33725. Sir John Colomb.—They could get power from the Local Government Board if they applied for it, but then remains behind your objection about the taxation?—Yes. There is a reluctance to increase the rates, especially on account of the burden caused by the Cavan and Leitrim Railway.

33726. Sir Francis Mowatt.—A general recommendation is that there should be more roads throughout your constituency?—Yes, because I have extensive knowledge. I often went selling meadow in different districts, and very fortunately brought a bicycle, because if I brought a trap or a car I could not get into the districts at all. I know of many different districts where roads are required to be made.

33727. Is it your proposal that the expense of those roads should fall wholly on the Congested Districts Board?—Partly, I would say. I would not expect the Congested Districts Board to do too much. They or some body like them should bear a portion and let the rates bear a portion.

33728. There again you don't express any opinion as to whether the roads should be actually constructed by the lending power or by the local authority?—It should be constructed by those bodies and maintained afterwards by the local body.

33729. Most Rev. Dr. O'Donnell.—It is easier for the local body to undertake the construction of a road than of a drain?—It would.

33730. The legal difficulties are not so great?—They are not.

33731. Don't you think as regards these accommodation roads the men who would be benefited could give a large contribution in labour?—They would if they were employed to do it. There are many cases where small grants were given to Parish Committees by the Congested Districts Board, and they gave a great deal of labour.

33732. You have referred to tree planting?—In districts where there are bogs and marshy lands it would be very well if trees could be planted on them.

33733. Planted for shelter or for improving the land or for timber purposes?—For all three reasons.

33734. Sir John Colomb.—You say districts with marshy land; but as regards marshy land would it not involve a considerable outlay for drainage of that land to make it so cease to be marshy as to be fit for planting?—Yes, it would. It should be drained before it was planted

33735. Do you anticipate from planting these areas that they would ultimately be in any sense remunerative?—They would as far as timber purposes are concerned, because timber is getting very scarce in the district now.

33736. Is the turf getting scarce?—In some districts it is; but taking it all over there is a good deal of turbary in South Leitrim. In some districts there are large quantities, and in some districts it is very scarce.

33737. You advocate planting I suppose for shelter for the general improvement of the country?—Yes.

33738. Do you think that ultimately it would be remunerative by reason of there being so little timber in the country?—Yes, and it would leave the land that it would not be so damp, and would have a beneficial effect on the health of the community, as unfortunately consumption is rather prevalent in portions of this district.

33739. Sir Francis Mowatt.—That implies very extensive planting I expect?—Particularly in this district.

33740. You were saying that there was very little

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timber in Leitrim. Is there any timber in the commercial sense: is anybody growing plantations of larch or fir for commercial purposes?—With the exception of some of the estates—I think I am right in saying Mr. Clements—no timber is sold except for thinning out plantations. Very little timber is sold for commercial purposes. Lord Harlech's district is the only district I know where timber is sold for commercial purposes. It is in the Mohill Union, near Dromod. It is only sold to small local carpenters, who buy a few trees. It is not sent away, only just on a small scale.

33741. Sir JOHN COLOMB.—You contemplate draining marshy ground in order to plant it?—Yes.

33742. Having gone through the process and incurred the expense of making that land cease to be marshy, do you think that planting would be the best way of getting value afterwards?—I believe so.

33743. Rather than grazing?—I believe so.

33744. Sir FRANCIS MOWATT.—You contemplate the planting of lands now held by tenants?—Yes.

33745. Not the mountain sides that are of little use?—I certainly think that there should be some planting on the holdings of the farmers themselves, both for shelter and variety, if you like, and that they could have some timber for their own individual estates, as well as doing it on a large scale.

33746. Most Rev. Dr. O'DONNELL.—Apart altogether from large plantations, don't you think it is a fact that on almost every farm there is a little angle of land practically disused which might with great advantage be planted with a shelter belt of trees?—Yes. Unfortunately there is a great tendency on the part of some of the farmers instead of planting trees to cut them down. There is no tendency to plant, so that there should be encouragement by a large system of planting.

33747. Don't you think if that system were put in practice on a large scale there should be a public authority to encourage the necessary care of the young plantation?—Yes, and to protect it. Unless it is well fenced it will almost immediately disappear.

33748. Sir JOHN COLOMB.—Have you observed at all where land has been transferred from landlords to tenants there has been more tree cutting where there have been trees?—I think as a general rule they are twice as anxious to cut the timber when it belongs to the landlord, because they think they are paying dear enough for the land and wish to have every benefit that will accrue from the land.

33749. Sir FRANCIS MOWATT.—When it has passed from the landlord to the tenants?—They regard it with greater care, except in odd instances.

33750. The tendency to cut could only be altered by educating the public opinion of the district?—Yes.

33751. Sir JOHN COLOMB.—Do you consider that there ought to be some process of instruction to instruct the people in remote districts as to the great necessity of trees and the great necessity of preserving them when planted?—Yes.

33752. Mr. SUTHERLAND.—As in the case of drainage you will admit that the success of this would be largely a question of the machinery by which it is carried out?—Yes.

33753. What way do you propose that planting should be carried out on a large scale?—Some body like the Congested Districts Board should have power to do it, and make grants for it. If they plant a district let them have the profits of it. Afterwards they could appoint some people as trustees to look after it and see that the trees and shrubberies were not interfered with in any way.

33754. Sir JOHN COLOMB.—Whose property would the trees be?—I should say they should belong to the Congested Districts Board, and they would appoint trustees to look after them.

33755. A certain amount of land would be taken away from grazing for a period of twenty or thirty years. Would the farmers, the new purchasers, be willing to give up that?—The small farms of the occupiers in Leitrim would not permit of their giving up land, but it is the boggy and marshy districts that I refer to.

33756. They are in some person's possession?—Yes, in a great many instances they are attached to a farm of land.

33757. Would the people be willing to have their land withdrawn from grazing for a number of years?—That is a question I cannot answer.

33758. Have you any idea of what it costs per acre to plant trees?—I would say it would cost £50 per acre to plant.

33759. Would you put it at anything like that?—That includes the drainage for the Irish acre.

33760. You must allow a tremendous sum for drainage?—There would be drainage and fencing in and general improvements and maintenance for some time, and the paying of the man in charge.

33761. I am surprised you put it so high, because with only surface drainage it should be done for about, say, £10 per acre?—I would be delighted if it could be done at that.

33762. Most Rev. Dr. O'DONNELL.—There is only too little experience in that line here to know much about the cost?—Yes. In some cases where farms of land are sold I would advocate that they should be bought and the small holdings adjacent should be made larger.

33763. Sir FRANCIS MOWATT.—When holdings come into the market in the natural course they should be bought by the Congested Districts Board or some other board to enlarge small holdings?—Yes.

33764. You limit your recommendation to holdings which come into the market in the natural course, or are you contemplating anything like compulsory purchase of non-residential land?—No, but, for instance, some four or five years ago the Jones Estate was sold in proximity to small farms, and if that had been bought by the Board and cut up into small holdings it would make the small holdings more profitable. I know of my own experience from selling farms as an auctioneer there may be a good farm of land sold, and round about it are small uneconomic holdings. If those farms were bought to enlarge the holdings of the adjacent holders I think it would improve the position of the small farmers in question.

33765. That is to a certain extent done now by the Congested Districts Board?—Yes, but we have no experience of them doing it in Leitrim.

33766. At all events that is what you contemplate?—Yes.

33767. Sir JOHN COLOMB.—Do you mean in cases where the land tenanted and untenanted is held by the landlord, in case of properties that have not been transferred to the Congested Districts Board?—The only reason I referred to the Jones Estate was that it was a large estate. I would suggest that when the owners were selling an estate like that they should be split up into farms and sold; those farms, I would suggest, should be bought by some board that would send down a surveyor to apportion it to the small or uneconomic holdings and make them larger.

33768. Sir FRANCIS MOWATT.—That is on the assumption that they could agree with the vendor as to the price at which they should buy?—Exactly.

33769. Sir JOHN COLOMB.—You mean that the Congested Districts Board or other authority, hearing that the property was going to be sold, should by private arrangement come in, or that they would go in and bid at a public auction against bidders?—If they could secure it by either public auction or private sale I think it should be done.

33770. Take the case of a property having been bought by the Congested Districts Board and striped into economic holdings, still leaving some uneconomic holdings in the locality undealt with. In the course of time the occupier of one of these new holdings, from one cause or another, wishes to sell it. Would you give the Congested Districts Board the right of pre-emption?—I could not say as regards that. Naturally, they would have some authority over it when they would buy it.

33771. The Congested Districts Board having bought a property and done their best with the untenanted land, apportion it the best way they can, are forced by reason of the quantity of land being insufficient to leave some uneconomic holdings in that neighbourhood. In the course of time one of these new tenants, for one reason or another, wishes to sell. My point is, in view of the uneconomic holdings being still in the district, would you give the Congested Districts Board or any authority power to exercise the right of pre-emption with a view to enlarging those small holdings in the neighbourhood still remaining? It is a thorny question, and I don't wish to press it too far, but when we get a witness like you we wish to get all the information possible?—I don't approve of the principle of pre-emption. Often if a landlord wishes to buy a holding from a tenant the Land Commission will determine the

value. That may be the value of the land according to the Land Commission, but I have known cases where the right of pre-emption was exercised, and if the tenants were allowed to put it in the open market they would have got more by competition for it.

33772. Sir FRANCIS MOWATT.—You observe that that opens the way to their getting back again into very small holdings?—Yes, it does, but there was another point, and that was where the Congested Districts Board would have any power over a tenant, if that tenant wishes to sell his farm of land in the ordinary course of events, the incoming tenant should be bound to the Congested Districts Board in a similar capacity to what the selling tenant was.

33773. Sir JOHN COLOMB.—He would be, naturally, until the sixty-eight and a half years expired?—Yes.

33774. It is while the sixty-eight and a half years are running. The holding might be bought by a man from another county. There are uneconomic holdings in the neighbourhood. Would you give a power of pre-emption to the Congested Districts Board or the authority dealing with congestion?—I would not give them the right of pre-emption absolutely unless there was some power to fix the price.

33775. Most Rev. Dr. O'DONNELL.—Sir John has thinned the case down to very special circumstances?—Yes.

33776. It is with the object of relieving congestion that Sir John contemplates this pre-emption being exercised. It would be in the following circumstances. Suppose the Congested Districts Board buy an estate, and that on it there was a tract of grass land, and that in the improvement of this estate one of the small holders got a considerable tract of this land at a moderate price, or at a price a good deal under the market price, and that there was not enough of land to go round all the uneconomic holdings in the locality, the point then is this: whether any restriction should be put on the man whose holding was enlarged as regards sale, so that, for instance, he would not be free to sell his holding to a neighbour who might have a big tract of land, but be bound to surrender it to the Congested Districts Board at a price, no doubt, which they would name in the first instance, but in reference to which there would be an appeal to a higher tribunal in case the tenant did not consider it fair. You would not think that in these special circumstances some such provision would be very unreasonable?—It would not, as long as the tenant or the Congested Districts Board would have the right to appeal. It would end by arbitration.

33777. The right of pre-emption would be retained with the object of preventing this land passing away from the possibility of serving for the relief of congestion in the locality?—I quite approve of that.

33778. Sir FRANCIS MOWATT.—It follows from that that the court of appeal, whatever that was, would in fact, have compulsory power on the tenant to sell at the price fixed?—In the event of sale.

33779. The Congested Districts Board and the outgoing tenant being at variance with regard to the value of the land, there would be an appeal to the court or whatever the authority was who would have the right to compel the tenant to accept the price which the court of appeal fixed?—Yes.

33780. Sir JOHN COLOMB.—This is what is done in the case of the landlord exercising the right of pre-emption. The court settles that?—Yes.

33781. Mr. SUTHERLAND.—You have compulsion already?—You have, as far as the judicial tenants are concerned.

33782. Mr. KAVANAGH.—Would you approve of the occupation interest being fixed at the time of sale—that is when the farm is bought from the Congested Districts Board, would you approve of the occupation interest being fixed at the same time, so that the man would know exactly before he was selling his interest what he was going to get?—Yes.

33783. And in every case in which a purchase from the Congested Districts Board was carried out the occupation interest should be fixed at the same time?—Yes.

33784. You think that would clear matters?—It would.

33785. Sir JOHN COLOMB.—Have you got in your mind that that was the position created by the original 1881 Act, and that that was afterwards abandoned?—Yes.

33786. Most Rev. Dr. O'DONNELL.—In the constituency of South Leitrim are there grass lands that might be used in the event of a sale from the landlord to a tenant for the enlargement of small holdings?—In some cases I know the landlords have large grass farms which they occupy themselves and let for grazing. I don't know whether they are willing to part with them or not. I think they would if a sufficient price were paid. Some of the landlords might want a rather high price, but I believe it would be easy to deal with them.

33787. You say grass lands in such circumstances ought to be bought by a public body like the Congested Districts Board for relieving congestion by the enlargement of small holdings?—Yes.

33788. If there were small holdings that needed enlargement, and the lands could not be obtained by voluntary arrangement, do you think the public good would require the exercise of compulsion?—I think they would in existing circumstances.

33789. You are not speaking of demesne lands?—Farms attached to demesnes, held outside demesnes.

33790. Held by the owner, on which he puts cattle, or on which the eleven months' system prevails—is that so?—Yes.

33791. Let us come to other lands. Are there large farms of grazing lands held by tenants within the bounds of your constituency?—Not that I am aware of.

33792. Are there not tenants having grazing land valued at, say, over £100?—I am not aware of any.

33793. At the same time, I dare say you are familiar with the fact that in many parts of the country there are these farms?—I am quite aware of that—in Roscommon and other places. I know the particular districts and places where they are.

33794. In the same set of circumstances and for the same purposes as you would apply compulsion if the land were held by the landlord, would you apply compulsion also in the case of non-residential tenants?—I would.

33795. If the tenant is resident and lives by his land how would you act?—All the land that would be attached to his holding I would leave to him, no matter how large, but where he goes outside that residential holding it would be different.

33796. You have gone over land of various classes, and now we have arrived at residential holdings. Suppose the holding is very large, and that it is grazed, and that unless it is taken there is no other land to relieve congestion; suppose, also, if it be taken the tenant is adequately compensated, do you think does the public good in no circumstances require that a portion of it should be taken for the relief of congestion?—Except it was extremely large I would not approve of that. I would leave it to the residential tenant unless it was very large.

33797. If the man's usual means of living were trenched upon there should be compensation?—Certainly.

33798. You would apply the same principle all round?—Certainly.

33799. Sir JOHN COLOMB.—Say a farmer bred and born upon a farm works that farm partly in grazing or altogether in grazing, or in whatever way he thinks pays him best, and lives upon that farm. Next door to him there has been a farm without any house upon it worked upon the eleven months' system or otherwise, and he, out of the profits of his industry, has bought that farm adjoining him, which has been a separate holding, would you exempt him from compulsion and treat the whole place as one farm: would you consider him residential in reference to both?—I would not. He has had an addition to his residential holding, and I certainly say he should get compensation for it, and have it divided among small farmers to make their uneconomic holdings larger and more profitable.

33800. Sir FRANCIS MOWATT.—You say that if a man having a holding buys another and amalgamates the two, you would not regard the two together as one holding?—I don't think Sir John Colomb said the two holdings amalgamated.

33801. Sir JOHN COLOMB.—They are so far amalgamated that to the man they are part and parcel of his holding. In the poor rate books they are separate holdings, because that is the custom; but my point is that to the man they are one holding, because he works them in and out. It is adjoining him. He lives on the adjoining holding on the other side of the fence?—Certainly if it had been put in

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with his land, and he was paying on one rent receipt and on one poor rate docket, I would not ask to disturb him then, but so long as he held on different rentals and paid on different poor rate receipts, I would certainly say that that farm is not a residential holding, but he should be compensated for it to enlarge the farms of the small holders.

33802. The misfortune of that man would be that they were for the purposes of administration, etc., separate holdings, but in reality were one farm to that man?—Some men if they have twenty farms will regard them as one holding. They will say that it is their land.

33803. Say I am a farmer. My late father has got his farm up to a certain pitch of perfection. I want an outlet. A holding adjoining me comes into the market. I have bought it and I work the two holdings as one holding. Obviously the holdings in the books must be kept separately, for they are under two different landlords: I ask you am I to suffer merely from the fact that for the purpose of book-keeping and so on they are to be kept separately?—No, but as I said before, and I cannot make it clearer, I would not touch the residential holding that you were living on; but so long as the other only adjoined his farm you could not regard it as a residential holding.

33804. Let me take another case, because we have had some extraordinary evidence on this point. Say a small man in a village or town works his way up to be a shopkeeper. He by his industry and attention accumulates capital. A grazing farm two or three miles off comes into the market, and he, rather than send his capital out of the country, buys that farm. His business is in the town, and he has to live in the town, but he has this farm, and he may have it in his mind some day to build a house for his son there, but as a result of the man's own industry and work he has acquired that farm: would you take that farm from the shopkeeper?—I would not, provided it was not a very large tract of land, and that it was what you would call a small farm.

33805. Then you draw a limit to the application of compulsion in acquiring non-residential holdings by the extent of them?—Yes.

33806. Do you think in your mind the limit would be 100 acres?—Yes, I would say that, any way.

33807. Though the congestion around that farm was very severe, if it was under 100 acres you would not touch it?—Not except it went to a public auction. Then let the Congested Districts Board give the fair value for it.

33808. If it was below 100 acres you would let it go to a public auction?—Yes.

33809. And let the Congested Districts Board compete?—Yes, and give a certain price on it.

33810. Suppose another shopkeeper bids higher than the Congested Districts Board?—Let him have it. I would not consider that the Congested Districts Board or any body should buy a farm of land at what you would consider above the value of the land.

33811. Mr. Sutherland.—Why are the two farms in the case supposed by Sir John Colomb entered as two separate subjects in the rate books: why is not all the land held by one man entered as one subject?—I don't know. A man may often be in the rate books for five shillings for a portion of bog, and a man not exceeding twenty acres has often over three or four rate receipts.

33812. Does that point to the fact that at one time all these were separate holdings?—Yes.

33813. Is that really the reason for it?—Yes.

33814. Sir John Colomb.—Is it not the case that under Griffith's valuation every holding became stereotyped as to its value for taxation?—Yes.

33815. These holdings were fixed in the fifties for taxation purposes, and that is the only reason why the holdings are now rated separately even in cases where they have been amalgamated with others?—Yes. Of course it would be much more convenient to have them all in one. It would save much time, labour and expense.

33816. But it points to the fact that all these holdings were separate at one time, and that since then they have been amalgamated?—Yes.

33817. They are no indication of the consolidation that has gone on?—Yes.

33818. Mr. Kavanagh.—When all is said and done, do you think it is possible to lay down any hard and fast rule as to the compulsory acquisition of land?—I don't think you can under present circumstances lay down a hard and fast rule. You would require legislation.

33819. Don't you think it would be better to leave to whatever Board is going to carry out this scheme of amalgamation a certain free hand to use its powers?—Yes; to use its own discretion.

33820. And no hard and fast line could possibly be laid down?—It is not possible under present circumstances.

33821. Sir Francis Mowatt.—You use the phrase hard and fast line as applicable to all the conditions attaching to the holding, and you mean no hard and fast line as to particular area or the quality of the holding. It is as to the general conditions of the locality and the land that you would give to the authority discretion as to compulsion?—Yes.

33822. Mr. Kavanagh.—The general circumstances of each case?—Only where there would be uneconomic holdings and small farms. I think it would be well if farmers got instructions with regard to using artificial manures more than they do. There are farms of land I have known in my experience to have had their grazing and meadowing qualities very much improved by the application of artificial manures.

33823. Sir Francis Mowatt.—You mean instruction in the form of education?—Yes, because many people in backward districts don't know that such a thing as artificial manure exists.

33824. At present nothing is done in that way?—Very little. Some farmers individually do a little.

33825. In the form of instruction?—Instructors go around from the Department of Agriculture and Technical Instruction through different districts, but I think that those districts are not numerous enough, for the number of people who can attend their lectures is not large, as they hold them only in a few centres.

33826. Are these lectures well attended?—In some cases they are. There are very few holdings with manure enough on the land to work it, and in some cases they are not held in the most suitable districts.

33827. Do you think as far as your experience goes the lectures have had any beneficial effect?—In some cases they have, but often it is not in the best districts that the lectures take place. Some people think that the system good enough for their forefathers 100 years ago is good enough for them, but it is the want of education that causes people to have those views.

33823. Have you contemplated the advantage of having instructors resident in a district as compared with having itinerant instructors?—Yes.

33829. Have you formed any opinion as to whether the former is more desirable?—Yes. More benefit would accrue from them.

33830. Have you considered at all the district which one resident instructor could at all serve?—I would say that we should have one practical instructor going round the Mohill Union to the different parts and showing the people practical work. We want practice as well as theory.

33831. That contemplates an enormous staff of inspectors?—It would, but you could take on different districts; one Poor Law Union for a certain time, say, a couple of years, until the people were sufficiently educated there. There is no use in coming into a district and then going away and not returning for twelve months. Let them constantly give lectures in the one place and let practical results be derived from those lectures; then when one place was attended to they could take up their residence in another Union; but I would not have them always permanent officials.

33832. How many Poor Law Unions are there in Leitrim?—You have the Mohill and Manorhamilton Unions, and portions of Kinlough, Carrick-on-Shannon, and Bawnboy. There are only two entire Unions in the whole of Leitrim.

33833. In your experience of Leitrim do you think tillage is extending or declining in amount?—I would say that it is in a normal state, just the same as it has been for a number of years. There is no increase or decrease. It is practically the same for a number of years past.

33834. With reference to what you have said about instruction, should you say on the whole that the system of agriculture is improving and that farmers know more about their business?—Yes. I am very glad to say that some men have adopted different methods from what their forefathers had, and with very good results; but of course they are not very numerous yet.

33835. Take the question of applying lime. We have understood that up to a certain period, about thirty or forty years ago, lime-kilns were quite common throughout Leitrim and that the burnt lime was purchased by the tenants for their land, but that practically the use of kilns has disappeared, if they have not altogether disappeared?—They are disappearing. I would not approve of the application of lime to land without sufficient manure going along with it, because we all know the adage:—

"Lime without manure is sure
To make the farm and the farmer poor."

Nor do I think that the South Leitrim soil is suited to the use of lime either.

33836. But including manure don't they say that lime warms the cold heart of the ground?—They were not able to buy lime from their poverty.

33837. What I want really to ascertain is why they have given it up. You say that their poverty has increased?—They don't seem to approve of it. They approve more of artificial manures.

33838. Would you say that the change which has taken place has been the substitution of artificial manure for lime?—Yes, I would say so.

33839. Most Rev. Dr. O'Donnell.—In answer to Sir Francis you said you would like to see the instruction practical?—Yes. Theory is very little good without practice.

33840. Would you contemplate that the instructor should have a farm of the average size in the central part of the parish, which should be worked in a way that might be imitated by the people around?—Yes. Different districts should be chosen to carry out a system of tillage or a system of manuring and let the people go and get practical experience from those farms as well as listening to the lectures.

33841. You would not advocate a uniform cast-iron system?—I would not.

33842. Do you think, if there was a practical man with a small farm free to go round the whole neighbourhood and ask the people to come to his place, and different classes of land were worked in different ways and different animals kept according to their suitability, you would have a system of which you would approve?—Yes, but you could not have that a permanent system unless he could get a farm of land elsewhere. That is why I approve of individual farms being taken.

33843. If the place were well managed as a farm it could be sold when it had served its purpose?—Yes; that could be done.

33844. As each locality was brought up to a fair standing that could be done?—Yes.

33845. Sir Francis Mowatt.—What would happen if people attended an instructor's farm and found he had lost a crop?—We are bound to lose crops under any circumstances.

33846. I have known in England a show farm. The people all went to see how it was managed. I have no doubt that the instructions given were absolutely correct, but the crops occasionally failed, and I am afraid that that fact took away very largely the respect that had been felt for the instruction?—That may be so, but I am sure that the man who gave the instruction had nothing to do with the weather or the other things that made the crop fail.

33847. Sir John Colomb.—In connection with this agricultural instruction in this district, I presume there was great emphasis laid on the advantages of spraying?—Yes. I was going to touch on that.

33848. What is your opinion about spraying and what should be done?—It has done a great deal of good in this part of the country, both in the quality and the quantity of the crop; but the people are not sufficiently enlightened about spraying. Spraying can be done very well by a spraying machine, but in a number of districts the people have not got spraying machines and they use besoms or brushes of heather, which I don't approve of, and I have often told them they are practically only wasting the stuff, as it does not go on to the plants. The people have got an idea that one spraying is sufficient. One spraying is better than none, but one spraying is not sufficient in a county like this to protect the potato crop. I have seen isolated cases where the man sprayed the crop three times, in the middle of June, towards the beginning of July, and in the third week in July, and certainly the amount of the crop on that portion that was sprayed three times repaid him a hundred-fold for the amount of time and expense spent on the spraying. Spraying should be done in all cases twice to have any practical advantage at all from it.

33849. Sir Francis Mowatt.—Do you say that in a very wet climate, as you have unfortunately in Leitrim here, a man who keeps his wits about him will always find days on which he can spray his potatoes, twice or possibly three times during the season?—Of course, no matter how wet the year is there is no year in which you will not get a day sufficiently dry to do it or a half-day. If you got four or five hours it would do for the spraying. There is no time of the year in which you would not get some fine days. If it were always to be raining we would have another flood.

33850. Practically a man who realises the importance of spraying and keeps his wits about him will manage to find days to spray, even in wet seasons?—Yes, but one great disadvantage is that farmers have not got spraying machines. If three or four of them joined together to get a spraying machine it would be the proper thing. They often come into towns. A man in the town may have eight or ten spraying machines on hire, and there might be 100 men looking for them; and then they have to resort to the besom or heather brush.

33851. It has not been done to your knowledge?—No. It may have been, but I am not aware of it. Another point is the promotion of cottage industries. In South Leitrim, I am very safe in saying, there is not a single industry with the exception of the farming industry. There may be some isolated cases, but I am not aware of them. A great many of the young men in South Leitrim go every year to the County Dublin or England or Scotland to earn some money. They earn that to pay the rent of their holdings. The promotion of cottage industries would give a lot of employment to those young men and women who go away, and they would be able to remain at home and make their livelihood here.

33852. Have you considered what cottage industries could be made self-supporting?—In many parts of England I know young men to have been taught basket-making. They grow those osiers or rods and make baskets. They could also have weaving and things like that as cottage industries. Knitting and similar occupations could be found for the girls.

33853. Do you not recognise that you cannot permanently keep up an industry which is not self-supporting?—I am quite aware of that.

33854. You may help it at the start, but if its competitors from whatever cause produce cheaper and better articles than it does, that industry declines?—Yes, but I would like to see them started, and hope that they would go on. If they dwindled afterwards it could not be helped, but I would like to see a start made anyway.

33855. You have a firm opinion that there are industries which could be hopefully started?—I believe so.

33856. One of them is this osier industry, and then there is weaving?—Yes, weaving by hand-looms. No industry at present exists that I am aware of.

33857. Is there not a lace industry for the girls?—I am very sorry to say there was a lace class here in charge of the nuns, but it had to be closed as it got no assistance from the Department of Agriculture.

33858. Sir Francis Mowatt.—That looks like an industry that is started and is not self-supporting.

33859. Most Rev. Dr. O'Donnell.—It was not in a scheduled area?—It was not.

33860. They would have paid a teacher for a while?—I think the nuns were quite competent to give instruction. They learned the art of lacemaking.

33861. Is there a large number of young girls in the vicinity anxious to go on?—There would be a number of young girls anxious to go on, but they are crippled for want of funds.

33862. Sir John Colomb.—Looking at this land near the Shannon, and hearing the evidence about the flooding of rivers, it seems to an outsider that there must be land very suitable for growing osiers here?—Yes.

33863. Is there much osier growing here?—Of course there are a number of small farmers who grow them for their own small purposes, and make their own baskets, and so on.

33864. Are the baskets all made in the district now?—They are made in the district. They are the class of basket that I would not say you could put in the market. These osiers would, when peeled, be made into the ordinary shop baskets.

33865. Do you mean, with your experience, that you think there would be a demand for baskets if they

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were well made, so that the industry would be a substantial one?—I believe there would.

33866. As regards the osiers, there is ample land suitable?—Ample land suitable for growing them.

33867. Are you aware that where there is a demand for them, osiers are about the most paying crop you could have?—I am aware of that.

33868. Therefore, what you want to bring before us is that from your knowledge of the circumstances of the district, and the fact that the land is suitable for growing osiers,, there would be a growing demand for proper baskets if they were made here?—Yes.

33869. Most Rev. Dr. O'Donnell.—Your answers on that point are very important owing to the damp nature of the country?—Yes.

33870. You are aware that on marshy land osiers can be grown plentifully?—Yes.

33871. Do you think that that project has been brought definitely before any public body?—Not that I am aware of.

33872. You suggest it to the Commission as one of the important industries that could be introduced into this part of South Leitrim?—Yes. I would not say exactly that it would be a very important improvement, but it would be an improvement.

33873. Sir Francis Mowatt.—You have suggested those industries. Could you hope, as we would all be very glad to hope, that as far as remuneration and wages go, they would be made to compete with the attractions of the United States and Australia?—I think so. Of course after some time there could be larger industries started in connection with them to compete with other countries. At present in existing circumstances cottage industries would be a great help, and would be the means of training people if they got larger industries.

33874. You would say, at all events, the chief cause which leads people to emigrate is lack of employment?—Yes, and unremunerative wages.

33875. Do you think it possible or probable by the different methods which we have been discussing here to-day to raise the rate of remuneration and increase the extent of employment so as to have a material effect upon the amount of emigration?—Yes; that is the point I wish to touch upon.

33876. Mr. Kavanagh.—Are you aware that the demand for osiers has almost entirely ceased; that boxes have almost entirely taken the place of hampers?—I am not aware of that. In a great many places in Ireland and England hampers are as much in demand as ever.

33877. Have you any osier beds in this country?—No.

33878. Then you don't know whether there is still a demand for osiers. My experience is that the demand for osiers has entirely ceased during the last five or six years?—I would not think so. I see hampers and baskets used as much as ever.

33879. I, unfortunately, used to grow osiers, and the demand has entirely ceased. The reason given is that boxes have entirely taken the place of hampers. Do you know of any basket industry to succeed in this county?—No.

33880. So in suggesting basket-making you are making a suggestion without having any particular facts before you?—Only from the statistics I read from time to time in connection with the trade. Then I say also that the breeds of horses, cattle, and poultry should be somewhat improved, and that the people should be instructed how to market their produce such as eggs and butter, and that more instruction should be given as regards dairying and things like that.

33881. Mr. Sutherland.—Has not that been largely done of late years in Ireland?—Yes, but I would like to see more of it done.

33882. As compared with the expenditure upon such instruction, have you seen any benefit?—I have in some cases, but they are only isolated cases. It has not been done yet in full detail.

33883. Do you think it was commensurate with the expenditure?—I should say it was. Another matter I have to touch on, and I have to do so with great reluctance, is this. I say that there should be more supervision exercised by the Congested Districts Board over the Parish Committees. I live in a congested electoral division, for which I chance to be a District Councillor, and I am not notified of a single meeting of the Parish Committee. There were elections from year to year, and I know for a fact that people who were inclined to be friends to some people have been denied grants. That is the reason I say that more supervision should be exercised by the Congested Districts Board over the Parish Committees. It is a matter that I don't care to touch on, but my reason for touching on it is this—I know people to whom grants were given when it would have been of more advantage to give them to others. I am not prejudiced against those to whom they were given, nor have I any particular friends to give them to, but as a District Councillor, and as Parliamentary representative for the constituency, I would like to see justice and fair play done, and all men treated alike. I don't like to see favouritism. Unfortunately it does exist. I am not going to give names, but I know people who were inclined to be friendly to me who were refused. In the district from which I come the meetings of the committee are held and I am not notified of the meetings.

33884. Most Rev. Dr. O'Donnell.—That is an important suggestion, that there should be supervision. Are you sure that under the rules you are entitled to be summoned to the meetings?—I consider that I should be an *ex-officio* member of the committee as a representative of a congested district electoral division.

33885. There are certain limitations. Shopkeepers are excluded. I don't know whether as an auctioneer you would be excluded, but there are certain exclusions, and it is quite possible that those exclusions would account for your not being summoned?—That is not the reason for it at all. As a matter of fact, some of the parties, if necessary, can make affidavits that they were refused grants.

33886. As a matter of fact before this Commission a gentleman stated that he had not been called, and made just such a statement as you, but it afterwards transpired that he could not be called under the regulations. That has happened already before this Commission?—The regulations were not looked into in this case. I am sorry to say it is a matter of what you may call local spite.

33887. I suppose things of that sort are now and then unavoidable. Did you call the attention of the Board to it?—Not until recently. I wrote to the Congested Districts Board recently for some facts, and I got a list of what the Parish Committees are composed of and all this.

33888. Don't you think it very likely that they will inquire very sharply into a matter of that kind?—I hope so. As I said before, I am not interested in particular people getting grants. I only want to see justice and fair play prevail. I think, as far as public boards are concerned, petty jealousy and spite should not be carried out.

33889. At the same time, the case you mention has not yet been sifted by the Congested Districts Board?—No.

33890. You are putting your side of it?—Yes. I will give full facts in connection with it. A number of people were refused grants by the local committee, and will be able to corroborate my statement.

33891. Sir John Colomb.—When was the Parish Committee established?—About three years ago.

33892. Were you then a member of the Rural District Council or member for the division?—When it was established first I was just co-opted a member of the Rural District Council, but in the election of 1905 I was elected for this particular district.

33893. Were you ever summoned to any of its proceedings at the formation, or subsequent to the formation of this Parish Committee?—No, not when it was started in 1904, but in 1905 I got a communication once or twice, and I went to one meeting, and the meeting was going on when I arrived, and I never got any communication from the secretary afterwards. That is going on ever since.

33894. You have actually received notice to attend?—I have received notice on two occasions. I went once to a meeting that was going on, and ever since I am not notified of them.

33895. Although you had actually attended a meeting and transacted business?—The meeting was almost over when I got in.

33896. You attended it?—Yes.

33897. Were you notified to attend it?—I was, on those two occasions. That would be last September twelve months. Since then I received no communication whatever from them.

33898. And you could not know when meetings were going to be held or anything?—No.

33899. Mr. SUTHERLAND.—Are the other members being summoned?—I believe they are. I heard of some of them being summoned.

33900. Most Rev. Dr. O'DONNELL.—This would not in any way disqualify you—no shopkeeper or member of a shopkeeper's household can act as a member of the committee?—I am not a shopkeeper or any of my family.

33901. It is rather a pity that you did not at an early stage bring this under the notice of the Congested Districts Board?—I was hoping that right would prevail in the end, and that some of these people would not be refused repeatedly. I only want to see justice done all round, and no favouritism on public boards. I never wrote to the Congested Districts Board about it, but coming over from London in March last I called into the office in Dublin and got the rules of the Parish Committee to look into the matter.

33902. Mr. SUTHERLAND.—In your opinion has the Parish Committee done good work?—Yes. Good work has been done by those committees. The people have improved their buildings, and other things like that have been done. The money spent by the Parish Committees in the different districts I know has been very well spent. This is the case in Roscommon, Leitrim, and other places that I know, but the point I was touching on was that justice should be done and fair play should prevail.

33903. Sir FRANCIS MOWATT.—Have you considered at all the question of migration—that is to say where it is not possible within the county to find additional lands by which the holdings of the small holders might be increased—have you considered, at all, the difficulty of migrating such men to holdings carved out of grass lands purchased in other counties?—I know that in some cases I know of, I think it foolish and a pity that people will not leave their holdings. I know with regard to the provision for evicted tenants, about which I asked a question in Parliament, some of them will not consent to take any farm unless they get back the farm from which they were evicted. I think myself if they could get a farm equally good they should take it. There is a great reluctance on the part of the Irish people that way to leave their holdings. A number of them will be glad to do it, but the greater proportion, I think, are opposed to that.

33904. In the case of that greater portion, should you say that the obstacle is sentiment—affection for their own homes?—A great many of them never got the chance of going. Plenty, if it was mooted to them, would be delighted to take advantage of it. Sentiment had something to do with it.

33905. How much: do you think the fear that they won't be very well treated by the small holders of the counties to which it is proposed to migrate them has anything to do with the reluctance of some of them to go?—I don't think it would be resented in any way. Generally the Irish people are very hospitable, and an Irishman generally regards himself as an Irishman no matter what part of Ireland he goes to. I don't think there would be any resentment.

33906. We have had evidence that while every Irishman has the warmest affection for every other Irishman, it makes an exception when he likes to take any of his land?—Yes. There are exceptions to every rule.

33907. You don't think the exceptions are sufficiently great to prevent migration to some extent being used as a means of relieving congestion?—I do not. There are places to which these people could be got to migrate which would be the means of relieving congestion.

33908. You think there is absolutely nothing in the difficulties that have been suggested to prevent this remedy from being used?—I would not think so.

33909. Sir JOHN COLOMB.—We have had this view put forward. Where the Congested Districts Board or other authority purchases a big grazing ranch or farm the first claim on that farm for the attention of the Congested Districts Board would be the uneconomic holders in the district. I presume you agree with that?—Certainly. They should have the first claim.

33910. We have had two different points of view presented to us in evidence: having provided on this land for the uneconomic holders of the district, one view is that the rest of the land should be appropriated by the Congested Districts Board to migrants from other districts?—Exactly.

33911. But another school of thought has presented evidence to us in opposition to that, and says that the claims of the farmers' sons of the county or the district should have the preference over the migrants from congested districts. In other words, I would ask you do you think that the business of the Congested Districts Board is plainly and mainly to relieve congestion by migration from uneconomic holdings on to that land, or ought they to give a preference to farmers' sons in that particular county?

Sir FRANCIS MOWATT.—Before answering that, you must recollect that the adoption of that latter view makes the reduction of congestion an impossibility? The local needs of every district should be best suited by following the lines recommended to that district. In some districts you might not have young men applying for the land.

33913. Most Rev. Dr. O'DONNELL.—Sir John's point is: if there was not land enough for the sons of tenants as well as migrants from a distance, which class should come first, after the men with uneconomic holdings in the neighbourhood are provided for. They should first have their holdings enlarged. Then Sir John points out that there are two competing classes for the balance of the land. These are migrants, congests from a distance, and sons of tenants in the locality?—I should say the sons of tenants should get it, because if they did not get it then they would have no means of living here and must go to America.

33914. Let us suppose there is a great desire to have sons of tenants planted on the land: which is the more urgent case, the relief of congestion or putting sons of tenants on the land?—The relief of congestion is the more urgent.

33915. Perhaps you would like to combine both?—If possible.

33916. If it cannot be done, which should come first?—Both classes are deserving. It is very hard to answer that. It is very hard to know which should get the first claim.

33917. It would seem to come to this. The body dealing with congestion should not be tied down in certain circumstances from giving holdings to sons of tenants?—No. They should have a free hand in that case.

33918. Mr. SUTHERLAND.—At any rate it is a hypothetical case as yet?—Yes, and one that will require more evidence to be given and all that. It cannot be dealt with right off.

33919. Most Rev. Dr. O'DONNELL.—You have not the circumstances here to any great extent?—Not very much.

33920. Would those who have small holdings here go to a distance if they got larger holdings?—Some of them would, but a great many would not. I have mentioned evicted tenants.

33921. Mr. SUTHERLAND.—The case of the evicted tenants is a particular one?—It applies to others who would not go to other holdings.

33922. Sir FRANCIS MOWATT.—Not for better holdings?—You would want to improve their position very much. I believe it is the want of education.

33923. Sir JOHN COLOMB.—Your view is that the Congested Districts Board or any authority appointed to relieve congestion must give the opportunities as far as possible for escape from the misery of the district?—Yes, they must.

33924. But beyond that they can do nothing if people won't avail of the opportunity: public responsibility then ends?—Yes, I should think so.

Mr. ROBERT WALLACE examined.

33925. Sir JOHN COLOMB.—Where do you reside?—At Clanmorris, Dromod.

33926. You are appointed here as representing the Mohill Rural District Council?—Yes.

33927. Will you kindly state any views that you wish to express?—I am Chairman of the Board of Guardians and of a Parish Committee, a member of the County Committee, a member of local drainage

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boards, and Chairman of an Agricultural Bank; and in respect of these I should like to give general evidence from my own knowledge. I should like to say that in the first instance I consider that Mohill Union should be scheduled as a congested district.

33928. On the ground that you consider the non-congested area just as poverty-stricken as the congested area?—Yes. The Parish Committee of which I happen to be chairman has only one division, the smallest in the entire union—Cashel. I consider that the adjoining electoral divisions are as congested—Rooskey is in this position—that every occupier of land in it is the owner of it.

33929. They have purchased?—All of them; and I think it would be a great boon to those small occupying owners, if the district was scheduled, so that they might get the benefits of this grant. In Cashel I consider that in a very short time there will be no persons to apply for the grants, because they will be all supplied very soon. It is a small division.

33930. Are you speaking of grants to the Parish Committee?—Yes.

33931. You think you are within reasonable distance of arriving at the position that Cashel will have done its work so far as the Parish Committee can do it?—Yes.

33932. Then you want to apply the same principles to Rooskey, in the next division?—Yes. I think in Cashel, also, it is advisable that the valuation of those available for grants should be raised from £7 to £10. It very often occurs that the man with a valuation of £10 is in as much need of having his premises and out-offices repaired as the man with a valuation of £7, and sometimes he is more in need. I consider that the Parish Committee should have some discretion to deal with men who are unable to take advantage of its help at present, and are not able to supply the two-thirds of the estimate, to get the one-third from the Congested Districts Board. In some cases they are quite unable to do it.

33933. Most Rev. Dr. O'Donnell.—There might be a widow with some children who might not be able to do anything for her homestead?—Quite so.

33934. In a case of the kind the Parish Committee should have dispensing powers?—Yes.

33935. Sir John Colomb.—At the same time you see the necessity for having some standard. There may be some exceptions to it, but you must have some standard?—Yes, but there should be some exceptions.

33936. How would you regulate those exceptions?—I would leave it entirely to the Parish Committee, or leave it to the Parish Committee to make representations to some independent authority. You could have the Parish Committee and the independent authority represented by the Congested Districts Board, and probably if they consulted the Parish Committee, and went into it as a special case, they would be able to arrange a reasonable solution of the difficulty.

33937. Most Rev. Dr. O'Donnell.—Then you would like to see the whole parish almost under the operations of the committee?—Yes.

33938. Is your Parish Committee doing well?—Very well.

33939. You consider the Parish Committee system a good one?—An excellent one.

33940. Have you passed from the improvement of the homesteads to the improvement of the farms?—No. We have done some drainage in connection with the improvement of the homestead in some cases.

33941. Do you think would the Parish Committee be a useful machinery through which to give grants and prizes for the drainage of poor holdings?—I don't think they could be improved upon. I think they are the very best machinery we have at present, and I say that having some knowledge of Parish Committees, as I was a member of the Committee from the time that they started it under the Board.

33942. The Parish Committee, in intention, takes in the best men in the parish for the work?—Yes. Of course it is the parish priest should be the chairman, but it was at his special request that I accepted it.

33943. The Parish Committee has that advantage that the local men of public spirit and knowledge have opportunities of suggesting what should be done?—Quite so.

33944. They have initiative of their own?—Quite so.

33945. That system results in getting a great deal of work done in proportion to the grant?—Yes, a great deal of work in proportion to the grant; more than by any other system in vogue in the country at present.

33946. Sir John Colomb.—You don't give grants for the improvement of dwellings in cases in which manure heaps are allowed to remain close up to houses?—We do not.

33947. When you first started the Parish Committees did you find many cases in which there were manure heaps close up to the door?—Yes, in some cases.

33948. Can you explain this: you pay salaries to sanitary officers. Part of their duty is to see that these manure heaps are removed from outside the houses. The Parish Committee is doing what the sanitary officers fail to do, although they get a salary for doing it out of the rates?—That is so.

33949. Has the work of the Parish Committee in respect of improvements quickened the pace of the sanitary officers and made them more active?—I don't think so.

33950. Therefore the Parish Committee has lessened the work of the sanitary officers?—They don't do very much in that direction—nothing except in special cases to which their attention is directed.

33951. When there is an epidemic?—Yes.

33952. But, as an ordinary rule, these gentlemen get their salaries and don't do very much?—Yes.

33953. Mr. Kavanagh.—Do they bring prosecutions?—When they are ordered by the Board.

33954. Is the fine very heavy?—No; the prosecution generally fails. It did at the very last court here in Mohill.

33955. It is not altogether the fault of the sanitary officers?—No.

33956. It is the fault of the bench of magistrates?—Quite so.

33957. Most Rev. Dr. O'Donnell.—You consider that the best system of all is to make certain improvements which the people are inclined to see done contingent upon these sanitary works being previously carried out?—Quite so.

33958. You don't make any grant for these sanitary arrangements?—None whatever.

33959. You say you are not going to proceed until these are done?—Quite so.

33960. Mr. Sutherland.—What other improvements except sanitary ones do you carry out through the Parish Committee?—Drainage, and improvements to the dwellings, out-offices, and so forth.

33961. Drainage round the houses?—The main drains passing through the electoral division. We have the smallest electoral division in the Mohill Union. We cannot go outside the main drains in that division.

33962. Main drains taking away water?—Yes.

33963. Which before remained stagnant round the houses?—No; in the fields.

33964. That is really part of arterial drainage?—Yes.

33965. Perhaps later you might deal with drainage in a larger way?—That is an excellent way to spend money, but arterial drainage is too large a thing to go in for.

33966. Sir John Colomb.—The net amount of grants made by the Parish Committee to the 31st of March, 1905, was £25 8*s.* 4*d.* What amount of work do you think was represented by the amount of work you got done?—Three times that amount.

33967. Mr. Kavanagh.—You don't help anybody over £7 valuation?—No.

33968. We have had evidence as to the desirability of enlarging that limit to £10?—Yes. We are most anxious to do that.

33969. You would enlarge your area without increasing your funds?—Yes.

33970. But it would decrease the amount you could give in each case?—Yes, except our grants were increased.

33971. You wish the two to go together?—Yes. We would like to get a larger grant.

33972. Sir John Colomb.—Suppose the Congested Districts Board said: "You cannot have a larger grant; you must stick to the grant you have got," would you still be in favour of extending it from £7 to £10?—I would, because I think the £10 is equally in need with the £10 man, and sometimes more so.

33973. Mr. Sutherland.—You say you are a member of the local drainage board?—Yes.

33974. Kindly explain what that board is?—There are two boards in South Leitrim—the Rinn and Blackriver and the Eslin. I gave evidence before the Arterial Drainage Commission a year ago in Dublin. They have recommended that there should be a board of conservators to take charge of the main basin of the river and of the outlet; that that would be composed of persons elected by the owners and by members of the County Council; that the drainage rate would be collected by the County Council, and struck as a separate rate is struck at present, such as compensation for malicious injuries; and that for the smaller drains there should be drainage boards elected by the owners to look after the smaller drains. They also recommend that as regards the main basin of the rivers, or the larger portion of it, there should be a grant from a Government department or some board to do that, and that the drainage of the small tributaries should be paid for by a rate struck upon the lands to be benefited.

33975. Sir JOHN COLOMB.—From your experience of drainage boards, do you concur generally in that report?—I do.

33976. Mr. SUTHERLAND.—What does the existing drainage board do? Is it a statutory body appointed under an Act of Parliament?—It is.

33977. What are its duties?—Their duties are to maintain all the rivers in a state of repair. These works were done forty years ago, and the board is to maintain the rivers in a proper state of repair to carry away the water. About twenty years ago the board failed to discharge its duties, or did not keep the works in a proper state of maintenance, and the Board of Works came down and expended upon the Rinn and Black river £2,700. At that time the Earl of Granard's estate was selling in the County Leitrim and Longford. The year following all the small owners who purchased their lands were taxed to repay this money to the Board of Works, with five per cent. added, and they paid it for twelve years; and that left drainage charges very unpopular in this part of the country.

33978. Sir JOHN COLOMB.—Why was five per cent. added to it?—I cannot say, but I know it was, because I have the order.

33979. The property was transferred from the landlord to the tenants?—Quite so.

33980. Before the property was transferred to the tenants from the landlord the landlord had been under certain obligations?—Quite so.

33981. Was not it part of the business of the Land Commission in settling that property to arrange as to the terms on which the landlord was to redeem his obligation?—I don't think so, for this reason, that the work occurred just about the time of the transfer. The landlord did pay it up to a certain date. This work occurred at the time of the transfer. The purchasers knew nothing about it. They thought it a boon when they saw the work going on; but immediately afterwards they were called upon to pay a sum of £2,700 inside of twelve years, with five per cent. added to it. That was the order of the Board of Works.

33982. That arose from the fact of the transfer of the property taking place simultaneously with the establishment or the carrying out of this work involving those charges?—Quite so.

33983. The tenants did not understand it?—They did not. Since then the Drainage Board have levied rates themselves, about £600 for the last few years, on the Binn and Blackriver. On that river and the Eslin there was a rate levied of £200 within the last few months to do some work.

33984. Is the work completed or still going on?—It is going on on the Eslin. It is completed on the Blackriver, but the work is badly done. It is insufficient.

33985. Mr. SUTHERLAND.—Do you meet at stated intervals?—Yes.

33986. When you say the work is not well done do you mean that the quality is not good or that there is not enough of it?—There is not enough of it. There is not enough money expended on it. There are Government grants made to the main river.

33987. It is perfectly clear if it is not attended to every year the water courses will silt up?—It is not attended to every year.

33988. If it is attended to every year a comparatively small sum will maintain it?—On the upper portion of the drainage district it is supposed to drain about 2,000 acres, but on the lower portion, which empties itself into the Shannon, the outfall is bad. The more drainage is done on the upper portion the more harm is done on the lower portion. It flows up more quickly than it can get away, and it floods up to Johnson's Bridge, where I live myself, and spreads out on the lands.

33989. Sir JOHN COLOMB.—Was the drainage rate you struck for maintenance or for payment of the capital charge?—For maintenance only.

33990. Did the Drainage Board, of which you are a member, approve of the plans and estimates of the work that was to be carried out, or was the Drainage Board called into existence to carry out at a fixed expenditure and in accordance with the specifications already settled?—The Board was called into existence under the Act of 1842, and the work was done originally, I assume, by the Board of Works, and the duty of the Board was to maintain those works in proper condition, and for that purpose to tax the lands to be improved.

33991. The works had been established and done by the Board of Works and had not been properly maintained, and then it became necessary to do something, and then the Drainage Board was called in?—Yes.

33992. Then it was a question not of capital expenditure but of maintenance?—That is right.

33993. Most Rev. Dr. O'DONNELL.—Would your Board have authority to make fresh drains?—No; nor would we have power to enlarge it in the smallest degree at all. There are portions of the country to my own knowledge more in need of it that are not in the drainage district on the map, and you cannot expend a penny on these.

33994. Your powers on the Drainage Board are not constructive powers, but maintenance powers?—Maintenance powers.

33995. Was there much difficulty in the first creation of your Board?—Great difficulty. It was done by the large landowners forty years ago. The thing could hardly be done now. It is so troublesome and so expensive we would not get a body now to take it up.

33996. From your own experience and the evidence given before the Drainage Commission you would infer it is very difficult to constitute drainage boards now?—Most difficult.

33997. You seem to approve of the recommendation which you tell us is contained in the report to the effect that the large waterways should be cleared by grants from the Government?—Certainly.

33998. And that the small drainage, which immediately benefits the occupiers, should be done with some liability to the occupiers to pay for the drainage by which they benefit?—Quite so. That is the idea.

33999. Mr. SUTHERLAND.—With regard to the obligation that was transferred at the time of the sale of the land that loan was for the purpose of making the work efficient?—It was this way. The Board of Works have power, if the Drainage Board do not discharge their duties sufficiently and do not keep the works in a proper state of maintenance, to come down and expend any sum they choose themselves and tax it on the lands adjoining, and that is exactly what they did.

34000. And this represents a certain sum that they spent on it?—They spent £2,700.

34001. Did you ever consider whether you might not apply to the Treasury to get that expenditure remitted, seeing what a millstone it was round your neck?—We did not consider it.

34002. The Treasury frequently does that where there is an irrecoverable sum of money, they think it better to wipe it off and allow the bodies to proceed without being hampered with old arrears?—No. We found the Board of Works very difficult to get on with.

34003. You might go higher than the Board of Works. They are only the servants of a higher body?—They did this under an Act of Parliament.

34004. There is no object of keeping on a loan as a debt where the prospect of getting repayment is very remote?—They are now repaid.

34005. It is an intolerable burden; you are prevented from making improvements to these highways which you would have made, because of a burden the repayment of which is very difficult?—Quite so; it put us in that state, but we are striking a new rate for the maintenance now. That happened seventeen years ago. It is a most unpopular thing to collect any little sum from the people now to maintain those works, that £2,700 was such an unpleasant surprise at the time, coming down all at once.

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34006. Sir JOHN COLOMB.—As to the intolerable burden referred to by Mr. Sutherland, when the work was undertaken in 1841 it involved a large capital outlay?—Quite so.

34007. I presume that was borrowed from the Board of Works?—Yes.

34008. I suppose that sum was long ago paid off?—Long ago.

34009. Therefore the question arose from the accumulated neglect of the work of maintenance. The work having been in arrear it had to be met and the money had to be raised in some way: is that it?—That is it.

34010. And the expenditure was incurred not as part of the original cost of the work, but was rendered necessary by reason of neglect of maintenance?—Quite so.

34011. Mr. SUTHERLAND.—Is there any debt whatever now?—None, except the £200 we struck ourselves the other day.

34012. Most Rev. Dr. O'DONNELL.—But your point to the Commission is that the memory of all that had to be paid in connection with the Drainage Acts acts as a deterrent to prevent the ratepayers from agreeing to a rate that might be levied for various improvements?—It is a fact. I would just like to add that in the expenditure of this £2,700 I believe £1,000 properly expended by the Drainage Board would have resulted in more useful work being done than the Board of Works did for the £2,700. They simply squandered it.

34013. Mr. KAVANAGH.—The rate you strike now is only for maintenance?—Yes.

34014. If you stop that maintenance the benefit of the previous drainage would be lost; is not that so?—The drainage would get into disrepair.

34015. Would not that bring about the loss of all the previous expenditure?—It would.

34016. Have this Commission to which you refer recommended that all the existing Drainage Boards should be merged in the County Council?—No, they have not recommended that. They recommended that there should be a Board appointed with members elected from the owners and members elected from the County Council, and that the County Council would collect the drainage rate as they at present collect what are called separate charges.

34017. Practically the County Council would be responsible?—They would be responsible.

34018. CHAIRMAN.—Reference has been made to a lace class; why did the lace class cease to work?—The Department declined to recognise the teacher as a qualified teacher, and then the girls whom she was teaching did not get the capitation grant, and it fell through on that account, although the work turned out realised a high price.

34019. What would the teacher have to do in order to be recognised as qualified?—She would have to get a certificate.

34020. What would she have to do in order to get that?—Pass an examination.

34021. Had not she passed the examination?—Not under the Department. She was one of the Sisters of Mercy.

34022. Most Rev. Dr. O'DONNELL.—She had not got the certificate?—Yes.

24023. She was a good worker?—An excellent worker, and the work turned out realised high prices.

34024. I think at the start the Department was more lenient on that subject; afterwards it became more exacting on the subject of certificates?—Yes.

34025. CHAIRMAN.—Simply because the teacher was not recognised by the Department as a qualified teacher the school collapsed?—The school collapsed.

34026. Was that a loss to the district?—A great loss. From twenty to thirty girls were attending and making a nice thing out of it.

34027. Most Rev. Dr. O'DONNELL.—The capitation grants to the workers are usually the endowment to those who have charge of the school?—Yes.

34028. CHAIRMAN.—Why did they not get another teacher: was it out of a sense of loyalty to the teacher?—I can hardly answer that. The teacher was competent, and the Committee in charge did not appoint another teacher.

34029. Sir JOHN COLOMB.—Did they ever receive a grant from the Department?—I don't think so.

34030. Did they ever contribute to the salary of the teacher?—No.

34031. Was the lace school started without any grant or assistance from the Department?—Certainly.

34032. And then, having started it, and, as you say, got on successfully, was there any application for a grant or how did the question arise?—There was the application to pay the ordinary capitation grant that is paid to every school, that each of the girls attending would get so much a week as a capitation grant. That was not paid by the Department.

34033. They had never received it?—No.

34034. It was started by voluntary effort by the beneficent action of the nuns; it was a going concern and successful and yet when they applied for a capitation grant the objection was raised that there was no qualified teacher, and therefore they did not get the capitation grant?—Yes.

34035. That left you in exactly the same position as you were in before, and I would like to know why the school collapsed?—There was no monetary encouragement. They expected to get something when the teacher would give her time and labour.

34036. Most Rev. Dr. O'DONNELL.—It was started in that hope?—It was started in that hope.

34037. CHAIRMAN.—If they were earning money was not it a rather foolish thing to give up those earnings merely because they could not get an increased grant?—That might be, but it was a very unpleasant thing to be working and not to get any money, when they were expecting it and after they had started it on the understanding and in the hope that they would get those things, and in this way they were completely disappointed.

34038. But they were selling their lace and getting a good price for it?—Fairly good.

34039. Then they gave up that in order to try to get more?—They gave it up.

34040. Sir JOHN COLOMB.—How long was it from the period of starting the lace-making until the disillusionment?—One and a-half years.

34041. Did they get from private sources any assistance which was given in the expectation that once started the grants were to be obtained?—Nothing, but what the lace realised by sale.

34042. Most Rev. Dr. O'DONNELL.—Would it be that the amount realised for the lace went into the hands of the workers, and the nuns, from the other demands upon them, would find themselves unable to continue the services of the teacher without some recognition from a public body?—That is exactly the state of affairs. About Rooskey electoral division, which I represent, they are all occupying owners. Every man in it owns his land. There are 1,100 acres of bog in the hands of the landlord, the Earl of Granard. I consider if the Congested Districts Board would purchase up this bog at a small outlay and drain it it would be a most valuable addition to the small holdings around the neighbourhood, because those bogs when drained, I know of my own knowledge, produce fine crops of potatoes and oats, and even meadow, though they are growing heather now. If those bogs are utilised in that way for the enlargement of holdings in the neighbourhood it would be a great benefit.

34043. Would you suggest that all the bogs should be held together by a body of trustees, or that each small holder should have his own part?—Each should have a small portion for turbary, but where there are large tracts the rest should be vested in trustees.

34044. Sir JOHN COLOMB.—There is plenty of turf in the neighbourhood?—There is plenty of turf.

34045. Most Rev. Dr. O'DONNELL.—Would it be surplus you would suggest for reclamation, or the cut away sole?—The surplus. It would be too long waiting for the cut away sole.

34046. Mr. SUTHERLAND.—I find in the return that there are twenty-three holdings in Rooskey under £4—were these bought?—They were all bought. Every holding in Rooskey is purchased out.

34047. What made these people purchase holdings of that size?—Because they occupied them, and had no more.

34048. CHAIRMAN.—What Act did they buy under?—The Ashbourne Act.

34049. Most Rev. Dr. O'DONNELL.—Have they turbary?—They have all.

34050. This purchase you would suggest for the benefit of people who have small holdings is with the object of reclamation?—Yes.

34051. Sir JOHN COLOMB.—Is there grazing on it?—Heather.

34052. Nothing but heather?—Nothing but heather. These bogs are capable of producing better crops than some mountain land.

34053. They are not very deep bogs. I suppose the gravel is near?—They are very deep bogs.

34054. The gravel is a long way down?—It is.

34055. Is it on the slope or capable of drainage?—It is flat, but can be drained.

34056. If the bog is very deep, would it not involve very great expense in draining it?—I think it is less expensive than draining up-land. It is easy to open drains in bogs, and less laborious than in up-lands. Then the purchase price would not be large, so that it would not be a very expensive proceeding.

34057. Most Rev. Dr. O'Donnell.—Is it of any service to the Earl of Granard?—Not much. He shoots over it.

34058. Sir John Colomb.—You heard the evidence of Mr. Smyth as to the grass lands. May we take it that you generally concur?—No, I don't concur with some of the things which he says. For example, there is a large tract of land purchased in Roscommon for the purposes of migrating people there. The disposition is that the sons of farmers in Roscommon should get all that. I think they should not get it all. I think there should be some migration from Donegal and other congested districts, or from Leitrim, or wherever congestion exists.

34059. The poverty-stricken districts, in your view, where there is serious congestion, wherever they are, have the first claim on the Congested Districts Board?—Quite so.

34060. But you give the preference to poverty-stricken districts in the neighbourhood of Roscommon?—Yes.

34061. Mr. Sutherland.—I think that is also what Mr. Smyth advocated?—I would like to think that that is what he meant. To exclude everybody but Roscommon people would not be fair.

34062. Most Rev. Dr. O'Donnell.—If the son of a tenant helped strenuously in the work of bringing in these migrants and getting the country pretty well settled, you would reward a man like that if you could by giving him a bit of a holding?—I would.

34063. But you consider, as between sons of tenants and congests from a distance, the congests have distinctly the right to preference?—Yes, but I think all the sons of tenants in Roscommon should not be provided with holdings to the exclusion of others. It would be well to give to one if he is remaining at home, but it would be scarcely fair to other congested districts to give it all to sons of tenants in Roscommon.

34064. Chairman.—You were saying if a son strenuously helped in settling people on the land you would reward him by giving him a holding?—Yes.

34065. What do you mean by strenuously helping?—If he took an active part in helping to carry it out.

34066. You might have a great many sons of tenants helping to carry it out?—I would not give it to all the sons of one farmer. Suppose he had three or four sons, and he wanted farms for each of them, it would be quite unfair to give farms to each.

34067. Would not you be inclined to say that until all the heads of families living upon uneconomic holdings and willing to migrate had their claims satisfied the claims of sons of tenants should not be considered?—I think that would be fair.

34068. Has not the man living with his family on an uneconomic holding a great deal more claim than the young son of a tenant who has got the world before him?—Yes; but if the young son does not get something he will emigrate.

34069. Better he should emigrate than that a whole family should be prevented from migrating from an uneconomic holding and compelled to continue to live in great poverty?—The father won't migrate.

34070. Then it means he goes on living in great poverty and distress, and the State has occasionally to provide special funds to help him to carry on?—That may apply to the extreme West. It does not apply generally. They are not in that bad condition generally. It does not apply to the West, I should say.

34071. You would be inclined to say that these people should be helped before the sons of tenants?—Certainly.

34072. Most Rev. Dr. O'Donnell.—I was going to ask you this. Suppose there was a small man in Roscommon in the neighbourhood of grass lands, and his holding was being enlarged, but he was not getting the enlargement he desired, nor in a place that he desired, and then this man has a son, and he says to the old man, "You must not hold out in this way; you, too, must make a sacrifice," and through his effort the old man does make the sacrifice, and the way is made clear for the incoming of migrants from a distance. That is the class of case in which possibly the son, if there were land available, after providing for the migrants, or with the migrants, would have a special claim?—He should be considered very favourably.

34073. A young man who would prevail on the old people, and make the way smooth for the incoming congests?—Yes; that man should get a farm and be treated very generously.

Mr. George F. Stewart examined.

34074. Chairman.—You appear on behalf of the Landowners' Convention?—Yes.

34075. I see that you have been agent for a large number of estates since 1878?—Yes.

34076. You state that you are a Justice of the Peace and Deputy-Lieutenant for the county, and your firm, J. R. Stewart and Sons, of Dublin, have a very extensive land agency business in different parts of Ireland?—Yes. In my experience in no part of Ireland are rents better paid than in County Leitrim. Before the sale of the Crofton Estate—the estate on which we are now sitting—round Mohill, I had to deal with some 2,000 tenants in this county, paying some £17,000 a year, an average of about £8 10*s.* per tenant. I find, on consulting my rentals, that I have received practically a full year's rent each year during the last ten years.

34077. When was the sale completed?—In 1898.

34078. The average rent of those tenants was £8 10*s.*?—Yes. The 2,000 tenants are not all Crofton tenants, but something like 600 were on the Crofton Estate. The average might be a little higher on the Crofton Estate. If there has been a trifling falling off in one year it was made up the next. If necessary, I can give the particulars showing these facts. The average rent and poor law valuation of County Leitrim farms being so small, it may be thought that they are uneconomic, and comparatively valueless, but as far as my experience goes, these small farms are relatively more valuable than other large farms, that is, they fetch a relatively larger sum when put up for sale by the occupying tenants. I have known many instances of the sale of tenants' interest in the county. I have taken out twenty-five cases of sales lately. On one estate they averaged twenty-three years' purchase of the rent. On another estate close to that the average is twenty-eight and a half years' purchase. These are for tenants' interest.

34079. Most Rev. Dr. O'Donnell.—Those are small holdings?—Yes. For instance, on one estate the biggest rent was £13 14*s.* On another estate one rent was as high as £49, but no other rent was as high as £20.

34080. Chairman.—Do you think the value of a holding can be measured at all accurately by the price fetched by the tenant right?—I think its value as security for an advance may be so measured. If I was lending money myself on a holding, and if I knew that the tenant right on that holding would fetch twenty-three years' purchase, I should think myself, whether rightly or wrongly, that I should have very good security for my money. I am pressing the point no further than that.

34081. You say these farms are of relatively more value than the large farms because they fetch more for the tenant right?—Yes.

34082. But is not it the fact all over Ireland that the smaller the farm the higher the tenant right is?—Yes, as far as my experience goes.

34083. That is because so many people are looking for a home, agriculture being practically the only industry of the Irish people, and these small farms therefore fetch a higher price proportionately than the bigger farms which are only within the means of

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a few?—Certainly; but also as far as my experience goes I say that a £10 or a £5 farm in Leitrim will fetch more money than a £10 or a £5 farm in any other district that I am acquainted with. I don't say than in any other district in Ireland, because I believe that in Donegal or in some of the extremely western portions of the country they will fetch even more than here, but they will fetch more here than in either Kildare or Meath.

34084. Because the population is thicker?—I am sure there is some excellent reason. I merely mention the fact that for a £10 holding here a man would get more than he would for a £10 holding in, say, Westmeath, if he were to dispose of his interest there.

34085. It is not a healthy thing that you should have very keen competition for a thing that is not economically worth the money that it fetches?—I don't know that. I was not pressing that point. My argument was simply addressed to the fact that I understood it to be stated that a farm in such a district as this would not be security for a Government advance. My whole argument is limited for the purpose of my evidence to this point that I think the fact that the interest of the tenant in the farm has a great market value is a proof that it is security for advances. Beyond that I don't say that it is healthy.

34086. You then shift the security of the State from the holding to the holder: the security of the State is no longer based on the agricultural value of the holding or of the land, but upon the ability of the occupier to pay the annuity: it is something intangible?—It is a security.

34087. It is a human security, and a thing perfectly intangible and perfectly impossible of estimating: is it not? As long as you have got the land, which represents an intrinsic value, reasonably tilled, there the State feels that it has got a regular security, a security which can be estimated, and which does not go away; but the moment that the advance by the State for that land is over the true value of the land then the security of the State is shifted from the land to the human beings who inhabit it?—If you had here a vacant farm with nobody on it at all; suppose it is in the landlord's possession, that farm remains of the same value quite irrespective of having anybody on it.

34088. Surely it depends on what the land is—whether it is good, bad, or indifferent; it might be of no value?—Take an ordinary farm of the average kind round here; if you had it vacant you could sell it at an average rent at a price such as I mention here in these returns which I have prepared, and that is irrespective of any person being on it at all.

34089. I suppose it is within your experience in Ireland that the tenant right of a farm is very often sold for much more than the true value?—More than I think they are worth.

34090. More than a practical man considers they are worth?—Quite so.

34091. We have heard instances in Donegal of farms fetching 128 and 200 years' purchase?—So I have heard.

34092. That is obviously absurd. That does not represent the true value of the holding at all. It represents the competition in that district. Nobody would say surely that you could measure the value of that holding either for the holder, as a basis of what his profit is going to be, or as security for the State, at anything like the sort of price it fetches?—No. I give you the argument as it appears to me. I think myself if I was asked to advance money on a holding and it was shown to me that the holding was a holding which would always fetch a very substantial sum——

34093. How do you know it will always fetch that sum?—It always has.

34094. At present the rent of this part of the world comes almost entirely from America?—I don't think it does.

34095. The greater portion of it?—I don't think the greater part of the rent. The rent is a very small proportion of the outgoings for the year. If you allocate the American money to the rent you might do it that way, but I don't think the greater portion of the rent comes into the country from America.

34096. In any case your argument amounts to this: the State must base its security not upon the intrinsic value of the land but upon the capability of the country to pay annuities from some source or other?—I suppose it might be so. No farm would pay anything without a farmer.

34097. But it is impossible for people on many of these small holdings to obtain sufficient money from the holding itself to pay annuities upon it?—No, I don't think so. I would rather support the evidence of Mr. Vaugh. He did not know a farm in the whole county where a solvent tenant could not pay his way.

34098. Mr. Sutherland.—Possibly the misconception may have arisen with regard to your conception of economic and uneconomic. Am I putting your case fairly when I say you consider a holding economic out of which a certain rent can be got irrespective of the products of the land?—I did not use the word economic in any very highly technical sense.

34099. You find fault with those who say that they are uneconomic?—Yes. They often say these farms are uneconomic. I want to combat an objection which I thought was made to sales in a county like this that the holdings being so small are no security to the State. My honest belief is that they are security to the State. I want to combat that view. I don't press it further than that.

34100. It would be so then if these holdings were sold to poor people at rates which afterwards they find it very difficult to pay, through any change in their circumstances whatever, and seeing that the annuities which they have to pay could not be paid out of the land itself it would be a serious thing for the State to make the advance of this money without better security?—I think there is at present no case where the annuity would not come out of the land.

34101. Chairman.—Do you think it necessarily follows because on these small holdings your fixed rent has been regularly paid that therefore annuities should also be regularly paid, and that the State should be secured in that way?—Take the case of the Crofton estate, which was sold in 1898. I have every reason to believe that the annuities are extremely well paid. I have taken the trouble to go there from time to time; and, as I mention later on, I should know if they were not very well paid, because there would be some application made to take some part of the guarantee fund under the previous Act, and no application has ever been made. Therefore I am sure that they must be very well paid.

34102. It seems to me quite conceivable that you might have very great regularity of rent-paying on small holdings, so long as there is a fifteen years' revision of rents. If it is found impossible for the people really to pay the rent, and the tenant-right is sold, and fetches a high price, it is because the tenant purchasing the holding knows that in so many years he can demonstrate to the Land Commission that his holding is incapable of carrying that rent, and he may get a reduction; but, on the other hand, suppose that ceases, and that the position is that the occupier will have to go on paying the annuity for sixty-eight years, then if it is generally found that that holding won't produce the annuity, do you think would the tenant-right remain as high in the district—do you think if that man was to be turned out and the Government put up his holding they would get a good price?—It is very hard to say. The only experience I have I give to you, and that is this estate on which we are sitting at present.

34103. Suppose three or four men failed in succession in a small holding, and could not earn the annuity in the place, what do you think would happen? Do you think that people would go on becoming occupiers of this holding ready to pay the old annuity—I very much doubt it?—I don't think that case ever would happen. It has not happened in the past, and I don't think it would happen in the future. I don't see that there will be any greater risk on a small farm here than on a big farm in Kildare.

34104. Because on a big farm in Kildare the land is capable of giving the annuities?—I think the land is here, too.

34105. If you start with the opinion that there is no holding in the West of Ireland, or at any rate in Leitrim, that is incapable of paying the rent or the annuity that is a different thing?—Certainly, I would take up that line as regards the average holding.

34106. Sir John Colomb.—I understand the main reason of what you have said is to show that, in your experience and the experience of your firm, extending over a considerable time, you have found that the tenants were honest and paid their rents?—That is a fact.

34107. Therefore you argue from that, if this was so in the past, taking a long series of years, that the same state of things should exist in the future where a permanent reduction is made in the rent or annuity?—Yes.

34108. And your real point is this, that, taking the character of the people and the circumstances of the district which your firm has managed for many years, you are not in the least apprehensive as regards the annuities?—I have no more apprehension with regard to here than anywhere else.

34109. Most Rev. Dr. O'Donnell.—Is not Lord Dudley right in saying that the large demand for these small holdings beyond the number of them coming into the market in Ireland is the cause why small holdings are proportionately dearer than large ones?—Certainly, that is the reason, because there is a distinct demand.

34110. Consequently the fact that very big prices are sometimes paid for small holdings is no proof or indication of any special capacity of small holdings to maintain a family?—No. I merely press it that it is security for an advance.

34111. Mr. Kavanagh.—It would not be an extravagant price having regard to the argument?—No; twenty-three and twenty-eight years are not very extravagant. You must have come across very much higher ones in your experience.

34112. Chairman.—Well, I will leave it that the security is personal rather than real?—I am afraid I don't agree about that, because it applies to an unoccupied farm.

34113. Sir John Colomb.—Let me illustrate it in this way. Take the holding as illustrated by Lord Dudley. There is a holding and there is, say, a potato ground. The annuitant fails to pay. Would not there be a great demand by neighbouring tenants for that potato ground?—Of course.

34114. That will enhance the price?—Certainly.

34115. Therefore the potato land itself is security, although with the house it might not be an economic holding?—If you take economic in a technical sense.

34116. Competition for this small plot of ground among several others will be so great that the State is not incurring a risk, because there will be always competition for this potato ground, although the man on the potato ground may not be able to support himself out of it?—Yes.

34117. Mr. Kavanagh.—How many years would the landlord's right of pre-emption buy up?—I never used the right myself. It was discontinued at a very early stage. I don't think it was used much.

34118. You could not, therefore, compare it with the number of years' purchase in the open market?—I have not any data.

34119. Mr. Sutherland.—You would not go the length of saying it might not be a desirable thing to make an attempt to enlarge these holdings before they are purchased, if possible?—I think it would.

34120. And that therefore the security would be, humanly speaking, better?—I should be very glad to see the small holdings enlarged. Everyone would, of course.

34121. Most Rev. Dr. O'Donnell.—The incident which you give helps to illustrate the situation. If a man had 200 acres in his hands he could do many things with it. He could divide the 200 acres into two farms of 100 acres, and put them up for sale, or into twenty farms of ten acres. The competitors for a farm of ten acres would be more numerous than for a farm of 100 acres?—Certainly.

34122. Owing to competition, the farm of ten acres would, proportionately speaking, fetch more than the 100-acre farm?—Relatively, it would.

34123. I was anxious to know the details of the Crofton sale?—We sold on first term rents, and gave 4*s.* 9*d.* or 4*s.* 10*d.* reduction, or eighteen and a half years' purchase.

34124. Under which Act was it?—It was in 1898, and must have been under the Act of 1896.

34125. Did they arrange for decadal reductions?—They did not at that time. What they have done since I don't know.

34126. What was the rental?—We sold more than £5,000 a year.

34127. Has each of them got turbary?—Yes. Everybody has got turbary.

34128. Was there a special charge for turbary?—No. The turbary was included in the rents except in a very few cases.

34129. Eighteen or nineteen years' purchase of the rent covered everything, turbary included?—Yes, except in a few cases. There were a few who paid ten shillings for turbary, but that was included as if it was part of the rent. A man whose rent was £9 and who paid ten shillings for turbary bought on a rent of £9 10*s.*

34130. Is there any charge now for turbary?—No.

34131. How long is it likely to last?—I have heard no word of anyone being pinched. There were one or two bogs on that estate where the turbary was not considerable. Each purchase agreement contained a reference to so many acres of land together with the right of cutting turbary on such and such a bog. Where the Land Commission thought that bog contained too small a supply we put in another big bog further off, so that a man had a right to cut turf on such and such a bog or such and such another bog further off.

34132. I was interested to know what you calculated as the full number of years for which turbary has been provided?—I don't know that we calculated. We gave all the bog, in the sense that the bogs on the estate are a subject matter of turf cutting. We gave a right of cutting turf, which will last as long as the bogs last. Some of the bogs will last for hundreds and hundreds of years, but there were some that were getting tightened up.

34133. Persons cutting on them got provision at a distance?—We put two bogs in in cases where the Land Commission thought that one bog might be cut out.

34134. The Land Commission had supervision of this transaction?—Yes. The whole thing was perfectly amicable. As far as I have reason to believe the whole thing worked extremely well. We have had no complaint. We never heard that the Land Commission had any complaint of any quarrels on the bog or anything like that.

34135. I am interested to know how some of the tenants had been paying ten shillings and others not?—Some of the rents had been fixed in court and others not.

34136. Had those that were fixed in court a right of turbary annexed?—No. Those who did not go into court had free turbary. Those who went into court where turbary rent was not fixed on them at the time of the fixing of the rent paid ten shillings in addition for turbary.

34137. Was it fixed under a distinct regulation—ten shillings for turbary?—It was. Then they bought as if that sum were part of the rent.

34138. Would those tenants with a special payment for turbary be at a special disadvantage as compared with the others?—No. I do not think so. I do not think there was any difference. I believe therefore these small farms afford perfectly good security for any reasonable advances which may be made by the Land Commission for their purchase. I am further confirmed in this view by my experience of the sale of the Crofton estate round Mohill. I am informed and believe that the tenant purchasers on that estate have paid their interest with great regularity. Certainly the guarantee fund has never been called upon in any way to make good their default. I understood, too, that the purchasers are in a somewhat more comfortable state than they used to be in formerly, and that their houses, and more especially their out-offices, are decidedly improved. I anticipate the same results when other estates are sold.

34139. Mr. Sutherland.—This is a very valuable instance, and it is certainly a better result than we have been hearing anticipated for the future. This experiment has now lasted nine years?—Yes.

34140. So you can quite logically, I admit, draw certain inferences from it. May I ask with regard to the estate how much of it have you retained?—Only the town of Mohill and these town parks around it—that is all.

34141. Is there any demesne?—No.

34142. The remainder, except what you have mentioned, is all sold?—Yes.

34143. Your purchasers got exceptionally good terms, as things go now?—They got very much like what I should give anyone now. On any estate being sold now on first-term rents the tenants would certainly, as far as I know, get six shillings in the pound. I myself am quite prepared to advise any

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of my clients who still have unsold estates in Leitrim to sell at a price representing a reduction of six shillings in the pound on first-term rents. The Crofton tenants got less than five shillings. Of course, they paid it for a shorter period, but as a matter of fact, anyone buying now would pay a shilling in the pound less annuity.

34144. Sir JOHN COLOMB.—It was 4 per cent. interest that the tenants had to pay who purchased on the Crofton estate?—Yes.

34145. Now it is 3¼?—Yes. I think the terms are very much the same.

34146. Most Rev. Dr. O'DONNELL.—If you turn it into years' purchase would the number be the same?—It is very nearly the same.

34147. Sir JOHN COLOMB.—That is on the basis of the annuities they have to pay?—Yes.

34148. CHAIRMAN.—Is that taking into consideration that one is forty-nine and the other is sixty-eight years?—It is the annuity. I should be very glad if some first-term tenants would buy from me at 23½ years' purchase, but they would not do it. What anyone here is ready to sell at is six shillings and four shillings. Six shillings is only 21¼ years'. It is a long way less than the exact equivalent.

34149. Most Rev. Dr. O'DONNELL.—What the tenant contends is that second-term rents are now the current ones, and they stand in that respect exactly where they stood in 1892?—It is a very curious contention.

34150. Mr. SUTHERLAND.—If you calculate all that has to be paid from the beginning to the end of the transaction do you think they are better off than those who are buying now?—According to the *Freeman* tables, they are practically the same. If you leave out the element of the length of the period 18½ years equals 23 years, and six shillings, which I happen incidentally to mention as what would be given, is only 21½ years; so that makes up for the difference in the period.

34151. Mr. KAVANAGH.—What would the annuity on 21½ years' purchase equal under the Ashbourne Act?—It equals the annuity on seventeen years' purchase.

34152. Most Rev. Dr. O'DONNELL.—Your evidence tends to show that in your observation the creation of a peasant proprietary has resulted in making the people improve their holdings?—So I understand, and I should be sorry to think otherwise. With regard to the enlargements of the holdings by the addition of grass lands, it is evident that, with the exception of one or two demesnes, there are no such lands in this district. I have looked at the list of untenanted lands in County Leitrim in Mr. Ginnell's Parliamentary Return, and believe it to be misleading, because the lands mentioned therein are largely either bogs, mountain, or water.

34153. CHAIRMAN.—Mr. Ginnell's return is only of untenanted land?—I understand that.

34154. It does not take into account tenanted land of this kind?—Certainly.

34155. Not even tenanted land let on the eleven months' system?—We have no tenanted land on the eleven months' system here.

34156. You have some under lease?—I have not a single farm in South Leitrim under my control that is what is commonly known as a grass farm. I do not believe that the tenants would leave their present homes in order to migrate to other counties where untenanted lands exist.

34157. Mr. SUTHERLAND.—I daresay you are aware that we have had evidence from a large number of people who are in that position who said they would be very willing to go themselves?—Yes, but I was interested and gratified to find that everyone who gave you evidence to-day about this part of the country bore me out.

34158. I am talking of the people who are in a position and are likely to migrate themselves. We have heard from persons in high positions, priests and a number of others, that they would not do it; but when we came to the people themselves who would be likely to migrate they were all anxious to migrate?—It is only my opinion.

34159. I thought you might modify it in view of the direct evidence we have had from the parties themselves?—You will modify it by your additional experience, which is much greater than mine, because you are getting evidence all round the country.

34160. Sir JOHN COLOMB.—You would be very glad to find your opinion wrong?—Yes. It only illustrates my experience.

34161. You would be one of those very pleased to find it is wrong?—Certainly.

34162. CHAIRMAN.—When you say there are practically no grass farms are you speaking of this particular district or the whole of Leitrim or where?—In all that district I was collecting £17,000 a year, and unless these town parks round Mohill can be called grass farms, I don't think I have a single eleven months' take under me anywhere, nor have I a single grazing agreement under me.

34163. I suppose there are judicial tenants who have got grass farms?—Not in the sense that you have them in Roscommon or Galway.

34164. Evidently there is some grass somewhere, because the figures for the County Leitrim as a whole show that there are 206,560 acres in grass, 79,184 acres under crops, which include hay. In the union of Mohill the figures are 54,604 acres under grass and 22,658 acres under crops, including hay; so in the union of Mohill there is about the same proportion—about five acres under grass to two under crops?—I should imagine that applies to mixed farming. If you have a fifty-acre farm you would find perhaps thirty acres or more of it would be under grass. If it was a five-acre farm you would find three under grass and two under tillage; but I did not take that to be what your lordship meant by grass farms.

34165. Sir JOHN COLOMB.—Is it not the case that in this return grass includes rotation grass?—I should think it means grass on a mixed farm. I have not got it on the Clements, Crofton, or Whyte estate. In 1900 I collected no rent on grass farms, but of course there is grass on them all. They are partly grass and partly crop, and practically in every case there is grass. Therefore I can quite understand the total giving a very large acreage of grass.

34166. At any rate, in your opinion, there is no land suitable for migration?—No; unless you take in demesnes—places like Lough Rynn demesne.

34167. Most Rev. Dr. O'DONNELL.—You don't know of any places in the hands of tenants which can be used for this purpose?—I know of one considerable farm of 200 acres in a tenant's hands, and that is the only one I know.

34168. What should you do with it?—It is mostly in grass, but it is not very good grass. There is a certain amount.

34169. The tenant is a resident farmer?—Yes. Of course, there is this land at Dromard which was mentioned by one of the other witnesses which was bought by two or three people. That might be called a grass farm.

34170. They are tenant purchasers?—Yes. It was never let under an eleven months' take; but it does not come under the heading, because it is now bought out.

34171. By the tenants?—They are, of course, the owners. I think they paid for it in money.

34172. Was it they who bought it themselves?—The owners sold it to the people who bought it.

34173. They were *bona-fide* tenants at the time of the sale?—No; I think they came in and bought it.

34174. There is no public advance. They simply bought it?—No. I mention it now in case you might think I kept anything back in the way of grass lands.

34175. CHAIRMAN.—Take Electoral Division of Mohill in the union of Mohill. There are 262 holdings. There are 84 not exceeding £4 valuation; 83 above £4 and not exceeding £10; 37 above £10 and not exceeding £15; 21 above £15 and not exceeding £20; 15 above £20 and not exceeding £30; 9 above £30 and not exceeding £40; 5 above £40 and not exceeding £50; 7 above £50 and not exceeding £100; 1 over £100 and not exceeding £200, and nothing over £200?—Quite so. The large grazing farm does not exist in our district.

34176. Sir JOHN COLOMB.—You have looked at this return of Mr. Ginnell's?—Yes.

34177. That is simply untenanted land, and included in that would be land on the eleven months' grazing?—I have no eleven months' grazing.

34178. The eleven months' grazing does not come on the rate books at all?—No.

34179. Therefore a farm on hands and let under the eleven months' system is returned as non-occupied, and as untenanted land?—Yes. The value of turbary

close to almost every farm can hardly be exaggerated, and is a great help to the tenants in this district. The difficulty every agent in the county has to contend with is not that the farms are too small, but to prevent their being made smaller by sub-division. I think it would be a misfortune if the very few large farms in the county were cut up and divided amongst the smaller tenants.

34180. In order that grass farms may be suitable for migration there must be turf in the neighbourhood?—I think the people from here who went into a district without turf would miss it sorely.

34181. For migration from a turf country the question of turf would be an essential consideration for the Congested Districts Board?—Yes.

34182. And also a plentiful water supply and good distribution of water?—Yes; it is important.

34183. Mr. KAVANAGH.—What do people who have lived away from turf all their lives do?—They do the best they can. It is a great boon. I have known districts in Limerick where the men had to go fifteen miles for turf, and they did not grumble at it, because their fathers and grandfathers had done it.

34184. Could you compare the price that a man pays for turf with what he would have to pay for coal—you have coal mines in this locality?—Yes. They would not care to use it.

34185. What can you get coal here for?—Ten and twelve shillings. I never heard of them using it.

34186. It is culm?—I never heard of them using it. As to the purchase of untenanted lands in other districts I believe that most landowners would be quite willing to sell their untenanted land (except, of course, their demesnes and home farms) at fair prices, and that no special powers of compulsion are necessary. What I think is required in this county is the establishment of some industries to relieve the land, and this, I think, could only be done on any considerable scale by the Congested Districts Board. Private enterprise and energy have already established some few creameries, such as the one in Mohill, which is a great success, and also some three or four agricultural banks, which are most helpful to the small tenants, and the Rev. Mr. Digges (who has been chiefly instrumental in promoting these, and whom, I am sure, would be willing to give evidence before the Commission if so desired), has also encouraged the keeping of bees. This may appear a small thing to the Commission, but we are dealing with a small people, and therefore small things matter. But I believe there is a great opening for the Congested Districts Board to take up all these industries, and also larger ones, such as the curing of bacon, and possibly establish some textile industry, which would be of great service. The mineral wealth of the county might be further developed. The Arigna Mining Company, of which I am a Director, gives very considerable employment in its district. I may mention we employ over a hundred men a day. I have observed with great regret that the purchase of estates has been followed by an altogether undue cutting of timber by the purchasers. I think it would be a great thing if this could be regulated in some way. That does not apply specially to the Crofton estate. It is a matter of general knowledge all over the country.

34187. Sir JOHN COLOMB.—I suppose in consultation with other gentlemen engaged in managing property you have found that that experience is not an uncommon one?—Yes.

34188. Most Rev. Dr. O'DONNELL.—Is bee-keeping extensively cultivated over the county?—It was taken up, and I believe still is taken up a great deal under the guidance of Rev. Mr. Digges, and I believe a number of these small people did extremely well. I know some cases myself where the people did extremely well, and it was quite a help to their annual income.

34189. Would you say that everywhere if it is possible to find abundant food for bees an effort should be made to spread the industry of bee-keeping?—It would be very useful, especially in a place like this, where nearly every farm abuts on a bog. We all know that heather honey fetches a better price than any other. It is not a very arduous task; it adds to the family resources, and should be encouraged.

34190. Sir JOHN COLOMB.—You mentioned you are a director of the Arigna Mining Company. Is it fairly satisfactory—are you increasing your business?—I think it is satisfactory. We are not diminishing it.

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34191. Where is your consumption?—It goes as far as Longford, Cavan, and Carrick-on-Shannon.

34192. How near are you to a railway?—Three miles from Arigna station to the mines.

34193. The coal has got to be carted three or four miles before it gets on a railway for distribution?—Yes.

34194. Do you consider that your business is interfered with for want of transit. If you had a branch line running to your coal mine do you consider you would be able to meet an increased demand, and do more work?—I think we should if we had a railway into the mine or nearer the mine. But it is a thorny subject here, and I would rather not go into it. There was a disagreement about it here, and I don't think it is a good thing to open up here.

34195. Mr. SUTHERLAND.—Kindly tell us now about the extent. Where do you get the coal. Have you a shaft?—It is a horizontal adit.

34196. Is it long?—One of them is long. I could not tell you the extent.

34197. What is the quality of the coal?—It is not very cheerful coal. It gives a great deal of heat.

34198. Is it anthracite?—No, bitumenous. It is very good for steam coal. We burn it entirely on the light railway.

34199. You employ 100 men now?—Yes; our annual wages bill is about £4,000.

34200. Is the area of the coal large?—Very large, we believe.

34201. Sir JOHN COLOMB.—You are advised by competent experts that it is very large?—We are.

34202. Mr. SUTHERLAND.—Would it benefit you to have direct connection with the present railway closer to the mine?—It would. That is the sore point.

34203. If that were made is it possible you could dispose of more coal?—I think we could if we lowered the price. When we meet the Welsh coal that stops us. It is a mere question of where you meet it. If we could sell coal as cheaply in Mullingar as in Longford we could sell it there.

34204. Do you do anything about mixing the coal; we heard about that?—That is a mixing of culm. We don't do that. With regard to the proposed abolition of the zones under the Act of 1903, I consider it would be almost fatal to the working of the Act, as if every farm was subject to inspection for value and consequent reduction of price—for I have never heard of the Commissioners protecting a vendor by raising the price of a farm—landowners would be most unwilling to sell on account of not knowing how much they would receive for their estates. I know for a fact that this uncertainty operated against the successful working of the Purchase Acts previous to 1903.

34205. CHAIRMAN.—I would like you to divide your point there with regard to congested and non-congested areas. Do you mean that in your opinion the abolition of zones would be undesirable even in congested areas?—I meant it generally.

34206. Are you aware that at the present moment a certain number of estates which need considerable improvement are passing direct from the landlord to the tenant under the Wyndham Act by the operation of the zones?—I understand that they are passing and that the zones clause is in force.

34207. Therefore as there is no inspection as to value these estates which need improvement are passing from the landlord to the tenant direct in an unimproved condition?—That is so.

34208. In the congested areas?—Yes.

34209. Do you consider that a good thing?—I should not think it was a good thing if they were rundale farms and things like that. I don't think that the zones cover that.

34210. Some of them may be rundale farms. There is nothing to prevent an estate which is even in rundale passing under the operation of the zones?—Possibly, if it is a case of rundale. We have no case of rundale. Take, for instance, the Crofton estate. There were no zones in that case. There was inspection, and nothing practically happened from the inspection. Every single farm passed.

34211. Are you disposed to agree then that where an estate is largely in rundale it is not a good thing that it should pass direct from the landlord to the tenant before being restriped?—I should think it was not, but I would like to say in addition to that that

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I am speaking without any personal experience, because I have no rundale estates.

34212. But offhand that strikes you as inadvisable?—I think that the perpetuation of rundale cannot be very good.

34213. The desirability of improving bad estates—the condition of estates in rundale is only a matter of degree. It only means that that is probably the worst class of estate—the estate that most needs improvement; but it is perfectly possible that there may be estates which are not in rundale or very slightly in rundale, but still at the same time require a great deal of improvement?—That may be.

34214. Would not you say also in that case that it might be inadvisable to pass direct from the landlord to the tenants before being improved?—Is it so that the operation of the zones prevents that estate from being considered?

34215. Of course, it does?—I still think from the point of view from which I look at it that I am right. I remember extremely well what used to happen before 1903. Over and over again owners of estates for whom I was acting asked me—"Suppose I sell my estate what am I going to get out of it?" In the old days one used to say—"You may be likely to get so and so, but I cannot tell you just now. It will depend on the inspection." Then the owner would say—"If that is the best you can tell me I will stay on as I am."

34216. That is from the landlord's point of view, which I can understand. There is greater certainty—it goes through more quickly; it is less expensive and so on. That was the case for the zones with regard to the whole of Ireland. But the point which I should like to put is, don't you think where estates are of such a character that they need a considerable amount of improvement by the State that it is not advisable that that class of estate should pass direct from the landlord to the tenant without being improved?—It is better that an estate should be improved, but as a practical question I don't see, suppose a landlord said—"I am not going to enter into any contract for sale at all unless I know how much I shall get," where the advantage to the estate comes in, seeing that it will not be improved.

34217. You remember at the time of the passing of the Act there was a great deal of talk about stereotyping poverty—you remember the phrase?—Yes.

34218. Does it not strike you that if you allow a man to purchase his unimproved holding that as a result after purchase it becomes extremely difficult for either the Congested Districts Board or the Estates Commissioners to improve that—you stereotype poverty?—I have no cases in which I think it would be any harm whatever to sell any of the estates I have under my management.

34219. Perhaps then it is really not fair to ask you that question. All I understand from your evidence is—you, having no poor estates under your management or no estates which need improvement, have not been brought face to face with the question whether the zones ought to be suspended in connection with the point I have put to you?—I should be very happy to leave it as your lordship has left it.

34220. Mr. SUTHERLAND.—But you have made a statement about the zones?—I have.

34221. And it is quite right for us to suppose that you know all about them?—I know about them, having sold numbers of estates under them, and having tried to sell numbers of estates without them; but I only know about estates under my own management. I don't propose to give evidence about rundale estates, for instance, with which I have nothing to do. Speaking of my own experience and of what I see, the Act is working extremely well, and if anyone takes the zones out of it I think it will check the Act enormously.

34222. Can you suggest any way in which a case such as Lord Dudley put forward can be met, because evidently it is undesirable that small holdings should pass on as they are?—Merely because they are small?

34223. No, but because they want re-arrangement?—If it is, as his lordship says, that the operation of the zone clause is such as to take away every possible right to the Commissioners to consider a rundale estate, it could be easily amended to that extent that they could reconsider an estate such as that; but I think if the zones generally were taken away and every estate has to be re-valued, and if every landlord is to be told that no one knows what money he is to get out of his sale you at once stop the operation of the Act to a very large extent, not completely, but to a very large extent, because you could not tell a landlord what he is going to make out of a sale, whereas now you can tell him almost to a £10 note what he is going to get out of it.

34224. The party interested in advancing the money surely ought to know what the nature of the security is on which he is asked to advance the money?—I am sure he does, because the very same authority which would inspect the farm is the same authority that has already fixed the rent. Every farm that would be under the zones has been already inspected by the very same authority or a branch of it, for the Land Commission and the Estates Commissioners are very nearly the same.

34225. CHAIRMAN.—But an enormous number of estates have been settled out of court?—Yes.

34226. Mr. SUTHERLAND.—If they are valued already there can be no objection to seeing them again?—The whole element of uncertainty is introduced. We know that by experience.

34227. Sir JOHN COLOMB.—It is not so much the question of value as the question of uncertainty?—That is the point I am addressing myself to.

34228. Where the landlord agrees with his tenants and they sign an agreement, that is the basis of the landlord's willingness to sell and the tenant's willingness to buy?—That is so.

34229. From the time of signing the agreement the tenants only pay 3¼ per cent. interest on the purchase money?—Yes.

34230. And until the sale is completed the landlord receives only interest on the purchase money?—Yes.

34231. Meantime he has to meet charges, if the property is encumbered, perhaps 5 per cent. charges, while his income is reduced. If there is inspection, and the Land Commission does not approve of it, the landlord must have been accumulating arrears in the meantime?—He must, of course.

34232. By reason of the fact that the interest is less than the former rent. After a long interval of uncertainty this point arises: if the Estates Commissioners don't accept it he has either got to take a sum he never would have agreed to take or he has got to resume possession with arrears on his holding, and the whole difficulty arises as between landlord and tenant all round the property?—Very much accentuated.

34233. Is that so?—Quite so.

34234. Is there not another element in the matter; that those fixing the price are an interested party in the price?—I think so.

34235. It is not as if it was an impartial tribunal outside, but the Estates Commissioners have to consider that it is their business to secure the State first of all?—Yes.

34236. Therefore, it is not an intervening organisation coming in to settle the difference, but it is one of the parties to the difference?—So I think.

34237. Mr. SUTHERLAND.—Who are the parties you refer to?—Sir John Colomb says the Land Commission are the parties representing the Treasury who have to find the money and have, finally, the fixing of the price.

34238. Are they interested pecuniarily in any way?—They are, as trustees.

34239. Seeing that the purchaser has to pay?—They like to show a good bargain.

34240. I have no fault to find because you are perfectly frank about it. You say your objection is you never knew them to raise the price of a farm?—Never, and I never heard of anyone else who did; and no one ever told me that on inspection the Land Commission said, "This tenant is paying too little."

34241. They have always said that the vendor was asking too much?—Either that, or that it was all right.

34242. Sir JOHN COLOMB.—You agree that it is undesirable, in the interests of the State, that property in rundale or uneconomic holdings should be stereotyped?—I think it is.

34243. I suppose, with your experience, you don't regard it as quite impossible to maintain the zones and yet make arrangements by which the difficulty of stereotyping might be got over?—Certainly.

34244. But you are decidedly of opinion that the abolition of the zones would have the effect of stopping

land purchase?—Yes. That used to be the difficulty in the old days.

34245. Mr. KAVANAGH.—With the existing law the landlords cannot change rundale for their tenants are all judicial tenants?—I do not think they could.

34246. Or uneconomic holdings; without the consent of the tenants they cannot re-arrange them?—Of course they cannot.

34247. Therefore, it is hardly fair to make them go outside the zones for a thing they cannot change?—It is not the fault of the landlord.

34248. However much they wish to change the whole estate for sale, they cannot do so under the existing law?—They cannot.

34249. CHAIRMAN.—It can be done by the consent of the tenant?—Yes.

34250. There is nothing to prevent the landlord doing what the Congested Districts Board has done; it may be more troublesome, but it has been done; the landlord has, with the consent of his tenants, even since the Act of 1881, re-arranged the holdings?—I am sure that may be the case.

34251. Most Rev Dr. O'DONNELL.—I am anxious you should first elucidate an answer to Sir John Colomb and Mr. Sutherland. You said, I think, it was unfair that one of the parties to the bargain should fix the price?—Yes. I did not originate that statement, but I fully accept it.

34252. The Estates Commissioners are in question?—Quite so.

34253. Needless to say they are not buying for themselves?—They are not.

34254. Nor are they buying for the State?—They are buying with the State's money.

34255. The other party would be the tenant, probably?—Of course it is obvious as between the tenant and the landlord it is a fair deal, but still I think it is fairly clear if there was a substantial loss owing to the non-payment of annuities or anything arising out of the sale the Estates Commissioners would undoubtedly be blamed, and therefore, to that extent, it is not unfair to say that they are a party to it, though they are not a principal party to the transaction.

34256. They are salaried officers with a perpetuity during their lives?—I am not making any reflections against them morally.

34257. No; you do not say anything to suggest that at all; but they are scarcely appointed to make a good bargain for the State, or a good bargain for the tenant, but to discharge a public office efficiently?—Yes; but I think myself that I could imagine a condition of things in which they might fix the price with the understanding that if anything went wrong, and if the price happened to be too high they would incur a certain amount of blame, while, if it was too low a price they would incur a certain amount of praise.

34258. Is not there much more danger of the obstacle coming in through the medium of the County Councils. Would not it be much more likely that they would intervene, in case the tenant purchasers made default, to stop land purchase. If the tenant purchasers made default the default would fall upon the ratepayers of the counties, and the County Councils then would, we might anticipate, put a spoke in the wheel of land purchase and require some supervision of the terms so as to secure that the ratepayers would not suffer owing to the default of annuitants?—Of course as to such a change in the land law I can quite conceive that time may bring it forth.

34259. I suppose without the zones such a state of things cannot occur?—The last state might be worse than the first. I think it would.

34260. The County Councils might then interpose quite as serious an obstacle as would arise from the abolition of the zones?—I accept your lordship's hypothesis.

34261. Only one other point to elucidate what you were saying to Lord Dudley. Of course the zones apply only in case of tenanted land. It is not a question which comes up in the case of untenanted land?—It does not.

34262. At present it is considered so desirable that certain estates should be improved before passing from the landlord to the tenants that the zones don't apply in the case of purchases by the Congested Districts Board; you are aware of that?—Certainly.

34263-4. Would not that support the point Lord Dudley put to you, in the case of certain estates that there should be a careful inspection and a careful reformation of the property before it passes from landlord to tenant? On poor estates, rundale estates? To say whether it was a proper estate to be sold at all or not. Or to say whether the estate should be sold, and if not to take steps to have such a re-arrangement as will make it a proper estate to be sold?—Well, I cannot say it is right to sell an estate that is not fit to be sold.

34265. CHAIRMAN.—There is an improving authority?—I understand the Congested Districts Board to be an improving authority.

34266. Most Rev. Dr. O'DONNELL.—Should not it pass through that process before being sold?—There are estates, I daresay, that should.

34267. I think it will make it easy for you if I say what probably you won't be surprised at, that in the sale of tenanted land to the Congested Districts Board apparently the owners have not felt much difficulty in dealing with the Congested Districts Board because of the fact that the zones don't apply in those cases. As far as I know the bargains have gone on quite freely?—I am not at all saying a word against the Congested Districts Board. They have worked extremely well. As to the suggestion which I believe has been made, that estates which are encumbered with mortgages should, therefore, be sold cheaper than unencumbered estates, I think this is not reasonable. Such mortgages may be paid off, or the interest under them reduced, at any time that the circumstances of the owner admit. I personally know of two estates in this county where the mortgages have recently been cleared off, or largely reduced, and I think it would be ridiculous to suggest that in consequence the tenants, if now purchasing, should pay a higher price than they should have done last year, or a year or two ago. I consider the financial position of the landlord has no more to say to a fair bargain between him and his tenants than the financial position of his tenant has. Moreover, every tenant is financially a gainer by a sale, and no one—except a churl—grudges him this advantage. Why then should an unfortunate encumbered landlord be differently treated?

34268. CHAIRMAN.—When you say that every tenant is financially a gainer by a sale do you mean an immediate gainer?—Even more, because he gets the farm for nothing in the future.

34269. Suppose you have a very poor estate on which there are a considerable number of arrears?—I will assume it.

34270. And where the landlord has been considerate and has not pressed. Sometimes in the West of Ireland, on such estates, tenants buy to get an immediate reduction by reason of the fact that the annuities don't amount to the rent, but they find, instead of having a complaisant landlord to deal with they have a very strict State to deal with, and they have to pay up those annuities within a short time of the time they are due; do you mean to say that they are financial gainers by purchase?—According to any form of figures they are.

34271. On paper they are; but are they in reality?—I think they are. I think the great majority of them are. I know that the fact of having to pay up to the day is inconvenient. Every agent knows that because they are always being asked for time, not unnaturally, but, at the same time, the tenants, I do think, are financial gainers. It never would have struck me that that was open to question.

34272. You think even where a man's livelihood is derived from precarious sources, such as from fishing, from migratory labour, or from remittances from America, or from any industry that may not be stable, and not from the land, that in that case he is a gainer by purchase?—I think every tenant I have ever sold to—and I have sold to a great many—looks on himself as a financial gainer. I know they do complain of having to pay up more sharply than we used to make them, but we say still, that the tenant is a financial gainer, and he is a tremendous gainer in the future, because he gets the whole place for nothing.

34273. That presupposes his power of paying the annuity for a certain number of years?—When one deals with tenants as I have done it is a very common thing to be told that a man's father and grandfather, and perhaps half a dozen other grandfathers have all been on the farm. I think it is a very natural and right and proper thing. If generations in the past have managed to live on the holding, and the family

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are there still, I think it is hardly fair for your lordship to hold that there is a serious doubt that they won't be able to live there for one generation more.

34274. I suppose there are holdings in Ireland, as there are in England, where some families have been for a long time?—An immense number. There are heaps of people whose family has been on the one holding for a very long time. It is immensely to be desired.

34275. CHAIRMAN.—But they are not all like that by any means. Your statement covers practically all holdings.

34276. Sir JOHN COLOMB.—Lord Dudley gave you an illustration of a tenant and a considerate landlord who will give time. May I ask you this; with your vast experience of tenants and property in Ireland, would you say that as a rule the tenants on well-managed properties, where there is a great strictness in payments of rent are most of them really better off than the tenants with too considerate landlords who are allowed to get into arrears?—I certainly think so.

34277. Because from father to son they have had under their hereditary obligations learned to be prompt in their payments, but in cases where arrears accumulate and the tenants get up to their ears in arrears difficulties arise?—Yes.

34278. We all know that the State insists with much greater strictness on prompt payments than many private landlords, but you would not altogether say that as a rule the tenant loses so very much, or loses anything from strict enforcement of payment than before?—I think not. Of course there are exceptions.

34279. CHAIRMAN.—There might be exceptions?—If your lordship thinks I ought to take out the word "every" I will say "tenants."

34280. Obviously there must be holdings—I won't say estates—in the poorest parts of Ireland, where occasionally, owing to the failure of the potato crop, or the fishing, or something else, on which they depend, it is impossible for those people to pay rent, or, at any rate, what is considered the normal rent?—I can imagine that quite easily.

34281. As long as that man is under a landlord there is always the possibility that he will be given time or released for his obligations for that year, to meet an exceptional time of distress, but if he becomes a purchaser there is no such possibility?—I should hope there was.

34282. I don't think there is. I don't think there is any machinery?—Surely if there came another famine the State would have to meet it. I am not at all suggesting any repudiation or any nonsense of that sort, but I do say if there came to be a serious crisis, such as your lordship suggests, I cannot see why the State should not meet it.

34283. It would be physically impossible to collect the rents on the holdings described, because the people could not pay them from the land, but under the machinery as it stands, I don't think there is any provision for the State waiving its right to collect the annuities?—No.

34284. And you would not have a wholesale alteration. You are not likely to, unless you had a wholesale famine, which I am not contemplating. But if in a particular district like the Rosses of Donegal, suppose the fishing was to absolutely fail for a year or two, or the demand for migratory labour was to fall off, it might be possible that for a year or two these people might be unable to meet any obligations. If they are under a landlord the landlord has the power not to press for what he is entitled to, but there is no such machinery with regard to tenant purchasers?—No. In that way I think the whole purchase system is unfortunate, but it became necessary.

34285. At any rate, in a case of the kind it is questionable whether a man is really a gainer by becoming a purchaser?—I purposely put in the word "financially." The landlord might sell his estate and invest it in a stock which unfortunately failed.

34286. He is not likely to choose the moment when the tenants would not be able to pay rent. It would not be the high-water mark of price?—No. I wish to add this. It appears to me, in regard to this difficulty about the flotation of money, which means charging the counties, which appears to me to be one of the gravest conditions which we have to face, if land stock stood at its proper price in relation to consols it ought to be at 93. It is a $2\frac{3}{4}$ per cent. stock as against a $2\frac{1}{2}$. Both are secured by the Government, yet both are within a fraction of each other at 85. I don't know what the reason is. I have been given one or two reasons which don't seem to me to be quite adequate why the $2\frac{3}{4}$ stock should stand at 85 and a fraction and the $2\frac{1}{2}$ per cent. stock at 85, practically the same price. If they stood in the relative ratios of $2\frac{1}{2}$ to $2\frac{3}{4}$, which is the interest they bear, Irish land stock would stand at 93. If it stood at 93 I imagine it would greatly ease the whole financial difficulty which arises from the loss on the flotation of stock. I have asked stockbrokers the reason and the reasons advanced seemed to be, some of them, inadequate. They say the Land Stock is not fashionable on the English market; that an element of uncertainty seems to be attaching thereto, and they say it is not a large stock, and therefore is not dealt with in very large amounts; and I think the reason was given to me that thrown on the market as it is in lumps of five millions it tends to dislocate the market. I am not coming before you as an expert, but I think in regard to this matter of the county guarantees, and the loss on the flotation of stock, that we all feel it to be a most serious development which threatens to block sales very much; and I cannot help thinking that it must be within the competence of some first-rate financial expert at the Treasury to discover some means to set right the defect caused by the fact that land stock does not stand at the same price, relatively to its interest as consols.

34287. I may refer you to the answers given by Mr. Mullins, stockbroker to the Bank of England, when examined before us on this point.* As far as I remember, he told us, that in his opinion, the reason for that difficulty which you have mentioned was that consols were so much more quickly realisable than guaranteed land stock, that a man could realise consols very rapidly, whereas he might not be able to realise guaranteed land stock so rapidly, and also that there was a special market for consols which lead to considerably greater dealings in them than in other stock. He told us too that many banks were forced to hold their reserves in consols and that that led to a demand?—Still it does seem to me that it ought to be conceivable that the Treasury people should in some way make the two stocks equalise. My recollection is that the financial arrangements of the Act were taken on the basis of the stock being taken as worth 95. Therefore if it was at 93 the loss would be very small indeed.

34288. Most Rev. Dr. O'DONNELL.—It was generally assumed that the land stock would stand as high as consols making allowance for the difference in interest, and that the two would move proportionately?—It is eight points too low. It ought to be at 93. There ought to be eight points difference between it and consols, and there is not one.

34289. Most Rev. Dr. O'DONNELL.—Did it occur to you that any Irish banking houses could be brought into the issue of the stock?—The stock can be registered both in the Bank of England and the Bank of Ireland just as consols can. One reads that the Chancellor of the Exchequer buys a great many millions of consols every year to extinguish them, and it struck me that if he bought a great many millions of Irish land stock the British taxpayer would gain as he would be extinguishing a $2\frac{3}{4}$ per cent. stock instead of a $2\frac{1}{2}$ per cent. stock. It would help us if it put the price up.

34290. Sir JOHN COLOMB.—In the case of consols you have 700 millions, and in the case of Irish land stock you have only, I believe, about fifteen millions issued so far. Where you have a restricted market like that with very small issues obviously if the Chancellor of the Exchequer went in to buy he would enormously inflate the stock?—That is what I want to see done.

34291. Therefore he is inflating the stock which he is to buy himself, a result which is not so appreciable when he is dealing with 700 millions?—Still he could buy up to 93 and incur no loss.

34292. Don't understand me to be differing from your opinion, for I regard this question as about the most serious question that has arisen?—What I am afraid of, and I daresay you are apprehensive of the same thing, is that people on the other side of the water, not knowing anything about it, will fancy that it is due to a default of payment, which it is not. I am sure they will say it is our fault.

* See Appendix to Fifth Report of the Commission [Cd. 3630, 1907], pp. 17 *et seq.*

34293. Mr. SUTHERLAND.—Has the recent call on the guarantee affected the stock?—No; nor is that what I am afraid of. What I am afraid of is that it will check purchase entirely, check the whole operation of the Act.

34294. Do you think the call on the guarantee would give less confidence to the public?—No. I don't think investors going to buy any stock understand anything about the guarantee. The security is not in any case affected. It is a Government security at bottom.

34295. The fact that it was called on at all might affect nervous people though?—It might, but I hardly think so. What made me take up your time is that it might check the operations of the Purchase Act enormously by the tenants not buying any more, because what they gain on the one hand they lose on the other.

34296. May they not have an idea that the Irish tenant is paying too much for his land?—Perhaps they might.

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34297. CHAIRMAN.—You have been kind enough to give us a memorandum which is so very long that we shall not be able to read it through to-day.* Will you take it as read, and let it go in *en bloc*, and then you can tell us in your own words any points that you would wish to emphasise?—Very well. The first point is with regard to drainage. In the Aughavas Electoral Division there are streams that flow into a large river called the Black or Cloone River, and great damage is done by the floods. Here is a statement by one of the parties aggrieved. It is a sample of the rest, who number about 75. He states—"That the greater part of his meadow land, together with six acres of his pasture lands adjoins one of these streams, and that they are injuriously affected by its floods. The aforesaid meadows produce 25 cocks of hay annually. The floods drive in sand and coarse gravel which injure the hay that frequently five or six beasts die some years, and he must sell the remainder of his stock. The pasture land is covered with water, so that cattle cannot be turned out to feed on it. He estimates his losses occasionally at about £20 a year." This man's valuation is a little over £20 a year.

34298. We have heard a great deal about drainage all over the county, and I think we may take it that your view is that a great deal more attention ought to be paid to drainage?—We applied to the Congested Districts Board in Dublin to get help to carry out this drainage ourselves. After various communications passed they offered to give us half the amount. The amount was to be altogether £267 10*s.*, the tenants undertaking to do half of it. This agreement was accepted by the tenants, but one landlord refused to give his consent to have the drainage carried out, which would not be any loss to him, but would, in fact, improve his property The reason he gave was that he was negotiating the sale of his estate and when it had passed from him, the people could look after it themselves. The Board in Dublin stepped in, and said that until we got all legal obligations satisfied they could not assist us.

34299. Who is this landlord?—Mr. John Madden, of Hilton Park, Clones.

34300. What power had he to prevent the tenants from draining their land?—The Board required the consent of the landlords to guard them against consequential damages resulting from the drainage. What I find fault with the Congested Districts Board for is that they broke away from us and did not assist us, though we undertook to incur legal risks on the part of Mr. Madden, to carry out the drainage to benefit the people. The last statement made by the Board was in February last year when it wrote that as there was a Commission sitting inquiring into the laws relating to the drainage of land it might be no loss of time if the local committee awaited the result of the inquiry. I see in the newspapers that the report has been presented, but I think the Prime Minister said that no action could be taken for a considerable time on the report as the Government had more important business to look after. In the meantime the people are suffering. On the one farm I give you an example of the actual loss that affects some seventy-five farmers.

34301. You consider that is a strong illustration of the need of the power to deal with drainage questions?—Yes.

34302. Describe to me what kind of drainage this was that you contemplated?—There are a number of streams which, as they pass along, become greater and empty themselves into the larger river which is under the drainage board in this county. When heavy rains come these small streams rise very quickly and the country is flooded, almost into a lake, so that sometimes even the people cannot pass over the public road.

Rev. Patrick Dolan.

34303. What do you propose to do to get over that?—The Congested Districts Board offered us half and we were to do the rest of the work by voluntary labour.

34304. How do you propose to arrange it so that the water must flow off?—A drainage committee was formed of the people in the district composed of all the farms affected by these streams, and they all severally undertook to carry out the drainage of the river as it passed by their own lands.

34305. Were they going to widen the banks?—To sink the river and widen the banks so as to carry it out to the satisfaction of the Congested Districts Board engineers.

34306. And to deepen the river?—Yes.

34307. You were satisfied that it was a work that the people could do themselves as far as labour was concerned?—Yes, assisted by the Congested Districts Board grant.

34308. Most Rev. Dr. O'DONNELL.—Would it be necessary to have engineers?—No. It is a very plain thing.

34309. And does not require exceptional direction?—No.

34310. Was there any big obstruction like a rock to blast away?—Yes.

34311. I suppose that the people would know how to do the blasting?—That was understood in the work and so much money allowed.

34312. CHAIRMAN.—Where was it thought that the consequential damages would occur?—I think that is a form by which the Congested Districts Board carries out its work. They ask for this guarantee.

34313. Had they no particular lands in their minds which they thought might be more flooded than before owing to the increased amount of water turned down on them?—As far as I understand it is the general rule to put such words in the form of the Board, but they had no particular lands in their minds.

34314. Most Rev. Dr. O'DONNELL.—Persons lower down might object on that ground?—No; because it empties at once into that stream that is looked after by the drainage board of the county.

34315. CHAIRMAN.—Suppose this was done, have you ever considered if any steps should be taken to see that that work is maintained after it is done. Suppose that the river was to silt up again, or suppose obstructions were to occur again which resulted in a partial return of the flooding, what steps would you propose to take?—I think our local committee would look to it, as they had done so much in expending their own voluntary labour on it and they would benefit so much.

34316. How do you propose to set about that?—It having been done in the first instance, I suppose the following year the same committee would remain standing as a parish committee to look after it from time to time.

34317. It might occasionally want a little money spent on it to keep it in repair?—It might.

34318. How do you propose to do that?—I think once it got into good working order it would be in the interests of the people to do it themselves.

34319 The interests of each tenant?—Yes.

34320. Suppose you had a stupid tenant, not sufficiently enlightened to take that point of view, who neglected his portion, what steps are you going to take to bring him to his senses?—We should have no legal powers, only voluntary effort.

34321. Does not it amount to this, that if drainage is to be done at all it should be done under some arrangement by which there should be a body who could see to the maintenance of the drainage, if it was done?—Yes, but I suppose you are referring to larger schemes than this partial work in my parish.

* See page 270 *et seq.*

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34322. If you had a body on which you could put all drainage, large or small, would not you be disposed to think that all men who were too lazy to keep their portion of the drainage in working order and might thus wreck the future of your scheme by their laziness or foolishness should be in some way coerced to do their duty?—Yes.

34323. May I ask you whether the proposed arrangement with the Congested Districts Board would have been a satisfactory one if carried out?—Yes.

34324. But was the drainage board into whose jurisdiction this extra flow of water was to come, a party to this agreement at all?—They were not parties to the agreement.

34325. Do you know if they were approached as to whether they would raise any objection?—I am not aware.

34326. Most Rev. Dr. O'Donnell.—They are only a maintenance body?—They are only a maintenance body.

34327. Sir John Colomb.—You have no reason to believe that they raised any objection?—No.

34328. The whole thing fell through owing to one landlord in the district objecting to give his consent?—Certainly.

34329. Chairman.—Would you go on to the point?—The next point is roads. I suppose it is the usual statement. There is a great want of accommodation for the people in the district. They live off the main roads in long lanes. In the old times these were what were called the main roads of the country. There were no grants in the district I live in in the past. Under the Grand Juries the public roads were only made with a view of going from town to town. The people living shut in in fields away from these main roads have great difficulty in bringing their produce to market.

34330. Sir John Colomb.—You think the Congested Districts Board should improve all the main roads?—No; but they might act in a more liberal spirit than they have done in the way of making grants to these people to improve their passes. One-sixth of the cost is a very small grant to encourage them to do the work.

34331. Mr. Sutherland.—Are you speaking of the parish scheme?—Yes. I am confining myself to local wants.

34332. Most Rev. Dr. O'Donnell.—Have your parish committee got six times the amount of work done that the grants would represent?—Wherever they have undertaken work they have done that.

34333. Chairman.—Your view is that these people should contribute something towards the cost of these works?—Yes. They actually do under the system of the parish committees. They are allowed a certain proportion of the work they undertake, sometimes one-fifth and sometimes one-sixth, but what I complain of is that that is not sufficient encouragement to them to improve their places.

34334. Most Rev. Dr. O'Donnell.—If you had larger grants you could get much useful work done?—Yes; most useful work.

34335. Chairman.—Is the contribution raised by the parish committee actual money?—Not money, but labour.

34336. Do you say that where these works are done the contribution of the locality should be in the form of labour, or do you say it should be a contribution, however small, of money?—I don't think the people would contribute money. They have also to maintain the public roads.

34337. Most Rev. Dr. O'Donnell.—These would not be county roads?—They would not. They would be roads to houses.

34338. On which a cart might go?—Yes.

34339. At the present moment it is very difficult to use a cart?—Yes.

34340. Chairman.—Are these roads not under the District Council?—No; because they enter into the farmers' places a distance into the fields. They are what are called passes.

34341. The District Council has a certain amount of road work under its control?—Yes.

34342. Where does that cease?—They cannot give any assistance to make these by-roads or passes.

34343. The District Council have certain duties with regard to making roads?—Yes, but they cannot legally interfere to make these passes to the houses, since they have not any end; they do not go to any place beyond the dwellings of the farmers inside. Sometimes on one of these passes or sideways there are 100 farmers, and sometimes there are 20.

34344. That is a blind road generally leading up to houses; but take the question of small roads running from one main road to another, the object of which is to open up some holdings and give access to a certain amount of land: is it nominally the duty of the District Council to make a road of that kind?—Yes, that is their duty; that is looking after county work.

34345. That would be considered a county road?—Yes.

34346. In that case they would make the road and levy a rate upon the district to do it?—Yes.

34347. These roads which you have in your mind are roads which are of considerable benefit to individuals but which could not be charged for by a district rate?—Yes.

34348. Sir John Colomb.—They are not presented for?—They are not presented for.

34349. Most Rev. Dr. O'Donnell.—You don't think a better way can be devised than to get them done through the labour of the people with little grants to help the construction of the roads?—No, I do not; because the people complain of any further rates being placed upon them.

34350. Sir John Colomb.—You mentioned one district where there were 100 holdings situated on the road?—Yes.

34351. What is the length of the road that is needed?—I could not say the length of the road.

34352. Could you give it approximately, because 100 men each giving two or three days' work could do an immensity if they combined, and therefore if you could give me some notion approximately of the length of the road required where these 100 men will benefit I would be very glad, and I think the Commission would be glad to have it?—An example of bad road accommodation has been brought under my notice by the Parish Priest of Cloone with a view to placing it before this Commission. This road leads from Cloone to Carrigallen, with a branch from Dromlohan National school to Gubb's cross-roads. It has three very steep hills, probably a gradient of one in five, and is more than a mile long. Over 100 families live along it. They have the greatest difficulty in getting to the main road. Half loads only can be carried.

34353. Chairman.—That is not a blind road?—Yes, but it is not kept or maintained.

34354. Why is not that road maintained: I am only asking for information: is it not nominally the duty of the District Council to maintain that road?—If it attended to all these roads the rates would go up. The District Council only selects certain roads from time to time to repair. Very likely they repair a road like that once in five years.

34355. Sir John Colomb.—That road is presented for?—Sometimes.

34356. There is a special presentment to do a certain job or repairs, and then it is dropped again?—Yes.

34357. Chairman.—This is nominally a county road and the only thing that prevents the county authority from setting it right is the fact that if they spend money upon it the rates would be raised to a point that would press very hard upon the people?—Yes.

34358. Suppose that the Congested Districts Board were willing to make a contribution for the maintenance or improvement of such a road in your opinion which would be the better way of doing it for them: to make a grant in aid to the recognised authority that had been created by statute to maintain these roads or to make it to a body like the Parish Committee, a body of private individuals in the district?—Far better to the county body.

34359. You think the best plan would be to make it to the county authority?—Yes; if the Congested Districts Board gave a contribution that would be far the better way.

34360. Because otherwise you will divide responsibility?—Yes.

34361. Most Rev. Dr. O'Donnell.—That road is on quite a different footing from roads up to private houses?—Quite so.

Most Rev. Dr. O'Donnell.—The Clerk has been good enough to say to me that the particular road is not on the county. If it is not on the county the Congested Districts Board is perfectly free to aid.

Mr. Sutherland.—Then what would happen after the road was put into repair.

Most Rev. Dr. O'Donnell.—It ought not to be put

into repair, I would say, except the county took over the road for maintenance.

34362. CHAIRMAN.—Can you make a county road and then say, "We will have nothing more to say to it"?—They might postpone a road for four or five years and then give a contract for a year.

34363. Most Rev. Dr. O'DONNELL.—Sir John Colomb asked you to give an instance not of that class of road but of another class which would simply accommodate a number of families?—Yes. I know such a one about a mile in extent. Along the sides of that there are about thirty families. That is a blind road. These families are spread along the sides of that lane. There is no person to make it.

34364. Sir JOHN COLOMB.—Is there a road there at all?—What you would call a kind of road, a pass.

34365. You could get a cart along it?—Yes.

34366. Has this road gone out of repair?—It was never made by the county.

34367. What is wanted is that that road should be put into repair by the Congested Districts Board or whatever Board it is?—Yes.

34368. Most Rev. Dr. O'DONNELL.—Does it deserve the name of a road as it stands?—It is so, but I would not call it a public road in the sense of being sixteen or twelve feet wide. It is about eight feet wide.

34369. It would be a road over which a vehicle could struggle but not a road over which a horse could carry a fair load?—No.

34370. Mr. SUTHERLAND.—It is one of these minor improvements that you think the Parish Committee are adapted to deal with?—Yes.

34371. What would the cost of one of these be—a shilling a yard or two shillings a yard?—That would meet it certainly.

34372. If you got half of that from the Congested Districts Board would the Parish Committee see that these places would be put into proper repair?—Yes, and that is a work that the Parish Committee could carry out.

34373. Could you maintain these afterwards—you could not expect to go back to the Congested Districts Board again?—I would hope and suggest that the farmers who are accommodated would take an interest in it and keep up the improvements so that things would not go back to their old condition.

34374. Perhaps no money resources would be required for maintenance, and in that case could the people be got to give their own labour for maintenance?—Yes. In reference to Parish Committees I consider that the proportion granted in many districts is not able to meet the necessities of the case. I think one-third or one-half should be allowed in certain districts. There is sometimes a great difficulty in getting materials. They have to go long distances.

34375. CHAIRMAN.—What are you referring to now?—With regard to making out-offices and all those small buildings, adding rooms to the house and various things of that kind, materials are very hard to be got sometimes in certain districts. That is the case where I live. The proportion in general is not sufficient to encourage the people to improve their situation.

34376. Most Rev. Dr. O'DONNELL.—Where there are costly materials, such as windows, slates, and so forth, a bigger proportion would be necessary?—Yes, but they only allow one-fifth in the case of such works according to the rules.

34377. Sir JOHN COLOMB.—In practice do you find you can get four-fifths of the work done?—Yes, but these Parish Committees would be still more beneficial if they got greater help to carry out these works. I also suggest that the maximum valuation should be increased from £7 to £10, because most of the farmers require this help as well as those under £7.

34378. CHAIRMAN.—You wish to refer to technical education?—Yes. The question of domestic economy should get more attention. I do not think there is much use in lectures. I would prefer that instructors should enter the dwellings of the farmers and show them how things should be done.

34379. That is a matter more for the new department than for us?—Yes, but I thought you were looking after the improvement of the district.

34380. Most Rev. Dr. O'DONNELL.—The Congested Districts Board does supply instructors in domestic science. Therefore any application in that line would be quite within the province of the Board to accede to?—Without finding fault with the system of the Department, of instructors giving instruction in classes, I would prefer to see them going into the houses of the farmers showing how meals should be prepared, how to clean up the house, and how all the ordinary duties of home life can be carried out to the greatest advantage.

34381. CHAIRMAN.—If you adopt that method that is suggested of placing districts in charge of technical instructors of this sort would not you have to increase your staff and duplicate your instructors perhaps; that might be a better process but it would be a more lengthy one?—It would be more satisfactory in the end.

34382. You could not expect the instructress to cover such a big area?—She could choose certain houses about five or six at a time.

34383. Sir JOHN COLOMB.—To take one house with ordinary appliances where all would come to be shown how to cook a dinner?—Something like that.

34384. CHAIRMAN.—And invite other people to come into the house and see it?—Yes, the surrounding families, not from a distance.

34385. Sir JOHN COLOMB.—Lectures that are given are rather over the heads of the people. It is a great deal more practical to go into their houses under ordinary conditions and get five or six people to come in and show them how to do it?—Yes. Those public lectures are of very little use to them. They are very good in theory, but they don't use them in their own houses.

34386. CHAIRMAN.—Then as to emigration?—There is a great deal of emigration from my part of the country.

34387. Sir JOHN COLOMB.—Of the young and the strong?—Yes.

34388. Leaving behind the old and infirm, the less enterprising and the weakly?—Yes, and farmers complain of the want of persons to help them in their labour, and the consequence is that tillage is going down. They are only cultivating sufficient to satisfy the wants of the house.

34389. That is adverse to the agricultural interests of the people themselves and of the district?—Yes. This is also affecting the attendance at the schools, because when the grown up boys and girls go away the school children are pressed into the service, and there is no attendance in the schools practically for six months in the year from the spring until the harvest. In this respect County Leitrim is ranked one of the lowest counties in Ireland.

34390. CHAIRMAN.—Child labour is wanted to take the place of the older labour?—Yes, of the older labour gone to America and other countries. I also wish to advocate the extension of the congested area.

34391. Most Rev. Dr. O'DONNELL.—There are some places not scheduled which are as poor as the congested area?—Fully as poor, and often worse.

34392. Mr. SUTHERLAND.—Have you any general suggestion to make on that point?—I think that the whole County Leitrim should be scheduled.

34393. Other counties will ask why Leitrim if not they?—If they have a claim as good as Leitrim I do not see why they should be excluded.

34394. You would give power to whom to do that?—I don't know who has the power now, but I know the Lord Lieutenant created one in my parish in former times.

Sir JOHN COLOMB.—That was within twelve months of the passing of the Act.

34396. Mr. SUTHERLAND.—Would you propose to give power to the Lord Lieutenant to deal at any time with any place that the Congested Districts Board would recommend to him?—Certainly.

34397. CHAIRMAN.—You would like to see the whole county scheduled?—Yes.

34398. You think on the whole that that would be the most satisfactory plan?—Yes; the wants of Leitrim and the difficulties are the same in most cases, and it appears quite strange how some places are chosen and others left out.

34399. If the whole county were scheduled you would not go so far as to say that every parish should be entitled to a parish committee?—I think that is the idea of the Congested Districts Board.

34400. To have a parish committee in every single parish?—Yes.

34401. I suppose there are places in Leitrim which are comparatively prosperous which if they happened to be in Westmeath or Kildare, you would not suggest

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for a moment should be scheduled?—I am only speaking of the County Leitrim.

34402. I suppose that there are parts of the County Leitrim in which the valuation is far higher than the thirty shillings limit?—Yes. There are some parts more prosperous, but I think all the districts are such that they are poor enough to be placed under the Congested Districts Board.

34403. There are districts in it and considerable districts that require remedial treatment?—Yes.

34404. CHAIRMAN.—Are there no bright spots in the county too?—Yes. They are small in area.

34405. There are one or two portions where the people are fairly well to do?—I do not know the County Leitrim all in detail, but as far as I know it I think there are none of those.

34406. Suppose there was such a parish in the County Leitrim and you schedule the whole county you would not suggest that in that sort of parish, there should be a parish committee?—No, I would leave that to the Congested Districts Board in Dublin to determine.

34407. You would leave absolute discretion to the Congested Districts Board as to where they would establish a parish committee?—Yes.

34408. You would not say that because a parish was scheduled it necessarily became entitled to a parish committee?—No, I would not say that.

34409. Most Rev. Dr. O'DONNELL.—Anything about industries?—There are no industries in my part of the country. I do not think they can be carried out, but some means should be given to the farmers to improve their houses. The labourers now are getting very fine houses, very healthy places to live in, which will be a great benefit, but no opportunity has been given for improving the farmers' houses as to which there is great room for improvement.

34410. CHAIRMAN.—They can get a loan from the Board of Works?—Yes, but there is a great difficulty in getting loans. A tenant may have bought out his place and he will get a loan from the Board of Works at 5 per cent., but if the tenant has not bought out his place the loan is limited to three times the valuation, so that a small farmer with only £5 valuation can only borrow £15.

34411. Sir JOHN COLOMB.—£5 valuation would come under the Parish Committee?—Yes, but I mention this as an instance of the small sum of money that can be obtained by borrowing.

34412. CHAIRMAN.—If the district is scheduled can he get a loan from the Congested Districts Board?—He never can get more of a grant from the Board than £5 no matter what work he undertakes. The Board lends none.

Mr. JAMES TRAVERS examined.

Mr. James Travers.

34413. CHAIRMAN.—You live at Drumkileen, Gorvagh, and are a District Councillor?—Yes.

34414. Are you a farmer?—Yes.

34415. What is the size of your farm?—Twenty-eight statute acres, valuation £12.

34416. How do you work that?—I work that with what we call the heavy loy, hand labour.

34417. How many acres do you till with the heavy loy?—From two to two and a half.

34418. What do you do with the rest?—Grass and hay.

34419. Have you got your own cattle?—No. I keep milking cows. As regards Sir Morgan Crofton's Estate, this property was purchased in 1901 at eighteen years' purchase by clear tenants, and nineteen years by those who were in arrears. There are forty-nine uneconomic holdings on the property consisting of from four to eight Irish acres of poor wet land, all drowned for want of draining the Elsin River and its back drains that are running through this property. There is also a road badly wanted through the Aughaumcarne bog. I want to state with regard to the purchase of this property that the turbary was at 10*s.* a year that they got fixed as a rent and afterwards they have to pay that for seventy-one years, and when they are going to break their cutaway they have to go and buy that also, and there is an addition of 10*s.* on that; so that is two buyings on both the turbary and cutaway on that property.

34420. Sir JOHN COLOMB.—Are you a tenant purchaser yourself?—I am a tenant purchaser.

34421. Is this your own experience?—Yes; what I am watching every day of the year. I bought the turbary for 10*s.* a year.

34422. Most Rev. Dr. O'DONNELL.—Addition on the rent?—Yes.

34423. Sir JOHN COLOMB.—Had you been into court?—Yes.

34424. Were you a first term tenant?—Yes.

34425. In the decree of the court were you allowed turbary?—Yes.

34426. It was part of your holding—it was included in your statutory lease?—Not so; I had to pay 10*s.* outside of that. The 10*s.* was always separate from the rent.

34427. CHAIRMAN.—Then you had not got turbary with your judicial holding?—No.

34428. You had your judicial rent on your holding, and in addition you had to pay 10*s.* a year for turbary?—Yes.

34429. Sir JOHN COLOMB.—Was the turbary on the same property as the property on which you were tenant?—Yes.

34430. CHAIRMAN.—When the estate was sold what happened?—At the time of the sale we had to pay £9 10*s.* purchase for the right of turbary; then if we happen to break it we have to pay at the rate of 10*s.* a year for the cutaway, a rood.

34431. Most Rev. Dr. O'DONNELL.—£9 10*s.* you paid for the turbary?—Yes.

34432. Did you pay in cash, or was it added to the annuity?—It was added to the annuity.

34433. That would be nineteen years' purchase of 10*s.*?—Yes.

34434. Then you have paid nineteen years' purchase of the little plot?—Yes.

34435. How much turbary have you bought?—About a half acre.

34436. For that you paid 10*s.*?—Yes. I paid it to the landlord, and it was added to the purchase.

34437. CHAIRMAN.—Now you say if you break it you have to pay for it?—Yes.

34438. Then you pay 10*s.*?—Yes.

34439. To whom would you pay it?—It has to be purchased like the rest of the farm.

34440. Mr. SUTHERLAND.—You are proprietor of it yourself?—Yes.

34441. They cannot then force you to pay more than you have agreed?—They are doing so.

34442. The Land Commission?—Yes. It is added if you want to get cutaway to till.

34443. Sir JOHN COLOMB.—Do you mean this, that if you break up and cultivate the turbary for which you paid rent you have to go elsewhere to get turf?—No. There are lots of turbary on the property. I have to go to some other bog on the property.

34444. You bought with your property a turf bog?—Yes.

34445. You were cutting turf there then?—Yes.

34446. Have you tilled that land since?—I have not tilled it myself, but I have seen my neighbour who has done so.

34447. He had to go look for another piece of bog instead of what he was tilling?—He has it. He cut out this end that he was in possession of, and what he has cut out he has tilled, and he had to sign a fresh agreement for this piece.

34448. Most Rev. Dr. O'DONNELL.—Is his piece of turbary as big as yours, or about the same size?—About the same size.

34449. What I understand Sir John wanted to get from you is this. Is he going to get turf on that spot, or is there provision to give him turf elsewhere?—That is a question I am not able to answer.

34450. CHAIRMAN.—Don't you think the 10*s.* he has to pay now is because he has to go to some other bog?—No. I have known some tenants who went to another bog and they paid no 10*s.*

34451. Tenants on the same property?—Yes.

34452-3. Sir JOHN COLOMB.—Did this man tell you this happened?—Yes.

Mr. Stewart.—It is the case which I brought under your notice. We sold the right of turbary, and we have to find a tenant turbary occasionally when he has cut away the portion where he was getting his turf. We did not sell the turf bank, but the right

of turbary, and when it is cut out in one place we must provide for him somewhere else.

34454. CHAIRMAN.—The right of turbary was over a certain area, and as long as that lasted you gave him turbary there?

Mr. Stewart.—Yes.

34455. CHAIRMAN.—When he cut that out would the holding relapse to the landlord?

Mr. Stewart.—Yes; and his friend, I am sure, came to me as happened in two or three cases, and asked me would I give him the bog garden, this piece of cutaway bog, to cultivate, and then I gave it to him probably for 10*s.*

34456. Mr. SUTHERLAND.—Did this happen subsequently to the sale?—(*Witness*).—Since the sale. There is abundance of turbary, if fairly divided. Some of the tenants got a small quantity and others got a large quantity.

34457. CHAIRMAN.—As I understand, the tenants did not buy the bog. They only bought the right of cutting turf?—I understood we bought the turf banks. With regard to the drainage, it is a thing that is very much needed on part of the property. A great many of the small farmers suffer great loss by the want of drainage of the Eslin River. It is a large river. There is portion of the river cleared up. We have to pay so much for it to the Drainage Board. I have known some parties paying 18*s.* a year towards the drainage and it not the principal river that was drained, but only a branch.

34458. Most Rev. Dr. O'DONNELL.—Was the drainage a success?—I could not say. It did not come within our reach. It was on another property.

34459. You had to pay for it?—Very much. There was a property that was bought out down near Carrick-on-Shannon. There was £100 expended on a branch of the Eslin River and the tenants on that part of Sir Morgan Crofton's property had to pay their part of the money as some of their land lay along the river. Now, I will refer to Lord Massey's estate. Negotiations have been completed on this property, but the Land Commission has not advanced the money to the vendor yet. The tenants have given twenty-one and a half to twenty-four and a half years' purchase for hilly and mountain land, while the low lands have been flooded every harvest for want of keeping a branch of the Eslin properly drained. The bogs also are very much in need of draining, and of roads through them. There are thirty-five uneconomic holdings on this property consisting of from four to nine acres. If it were not for their earnings in the English harvest fields and remittances of money sent from their relatives and friends in America, the tenants would have to sell out their small farms and go to foreign countries. The tenants on this property have given from three and a half to five and a half years' purchase more for worse land than tenants on neighbouring estates have given. Peyton's property—This estate has not yet been purchased. There are five uneconomic holdings on it in my district consisting of from five to eight Irish acres. It requires draining very much. Next is Mr. Ruthven's property. This property is situated in the Glebe of Mohill; it is not purchased yet. There are forty-three uneconomic holdings on this property of wet marshy land which is impossible to make a living on. Only for Scotch and English earning and remittances from their people in America they would never be able to meet their high rents. Drainage is much required in these parts, and a new road is much needed. There are twenty of those families in a destitute way for the want of this road. It is impossible for them to get the produce of their farms to the market for sale. King's property.—This property is not purchased yet. It needs draining very much, as the boggy land gets greatly flooded by the Blackwater and Eslin Rivers. This Blackwater River is not on the sheets for drainage, and it is a branch of the Eslin. There are only three uneconomic holdings on this property in my district. Colonel Clement's property.—This property is not sold yet. There are seven uneconomic holdings on it of poor, bad land. Parts of it are greatly flooded by a branch of the Eslin River. Dr. Crofton's property.—This property is not sold yet. It consists of only one townland. There are three uneconomic holdings on it composed of from five to eight Irish acres of the worst sort of land. The low lands are continually flooded by a branch of the Eslin River. Compulsory purchase must be provided before the problem of congestion in Connaught is solved. I don't know of any industries that would benefit the people living in small farms except a woollen factory, or lacemaking and manual instruction.

34460. Sir JOHN COLOMB.—When you say compulsory purchase, do you mean compulsory purchase for the landlord and compulsory rent on the tenant?—I would not say compulsory rent on the tenant.

34461. Who is to fix the rent on the tenant when the Estates Commissioners buy the property compulsorily?—I would think that a Commission should be appointed to do so, an honest Commission.

34462. Then suppose that a tenant thinks the Commission fixes too much, is he to be forced to pay what he thinks too much?—He would be a great fool to pay too much. It would be better to emigrate any time.

34463. I want to get at what you mean by compulsory purchase—you mean some authority taking the land from the owner?—Yes, at a fair rent.

34464. Who is to say what a just rent is—is it the body who is going to buy—is it the Estates Commissioners who are to say that it is a fair rent—is that what you mean?—Yes.

34465. If the tenant thinks what the Estates Commissioners say he is to pay is too much, are they to be able to compel him to pay what he thinks too much?—Any Estates Commissioners who would come and travel those lands would not leave too much rent on them, they are so bad.

34466. Is this your meaning, that the Estates Commissioners are to fix the price on the owner, and the tenant is to fix his own rent or annuity?—The Estates Commissioners to fix what they would think a fair purchase price for both landlord and tenant, and I am sure that no Commissioner of any conscience will fix an exorbitant rent on the lands of Leitrim.

34467. Not exorbitant, but the tenant might think it too high; what should be done then?—I could not say. It would take a more intelligent man than I to answer that question.

34468. Mr. SUTHERLAND.—When a fair rent is fixed at present is the tenant asked whether he considers it a fair rent or not?—I could not say.

34469. Did you ever pay a judicial rent?—Yes.

34470. Were you ever asked whether it was a fair rent or not?—I was not; but whether I was or was not, I had to abide by it.

Mr. FARRELL REYNOLDS examined.

34471. CHAIRMAN.—You come from Corrigeen, Mohill, and are deputed by the Cavan (Mohill) branch of the United Irish League to give evidence before us?—Yes. This branch represents the two electoral divisions of Bunnybeg and Drumdoo. I have made out the number of holdings in each of these divisions not exceeding £4 valuation, between £4 and £8, between £8 and £12, and over £12. The area of Bunnybeg is 3,235 acres and the valuation £1,460. It contains fifty-eight holdings not exceeding £4, 61 between £4 and £8, 12 between £8 and £12, and 30 over £12. Drumdoo electoral division contains 3,841 acres with a valuation of £1,869. It contains 60 of the first, 79 of the second, 55 of the third, and 33 of the fourth class of holdings. There are no farms in the district let as grazing ranches or farms that could be subdivided for the purpose of increasing the small holdings; the only way in which relief can reach the people would be if the divisions were scheduled as a congested area, relief-in-aid might find its way into the district, whereby small farmers would get an opportunity of making improvements on their dwelling-houses, offices, and streets, and in the removal of manure heaps away from the houses. The cleaning and deepening of the rivers of the district under careful supervision is required, inasmuch as this district suffers from periodical flooding of the tributaries of the Shannon owing to their present neglected state. These tributaries at present cannot empty themselves into the Shannon. To my mind the weir walls of the Shannon at Rooskey and other places would want to be lowered a foot. That would drain thousands of acres.

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Mr. Farrell Reynolds.

34472. Most Rev. Dr. O'Donnell.—One would have to begin with the Shannon?—Yes, begin with the Shannon to drain the district perfectly. The Eslin River empties itself into the Shannon. There was a weir wall on the Eslin River at Killimaun there some time ago to keep back the water and 300 or 400 acres of land were subject to flooding and converted into a lake for the greater part of the year. The people got desperate and levelled the weir wall, but for a length of time the wall was there causing these extensive floods. The County Leitrim is intersected with rivers and the flooding is very injurious. The drainage carried out heretofore was not under careful supervision. Portion of the banks of the rivers slipped away and remained stagnant in the bottom of the rivers. The rivers became shallow and the flooding increased to the detriment of the district. I am very sure if the rivers were cleaned the people would clean the drains through their farms. When I cleaned a drain where I live myself the lough flooded it, and it is worse than before. The repairing of by-roads and passes cannot be touched on by the District Council owing to the continuous high rate in the Mohill Rural District. If these divisions were scheduled as congested the probability is that subsidiary relief would find its way to the congested parts and be administered by the Parish Committees, in this way immense good would result, as it is not altogether from the amount of money received, but from the inducement held out by encouragement in the way of assisting in the establishment of cleanliness and health. Certainly for the amount of money they have got they have done well. Much still needs to be done, and the people are prepared to give every assistance, but if they get little help at all it would induce them to go at it more greedily. On the Simpson estate portion was sold before the passing of the Land Act of 1903 at fifteen years' purchase and some at seventeen years', while another portion was sold under the Act of 1903 at twenty-three years' purchase. I understand the Commissioners came out to visit the tenants who did not agree to the first purchase and told them that by getting lower interest they would only have the same instalment to pay as the other tenants who purchased at seventeen years' purchase. I would not think that fair, that the landlord would gain four years' rent by it.

34473. Sir John Colomb.—What are the rates; what is the name of the electoral division?—I represent the Drumdoo electoral division on the District Council, but as a general rule the rates in the whole rural district on houses and other hereditaments this year are six shillings in the pound; there is a shilling for the railway and a shilling for the asylum.

34474. The poor rate in that division in 1881 was 1*s.* 11*d.*, and is now only 1*s.* 1*d.*?—Yes. It is the district rates that are going up.

34475. Your district rate has gone up since the County Councils were established?—Yes. Seven years ago it was 4½*d.* and now it is 1*s.* 3*d.* Other estates sold under the Ashbourne Acts, such as Lord Granard's, the Crofton estate, &c., &c., were sold at from 16 to 18 years' purchase before the Act of 1903, although the land was of a better quality than those for which landlords are now demanding from 24½ to 27 years' purchase. Tenants loaded with arrears of rent will naturally accept any reduction in settlement of their position sooner than be pressed for payment and in order to evade eviction. Such tenants urge their neighbours to agree to buy at up to 26 years' purchase in the event of the current year's rent being abated, saying "God knows who will pay the last instalment," thus verifying the old adage—"A drowning man grasps at a straw." On the estate of Major Lawder the tenants bought direct from the landlord, with the result that a great portion of the purchasers have subsequently instructed a solicitor to petition the Estates Commissioners to exonerate them from the liability thus incurred, on the grounds that they first refused to sign on the offer given, but as they indulged too freely in intoxicating drink supplied by the landlord's herd for the purposes, they were then induced to go back and sign an agreement they did not understand or were not in a condition to understand. Mr. Lawder holds about seventy Irish acres of the best land, which before the famine of 1848 was a little village. If that portion could be acquired by some power and distributed among the tenants living on the uneconomic holdings around it it would settle the grievances which prevail there. On the Madden, Brady, and Moore estates, the tenants who bought direct from the landlord are daily complaining of the terms, 24½ years' purchase. Were it not for the money coming from America and elsewhere in the last 12 or 15 years the rents could not be paid. It is well known that tenant farmers borrow the money to send their oldest boy or girl to America in order that they would bring out the other members of the family, as well as send assistance home to pay the rent and keep their parents living, and shopkeepers give credit to small farmers pending the receipt of American remittances. Over 50 per cent. of the farmers around here depend more on their exiled children's exertions than on the produce of their farms. What is said to be a very rich iron mine lies in the parish of Annaduff (convenient to Mohill), and through which the Midland Great Western Railway runs. If opened it would give employment to many hundred persons. If proper drainage was carried out a great many swamps could be made into land fit for tillage.

34476. Chairman.—How many tenants indulged in this luncheon?—Nearly every tenant who went there to sign agreements, except those who were teetotallers.

34477. How many?—I could not tell you, not being on the estate.

34478. Were there 100 of them?—In all there would be.

34479. And 100 got really into the condition that they did not know what they were signing?—Another inducement sprung was in reference to a patch of bog lying on a few townlands, and some of the tenants were afraid that this bog might be got by tenants further away, and the desire to get this patch of bog was one of the reasons they signed.

34480. Did they persuade their neighbours to come and sign too?—Yes.

34481. So it was not entirely the result of the whiskey?—The whiskey had a good deal to say to it, because it softened the brain of men who thought the terms too high.

34482. It made them more liable to be persuaded by their friends?—Yes.

34483. Sir John Colomb.—This was on the day the agreements were signed?—The tenants of the two townlands were invited in one day and were told he was not inclined to sell those, that he wanted to keep that bog reserved for himself.

34484. And the tenants went there to sign agreements on terms agreed to before?—They never heard the terms until they were to the landlord's residence.

34485. Was there no discussion about buying before the tenants were asked to sign at a rate they never mentioned before?—Yes. The sale was taken out of the hands of the agent. Captain Darley, who had the estate before, had nothing to do with the sale. It was given to a man named French.

34486. You say that for the last 12 or 15 years the rent has been paid by money coming from America?—Ninety per cent. of the rents.

34487. Twenty or thirty years ago rents were very much higher than now?—I believe they were.

34488. If money was not coming from America in those days to the same extent how did they pay the rents?—Butter was going then at from a shilling to fifteen pence, and is now from sixpence to eightpence; a cow worth then from £8 to £10 is now not worth more than £4 to the farmer.

34489. You think that prices have fallen?—The prices of farm produce have fallen.

34490. That is your position; the people twenty or thirty years ago paid their rents without the help from America that they get now?—More so.

34491. And the way you account for it is that the prices of farm produce have fallen?—Yes, the store cattle. Out where I live there is a mixed class of farming carried on. There is some agriculture and some dairying.

34492. Most Rev. Dr. O'Donnell.—Do the emigrants who go to America return in large numbers?—Yes, after some time. It is they who send up the price of land in this country. I don't know any practical farmer to buy land with the money he made on land. All the land purchased round me for the last ten or twelve years that I can remember was purchased by shopkeepers' money or American money. No farmer ever buys land in this country except he has got the price from America from some son who intends to come home or who was home.

34493. Chairman.—Do you say nobody bought a farm except with American money?—No farmer bought it with capital realised off his farm.

34494. You don't mean the ordinary tenant purchaser?—I am speaking of a farm put up for sale by auction—that is not the fee-simple interest.

34495. Sir JOHN COLOMB.—Why should a man buy this very bad thing—if a farm is such a very bad thing that it can only be paid for by American money, how is it that any man wants to buy a farm at all?—Because the tendency of the Irishman is he becomes home-sick, and he wants to have a place when he comes home.

34496. All the farms are being bought by returned Americans?—The most of them.

34497. With capital?—With American earnings. There is a disused gaol in Carrick-on-Shannon. It would be a great benefit to the people for miles around if some kind of industry such as a bacon-curing industry or a bacon factory were started there. Nothing to my mind would benefit the locality for a radius of nine or ten miles more than a bacon factory which would give the people the first price of their pigs. It is a good pig raising district.

34498. Mr. SUTHERLAND.—Has the gaol industry failed?—Yes; they did not get enough of lodgers. Sligo is fit to contain all the lodgers from the County Leitrim.

34499. You would not propose to start a bacon-curing industry unless it would pay very well?—I believe it would pay.

34500. Why don't people put their money into a bacon-curing industry if it would pay?—They are not enterprising enough in this country, and it may be for lack of capital.

34501. Most Rev. Dr. O'DONNELL.—I suppose it would take a considerable amount of capital?—I don't know what it would take. *Apr. 26, 1907.* Mr. Farrell Reynolds.

34502. Sir JOHN COLOMB.—Why don't these Americans who come home put their money into things like that?—They may not be enterprising enough, or they may not have a great lot. It would take a company to do it. A man makes £300 or £400 in America. He may give that for a small patch of land to live on. He is absolutely fit for nothing except to live until he dies. I never saw one of them fit for a spit in agriculture. They have exhausted their energies in America earning this money. I never saw any of them that did anything except eat, and live and die. I have known several men who went to America and came home, and when their children get up, as soon as they get from boyhood at all, they send them away to America to do as they did themselves.

34503. Most Rev. Dr. O'DONNELL.—Did it occur to anyone in public authority to send an expert to report on the possibility of that bacon-curing establishment?—No. As far as that is concerned, I find fault with the lethargic spirit of the County Council.

34504. Mr. SUTHERLAND.—You have never represented to the Congested Districts Board that the prison at Carrick was at their disposal?—The district is not scheduled. I strongly recommend that the entire union of Mohill should be scheduled.

34505. Most Rev. Dr. O'DONNELL.—You think that in all the electoral divisions there are poor areas?—Yes.

Mr. WILLIAM KELLEHER examined.

34506. CHAIRMAN.—You are a farmer, and reside at Garvagh, Drumlowan, Gorvagh, Mohill?—Yes. Mr. William Kelleher.

34507. You have sent in a precis in which you refer to the Ruthven Estate, of which we have already heard. Is there anything additional that you wish to tell us about it?—No more than was said by a former witness.

34508. What about Mr. King's property?—It is in a bad state for drainage.

34509. And Colonel Clement's property?—There is also a portion of that which needs drainage very much.

34510. Is the damage there caused by the same river?—Yes.

34511. You say that some of Dr. Crofton's property also requires draining very much?—Yes.

34512. You think compulsory purchase is needed to solve the problem of congestion in Connaught, and you don't know of any industries that would benefit the people living on small farms except a woollen factory or lacemaking and manual instruction.

34513. I suppose it would satisfy you if the Congested Districts Board sent down an expert to see what could be done?—It would.

Rev. J. G. DIGGES examined.

34514. CHAIRMAN.—You are rector here?—No, I am private chaplain to Mr. Henry Clements. I have resided in this district for the past twenty-four years. In my opinion, the congested districts suffered through the transfer of agricultural functions from the Congested Districts Board to the Department of Agriculture. In the promotion of industries and the organisation of agriculture, there is a great deal to be done which the Congested Districts Board began, and was eminently fitted to carry on, and which the Department, with the best intentions, cannot do. The Department's methods are of cast-iron. Their policy is controlled by the Council of Agriculture. The Council of Agriculture consists of 104 members, of whom the County Councils appoint sixty-eight, and thirty-four are nominated by the Department. The County Councils, which appoint two-thirds of the members of the Council of Agriculture, are dominated by shopkeepers, chiefly by publicans. The interests of these are frequently in conflict with the interests of the agricultural population. It is this conflict of interests which gave rise to the attempt on the part of the County Councils to terminate the association of the Department with the Irish Agricultural Organisation Society, the shopkeepers on the Councils objecting to any organisation of the farmers on a trade basis, and causing their objections to find expression at the meeting of the Council of Agriculture last November. The County Councils are notoriously influenced by political and class prejudices, and these are not seldom brought to bear upon attempts to foster or to create industries. The Congested Districts Board, on the contrary, are free from County Council control, as from political and class prejudices. They had a free hand to deal with each case on its merits; they got into touch with the people, gained their confidence, and dealt with their needs in a prompt and practical manner. Bee-keeping is one of the most profitable of the minor industries. It demands small capital, no land, is suited to the poor as well as to the well-to-do, and will pay 100 per cent. to 150 per cent. per annum under careful management. There are men in Ireland making over £100 per annum by bee-keeping. Mr. Reynolds, in his evidence just now, told you that he has never known a case in which a farm was purchased in fee-simple with money made by farming. Against that, I am able to point to a case of farms having been purchased with money earned by bee-keeping. John Doyle, Kellystown, Adamstown, County Wexford, a labourer and a very small farmer, has recently purchased two large farms with the profits made off bee-keeping. Rev. J. G. Digges.

34515. Most Rev. Dr. O'DONNELL.—I think the witness was referring to the County Leitrim?—Yes. This case that I am referring to occurred in the County Wexford. The Congested Districts Board went in thoroughly for the promotion of bee-keeping. They founded associations, advanced loans for the purchase of hives, &c., opened a depôt in Dublin for the collection and sale of honey and wax, and employed qualified experts who visited the districts, instructed the people, and dealt with the bee pest (foul brood). These experts were qualified by, and were members of the Irish Bee-keepers' Association, and the Congested Districts Board worked in harmony with the association to the great advantage of the industry, which flourished quite remarkably under the Board's care. I refer chiefly to Donegal, Clare, and also to this county. The Department's attempts to deal with the industry, as successors of the Congested Districts Board, have been little short of disastrous. They have "qualified" and sent out "instructors" to the counties, and these "instructors"

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have, in some cases, been merely laughing stocks among the bee-keepers. The Department have not recognised the existing associations of bee-keepers, notably the Irish Bee-keepers' Association, a society formed upon a democratic basis, that has been in existence for the past twenty-two years. It has been ignored by the Department, and its offers of assistance and advice rejected, with the results stated. Lately the Department have made a rule that, where possible, the instructor in horticulture shall also be the instructor in bee-keeping, with the result that horticulturists, with a smattering of bee-keeping, have been appointed in the counties, bee-keeping taking the back place and being quite neglected. The rule should be withdrawn. The Department should use its influence with the County Councils to have an instructor appointed in each county. These instructors should be qualified by the Examining Board of the Irish Bee-keepers' Association, which is the chief authority in Ireland on bee-keeping subjects. Associations on the model of those started by the Congested Districts Board should be formed throughout the country, loans at 3 per cent. should be made to them for the purchase of bees and hives, &c., such loans to be repaid within three years, and the Department should get into touch with the Irish Bee-keepers' Association with the object of forming their schemes upon proper lines. Agricultural Banks are societies registered under the Friendly Societies Act, 1896. Their object is to assist their members with capital, to educate them in the true uses of credit, and to foster the spirit of mutual help, or co-operation. Members are admitted on payment of an entrance fee of 6*d.* each, membership being confined to persons of good character. The members elect the committee. The committee grant or refuse loans. Loans are made only for reproductive objects. Mutual liability is the principle, every member being equally, jointly, and severally liable with every other member for the debts of the society. This principle promotes extreme caution in the management, with the result that loss in working is practically unheard of. The Department advance £50 or £100 at 3 per cent., deposits are received locally at 4 per cent., and the Joint Stock Banks advance the balance required at 4 per cent. Members are charged 5 per cent.; they fix their own time for repayment (subject to the approval of the committee, generally for six, eight, or twelve months), and they pay their interest only when repaying their loans at the rate of 1*d.* per £1 per month. No profits are divided among the members, they go to form a reserve fund. The books, stationery, and the services of a public accountant are supplied by the Department gratis. We have had four of these banks established in this end of the county, viz., Farnaught, Mohill, Annaghmore, and Johnston's Bridge. Farnaught Bank was founded in 1902. We have never made a bad debt. In 1906 Farnaught membership was 188; loans granted, 131; total loans for the year, £834; average loan, £6 7*s.* 2*d.*; overdue loans, nil. Last month we distributed among our members £90 worth of Ulster-grown seed potatoes at prices from 4*s.* 6*d.* to 5*s.* per cwt., delivered at Mohill free, payment to be made by the members within twelve months. The Department advanced £85 at 3 per cent. for twelve months, and sent an inspector to examine the seed at Mohill. I anticipate that our loans in 1907 will exceed £1,000. These banks do a great deal of good. They enable farmers to hold their stock for better markets, to purchase stock, pigs, &c., and they offer the same advantages to labourers—in short, to everyone of good character who may apply for admission. The borrowers are allowed sufficient time to make their profits before being called upon to pay their loans. The loans are granted on the personal security of the borrower and two others approved by the committee. These banks have largely assisted to overcome the evils of the "gombeen" system. At Farnaught, with a mixed committee, we have had absolute harmony all the time. Banks of this description should be established in every parish, in Connaught at least, and their functions should be extended to the purchase of manures, seeds, feeding stuffs, spraying machines and materials, for sale to the members. The Congested Districts Board could do this, but it is very doubtful that the Department could, for the County Council traders would stir up opposition to it as interfering with their interests. Co-operative dairies are registered under the Friendly Societies Act, 1896, and are governed by committees elected by the members. Membership consists in the holding of one or more £1 shares, the number of shares being sometimes arranged according to the number of cows owned by the particular member. A maximum dividend of 5 per cent. may be paid. When I started the first, or one of the first of such dairies, in 1886, butter was selling in Mohill market at 5*d.* per lb. We are able to pay from 9*d.* to 11*d.* all the year round. The weakness of the system lies in the absence of winter dairying. With the approach of winter, our dairies cease working, for lack of milk, their whole business becomes disorganised, their customers go elsewhere to constant suppliers, Danish and others. For six months of each year the staffs are idle, and during those six months the farmers lose the higher prices obtainable in winter. In each county, one or two suitable societies should be selected, to whom money should be advanced at 3 per cent. for the purpose of promoting winter dairying, the societies to lend to their members for that purpose alone. An instructor should visit the districts, instructing the farmers in economical management, and keeping oversight of the operations. The profits to the farmer would be largely increased, and these "object lessons" in each county would go far to break down the existing prejudice against winter dairying.

34516. Sir JOHN COLOMB.—You mean that to keep the creameries going in winter there must be a change in the system of cultivation to a certain extent, that is to say of crops for feeding cows in winter?—Certainly, and I do think that farmers should be assisted with capital for that purpose in an experimental way.

34417. CHAIRMAN.—What capital would they want?—That would depend entirely on the size of the farm. My idea is that the Society should select some of the best farmers who could be relied on to carry on this operation. A man should be asked how many cows his farm would carry. If he says five, they should advance sufficient money to buy these five.

34518. Most Rev. Dr. O'DONNELL.—These would be pioneers?—Yes. The Department of Agriculture or the Congested Districts Board would send an instructor to instruct these men about the feeding of their cows. In the congested districts co-operative dairying is difficult to promote because of the want of capital to erect and equip dairies. Money should be advanced for the erection of separating stations affiliated with churning central dairies, the cash to be lent at 3 per cent, and to be repayable during a course of years out of profits. I will give an example of what can be done in this way. Two years ago we had a society started at Bornacoola, Johnston's Bridge, as a separating station, affiliated with Mohill. They got to work late in 1905, and did well. In 1906 Mohill paid them over £4,000 for their cream, they paid an average of over fourpence per gallon for the milk supplied by their members, and they made a net profit of over £300. After one and a-half years' work they have paid all expenses of building and machinery equipment, are entirely out of debt, and have a substantial balance to credit.

34519. CHAIRMAN.—They paid fourpence a gallon?—Yes.

34520. That is a rather low price?—No. It is considered very high in this part of the country.

34521. What do you pay at the dairy here?—We were not able to pay quite as much as that. I thought we did very well paying 3·70 and 3·50*d.* per gallon, but fourpence per gallon in Leitrim is an excellent payment.

34522. Most Rev. Dr. O'DONNELL.—Would that be 10*d.* for the 1 lb. of butter?—It would work out nearer to 11*d.*; and, as stated before, when the scheme was first started in this country farmers were selling butter to my certain knowledge for 5*d.* a pound in the market, and they are now getting this high price without having to make the butter or market it.

34523. The difficulty before was the want of proper housing accommodation for the butter?—It was not butter properly so-called. It was more cart grease. The advancing of money for the two purposes named might be done by the Congested Districts Board, and probably would be, but I do not think that the Council of Agriculture would permit the Department to embark in any such work as it would be represented as an approach to trading by the Government. The pig raising which has been already referred to in connection with the gaol at Carrick-on-Shannon is an important industry in this county, but the profits go not to the farmer but to the middleman and retailer.

He sells his bacon at threepence a pound and goes at once to his grocer and buys American bacon at ninepence a pound. I look upon a healthy pig as a kind of saving bank from which, after certain risk and considerable work, the farmer gets back his own with a very small interest. What is required is a system of bacon-curing co-operative factories which would undertake marketing also, and would return the profits to the farmers less expenses and a maximum dividend upon capital of 5 per cent. These factories should be provided for by loans on the same principle as the separating stations already referred to. Here again the Congested Districts Board could act, but the Department of Agriculture and Technical Instruction would be precluded because of their constitution. I come now, my lord, to what I consider the most important part of my evidence. In the Arigna district, just outside the borders of this county, there is vast mineral wealth almost untouched. There is a practically inexhaustible supply of coal, rich iron ore, fire-clay, and flags. The coal is bituminous coal. It was suggested to Mr. Stewart when he was giving evidence that it was anthracite coal. This is incorrect. The coal is bituminous—an excellent steam coal, and is used exclusively in the locomotives of the Cavan and Leitrim Railway, and, if there were proper railway facilities, it could be placed upon the home markets in easy competition with Scotch and Welsh coal. The iron ore has been shown to be far superior to Staffordshire, Welsh, and Glasgow ordinary. When the Cavan and Leitrim Railway was projected in 1883, it was intended that the Arigna branch should be extended to the mines, but, through an unfortunate informality, the County Roscommon promoters had their Order in Council thrown out, and the line was stopped in the middle of a bog, 2½ or 3 miles from the mines. As a result, the coal has to be carted to the railway, adding a cost of 2*s.* 6*d.* per ton to the price; the supply of carts is limited, the road is frequently next to impassable; coal lies at the pit mouth, and operations have frequently to be suspended in consequence.

34524. CHAIRMAN.—There is a company which runs this mine?—Yes.

34524A. Why don't they run a light line on to the mine?—I was about to explain that it ought not to be necessary to do so. The Arigna Mining Company, a small company, with £5,000 capital, in spite of the difficulties, gives employment to about 150 men and boys, the men earning 31*s.* and the boys 12*s.* per week, when working full time, the wages amounting to about £5,000 per annum. The district is congested; the ratepayers in the County Leitrim guaranteeing areas are heavily taxed for the maintenance of the railway. It is of immense importance that the mining industry should be developed, that new companies should be formed for the purpose, that additional wage-earning facilities should be provided for the people, and that the railway tax should be reduced by throwing large mineral traffic on to the line. In 1905 Mr. Walter Long, then Chief Secretary, visited the district, and the Government made a free grant of £24,000 for the extension of the railway to the mines, and from Dromod to the Shannon at Rooskey. This grant was amply sufficient for the purpose, and it was absolutely free—subject to no interest charge whatever. It was largely in response to the demands of the Leitrim County Council that the grant was made. Nevertheless, when the Bill came before that Council for approval the Council threw it out and killed the scheme. The excuse put forward for this action on the part of the Council was that "they had no guarantee to protect the ratepayers." The ratepayers, however, could have had no liability whatever for the cost of the extensions, the Government having made their grant a free one. The whole story of this lamentable affair, and the true explanation of the Council's attitude are set forth in my pamphlet "Fighting Industries and Financing Emigration in Ireland." The neglect of the mineral resources at Arigna is a national crime. The possibilities there are of far more immediate importance than any lying at Creevelea, for example, because of the proximity of the railway. The cost of bringing the railway in touch with the mines would be only £12,000. The Congested Districts Board and the Department did absolutely nothing to facilitate the project or to remove the alleged difficulties. They simply ignored the whole thing with masterly indifference. The Congested Districts Board should at once investigate the case, and having satisfied themselves of its importance they should take over the grant of £24,000, construct the extensions, and guarantee the ratepayers against any loss upon the working. It will be seen from my book, already referred to, that the danger of any loss upon working the 2½ miles extension to Arigna is an exceedingly unlikely one, and that the completion of the scheme would be of incalculable benefit to the district, to the ratepayers involved, and to the country at large. It would develop one of the few industries naturally belonging to the country, would go a long way towards retarding emigration from the districts concerned, would provide profitable employment for the people, and would make a substantial reduction in the liabilities of the ratepayers who have suffered much for the past twenty years through pressure of the railway tax. And these advantages would be permanent, which, I take it, in the matter of projected industries, is a consideration that will recommend itself to this Commission as of no little importance.

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34525. If the coal is of such good quality as to be able to compete with Welsh coal, and the iron ore is so good that it can compete with Staffordshire ore I cannot for the life of me see why it should not be very good business for the company to make the extension themselves. Every company makes its own extensions in England. If they have this mineral wealth to work why should not they make the extension themselves?—The Government have gone into the thing very thoroughly. The railway here would be largely a gainer by the traffic, which means that the Treasury liability under the present guarantee would be relieved of the difference between 3 and 5 per cent. on £202,000.

34526. If the railway company thought it would pay would it not be easy for it to make the extension?—This company is not a private company like the Midland or the Great Northern. I am on the railway board myself, and I know. We have a board constituted of representatives of the shareholders and representatives of the County Council. We have to be pretty cautious as a board in that position.

34527. But if the traffic that the extension would bring about would be really so large that it would increase your revenue?—It would increase the revenue.

34528. Then your special rate might be justified?—It might be justified, but there are more than the Arigna Company and the railway company to be benefited. There is a large population in the congested districts, and I don't see why the Congested Districts Board should have ignored this place all these years.

34529. I quite recognise that if it is possible to get money out of the Government it is better to do so than to spend money themselves, but surely rather than wait for years and years to bring about that result it would be better to make the extension themselves if the coal and iron ore are really so valuable?—We are able to get from that coal 20 per cent. more running for our locomotives than we are able to get from any Welsh or Scotch coal we could buy. The difficulty about making the extension is that the company working the coal is a small company, with a capital of only £5,000, which is all exhausted.

34530. Has it ever occurred to the directors of the company that they might get the railway company to make an extension if they guaranteed interest on the money—that is done in England?—That has been suggested, but my point is that from the fact that the Government thought it worth while to make a free grant of £24,000, they must have thought there was something to be gained by the Treasury. At present they are responsible for 2 per cent. of the 5 per cent. on the £202,000; and the working of the railway has only been for a few years met by its earnings.

34531. Mr. SUTHERLAND.—The Treasury would say: "Why should we, who have many other calls on us, advance the capital for them?"—The Treasury, we say, got an advantage in giving the free grant of £24,000. It actually passed the House in the estimates.

34532. CHAIRMAN.—Was not that in connection with a big scheme to extend the railway altogether?—No; £12,000 absolutely for the extension up the Arigna Valley, a mineral line solely. It could not go further in that direction without climbing the range of hills.

34533. Most Rev. Dr. O'DONNELL.—It had nothing to do with the Newry extension?—It had nothing whatever to do with the Newry extension, which was an old story.

34534. CHAIRMAN.—Was not there also another proposal that the lines should be carried on?—No, because of engineering difficulties. If this line were extended it would be simply into a *cul de sac*.

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34535. Surely there have been proposals to extend the Cavan and Leitrim Railway down to join some other railway?—There have been proposals to carry our line from Arigna to Collooney, but that would involve something like £150,000. Our scheme is to extend it two and a half miles at a cost of £12,000.

34536. Sir JOHN COLOMB.—I don't exactly understand this. You said Mr. Walter Long promised a free grant of £24,000?—He actually gave it. It was put into the estimates and passed.

34537. Did you say you were only to make a line to Arigna?—Yes.

34538. You told us also that the line to Arigna would only cost £12,000?—Yes.

34539. Why was a public grant of £24,000 given to make a line that would only cost £12,000?—I have already said it was given to make two extensions, one to the Arigna mines, and the other to the Shannon at Rooskey, from Dromod.

34540. Then the Arigna line was in combination with another project—£24,000 was to go in extensions of railway. Portion of that extension was to the Arigna mines?—What Lord Dudley asked was was it in connection with a scheme to make a line past these mines?—It was not.

34541. Most Rev. Dr. O'DONNELL.—The other bit was from Dromod to the Shannon?—Yes; the object being to get into touch with the Roscommon cattle fairs.

34542. The second branch of the extension being in connection with the development of the cattle trade?—And also to give us an outlet down the Shannon. The Shannon boats could take coal everywhere. We could have secured very extensive orders from Dublin if we could have sent coal by canal.

34543. Do you think was the sum of £24,000 earmarked for it subsequently?—Yes. It appeared in the estimates.

34544. Was it to come out of the development grant?—Yes.

34545. Would it still be available?—I believe it could be had still. The time elapsed some months ago, but I believe the money could still be had if the Government were satisfied that the extension would be made; but our difficulty is that we are not sure of the County Council. The County Council say that they are afraid of the ratepayers. My suggestion is that a board such as the Congested Districts Board, in which the County Council would have confidence, should step in and say, "We will take responsibility for loss in working."

34546. The two and a half miles?—Yes.

34547. And loss on the working of that should be borne by a public body?—Yes; and every mile of the line as at present worked is making an annual profit of £30, although we are obliged to run on our present system trains which are not at all productive trains. On this two and a half mile extension, which will be entirely a mineral line, no trains would be run without a full complement of traffic, and there would never be any loss in the working of it. To give you an instance of the working, I went to the trouble of taking out the earnings of one particular train at Lawderdale Station, our first train in the morning, which is our limited mail. I find that, taking its earnings at Lawderdale Station every day for the last twelve months, the average amount earned per day is only 2½*d.*; yet we are obliged to stop our train there owing to a clause in our agreement. Considering all these things, and remembering that the average profit on the entire line is £30 a mile; on a mineral line on which the train would be always full, there would be little possibility of loss, and it would be perfectly safe for the Congested Districts Board if they made themselves responsible on this head.

34548. If it be sound public policy for the Government to find £24,000 for the construction of that line, it should be also good policy for the purpose of developing what is held out as a big industry to secure the ratepayers in regard to working expenses on that little bit of extension of two and a half miles?—I entirely agree. That is my point. I don't think it necessary to open the question whether it is desirable, because it has been already decided by the Government to make that extension.

34549. CHAIRMAN.—What is the cost on the rates in connection with this line?—At one time it was 2*s.* 6*d.* in the £. It is now a shilling in the £. Last year it was 11*d.* The shareholders get 5 per cent. guaranteed dividend.

34550. The guaranteed dividend is made up to a certain extent by rates?—The Treasury are responsible for 2 per cent., and the rates for 3. The Treasury thought that by making the extension the traffic would so increase that the proportion of outgoings to earnings would decrease, and their contribution would be lowered.

34551. How much of the 5 per cent. secured is derived from the Treasury and local rates, and how much of it is earned?—Our average profit for the last five years has been £1,400, and 5 per cent. on £200,000 would amount to £10,000 a year.

34552. You only earn about one-eighth of the dividend?—Yes.

34553. Most Rev. Dr. O'DONNELL.—You might be able to explain what seems somewhat strange in the evidence which we have already received, by comparison with what you have just stated. That is about the earnings of the line. We were told that the tax went up from eightpence to a shilling. How could that occur if you were earning £30 a mile?—No; the fact is the tax has been brought down from 2*s.* 6*d.* to 1*s.* Last year it was elevenpence. Then arrangements were made with the County Council by which a reserve fund should be established, so that any larger charges which had to be met should not fall on the particular half-year in which the charge occurred, and there was an extra tax agreed to by the County Council which has brought up the railway tax from elevenpence to a shilling. It is to create a reserve fund to equalise the demand. For example, rolling stock and locomotives twenty years in use naturally depreciate; new boilers have to be put in, new engines purchased, and so on, and the cost of this should not fall on the rates for any one half-year.

34554. Did you make these deductions when counting £30 per mile?—Yes; that is the net profit, £1,400 per year. That all goes in reduction of rates.

34555. How was the rate reduced from 2*s.* 6*d.*? Was it in consequence of the Local Government Act of 1898?—No. It is due to the development of traffic. This railway was made as a toy railway. It was a fad of one gentleman who wanted to have a railway near his house. There was no goods store on it that was not 75 per cent. too small. Since it was made it has developed enormously. No one ever anticipated that it would do such a traffic. The traffic has developed wonderfully.

34556. Who are the shareholders?—They are chiefly religious communities in the country. They hold most of the shares, but it is on the Stock Exchange, and is purchased and sold the same as Guinness's shares would be.

34557. Mr. SUTHERLAND.—Just now you would not have many of the original holders of this debenture stock?—They are ordinary shares, £100 stock.

34558. CHAIRMAN.—What do they stand at?—£6 10*s.* on the £5—that would be £130.

34559. Guaranteed at 5 per cent. on the local rates and by the Treasury?—Yes. They have been at £160.

34560. Mr. SUTHERLAND.—I asked you about the £24,000 that the Treasury gave, and you said that they were going to get a return upon it, but it has transpired since that it is to be a free grant?—It was not ordinary payment, but a grant on the estimates.

34561. In what way did you mean that the Treasury would get a return?—The Treasury was to gain by this because the Treasury is liable for 2 per cent. of the dividend, and we satisfied the Treasury absolutely that this expenditure of £24,000 would bring so much extra traffic to the railway that the deficiency would be considerably reduced, and therefore the Treasury liability for the 2 per cent. would be largely reduced.

34562. CHAIRMAN.—Does the Treasury liability come in before that of the ratepayers?—The ratepayer comes in to a certain point, and then the Treasury comes in. The Treasury pays 2 per cent of the fixed dividend.

34563. Mr. SUTHERLAND.—So the railway is getting 2 per cent. from the Treasury, and 3 per cent. from the ratepayers?—Three per cent. less net profits on the line up to a certain point. Then after that point is reached, the Treasury gets a benefit.

34564. Did the Treasury give any money when the line was being made?—No; the money, £202,000 capital, was raised.

34565. It is simply guaranteed by the Treasury and the ratepayers?—That is it.

34566. With the ratepayers coming first and the Treasury next?—Yes, up to a certain point.

The Commission adjourned.

SEVENTIETH PUBLIC SITTING.

SATURDAY, APRIL 27TH, 1907,

AT 11.0 O'CLOCK A.M.

In the Courthouse, Ballinamore, County Leitrim.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (Chairman); The Right Hon. Sir JOHN COLOMB, K.C.M.G.; Most Rev. Dr. O'DONNELL; WALTER KAVANAGH, Esq., D.L.; ANGUS SUTHERLAND, Esq.;

and WALTER CALLAN, Esq., Secretary.

Mr. BRYAN M'ENROY examined.

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Mr. Bryan M'Enroy.

34567. Sir JOHN COLOMB.—You are Vice-Chairman of the Ballinamore Rural District Council?—Yes.

34568. Would you take up the points which you think it most important for the Commission to know?—I know the conditions of the rural district well, and I know the people to be honest and industrious people no matter what is said by some parties to the Commission.

34569. What would you wish to see done?—I want to see a compulsory purchase scheme, because we all did hope that this land question would have been settled by the Act of 1903, but after three years fruitless bargaining we find it is a total failure.

34570. Why do you call it a total failure; do you mean in this particular district?—Yes.

34571. It has not resulted in much here?—I believe they have consented to give an exorbitant price in one case, but they were ten or twelve years in arrears.

34572. There have been no sales?—No sales, only that one particular sale. The estate on which I live myself in the Drumreilly North electoral division, the Harlech estate, was offered to us about twelve years ago at 20 years' purchase. We considered this demand exorbitant on a congested estate, whereas the non-congested estate lying alongside it was sold for 16 years' purchase with reductions, and on inspection they brought it down to 13 years' purchase in many cases.

34573. What estate was that?—It was the Godley estate. The estate of Murrough O'Brien, lying alongside it, a year or two previous to the Act of 1903 was sold for 18 years' purchase and the congested portion was sold for 15 years' purchase, and we all understood that the bonus was to be used to bridge over these differences between landlord and tenant. Instead of bridging this gulf it has created a chasm. In addition to the bonus the landlord wants two or three years' purchase more. Our agent offered 20 years' purchase twelve years ago. When the Act of 1903 passed he proposed to sell at reductions of five and three shillings in the pound. Subsequently he increased his offer to 4*s.* and 6*s.* in the pound respectively. That is the Harlech estate. On that estate, I am informed, the rent was raised three times within ten years. I know there have been terrible rack rents here, just typical of all the estates of this district.

34574. How long ago is it since the rents were raised?—I think it was in the 'sixties.

34575. Nearly fifty years ago?—Yes.

34576. The tenants have been into the Land Court since and had their rents reduced?—When the Land Act of 1881 passed the landlord sent a valuator and in some cases reduced the rents 40 per cent.

34577. Did the tenants then sign judicial agreements out of Court?—Yes, the greater part of them.

34578. Did the others go into Court?—They have been going in gradually. In the 'sixties there was a cruel agent. Subsequent to that we got—what was rare in Ireland—a good agent, Mr. Percy Jones. A large amount of arrears had accrued. Lord Harlech sent in a valuator, and the people adopted his terms, for if they went into Court they would be followed for the arrears, and as the arrears disappear the people are going into Court. The parties that have been into Court this year got over 20 per cent. reduction—4*s.* 7*d.* in the pound. On other estates they got 9*s.* in the pound. Great improvements have been made on that estate and other estates, and we all know that the man who improves his land does not get an adequate reduction. He does not get a reduction acre for acre equal to that of the man who does not improve, and there have been great improvements in this rural district in general.

34579. CHAIRMAN.—Is there any other point you wish to tell us?—I know there is a large drainage scheme wanted, that is field drainage with closed drains to be reclaimed with lime, but I think it would not be wise for the tenants to go into it to any large extent until dual ownership is done away with. I know that the people are poor and anxious to buy out at a fair price, but they don't wish to buy at these exorbitant prices that are demanded.

34580. You don't think it would be a good thing for the people to drain until they buy their holdings?—I am afraid if they drain them and improve them they would not get credit for their improvements. The rents would go up. I know plenty who have done it. They are partly afraid to go into Court. I know a good many of these people, nearly all under £5 valuation, who are paying their rents, and we have to go on giving them medical relief tickets. It is a great hardship on the doctor. The landlord takes away the rents and the doctor has to attend these people. I have seen here in this very room you are sitting in, agents coming here annually at the end of November and carrying away rolls of notes and bags of gold and silver, and the people go away without a shilling. In the rural district that I represent, on the estate on which I live, there is a school in very bad condition. It is a mud wall school. It was built by the late Rev. Stephen M'Ternan, a member of the Royal Irish Academy. Ten years ago we applied for a grant for the school. It was sanctioned, but from the condition of the people the parish priest was afraid to undertake the building of that school. Ever since that, and in this seventh year of the twentieth century, you can see a mud wall school supported by props.

34581. I don't want to interrupt you in anything you wish to tell us, but this matter of schools is one that we have nothing to do with. It is one for the National Board?—We were going to ask the Congested Districts Board to come to our assistance. With regard to the Parish Committee's scheme, it has worked well in this parish, but those in middling circumstances are the only parties who have been able to take advantage of it.

34582. Most Rev. Dr. O'DONNELL.—You mean that the very poor could not take advantage of it?—I do.

34583. A widow with helpless children could not?—Yes.

34584. CHAIRMAN.—Because they could not contribute the necessary proportion?—Yes. I think it should be increased for the coming year. There were a number of parties that we gave grants to under the scheme here and they were not able to take advantage of it.

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Mr. Bryan M'Enroy.

34585. What sort of work are you alluding to?—Repairs of houses, building of offices, making of passes and so on. I may also say that there are a great many places in this district badly off for roads, but with regard to new roads we find that we have reached our limit. There is a certain standard rate that you cannot exceed. I think it is 25 per cent. beyond what was the standard rate for the three years prior to the passing of the Local Government Act. The standard rate in Ballinamore rural district is very low, for the reason that we had a railway guarantee here for the three years previous to the passing of the Act. They never took it into consideration as a special railway rate, and I know that previous to that no new roads could be made here and no roads repaired except the main roads because of this excessive railway rate. We put a resolution before the Local Government Board with regard to how we are handicapped in that way, and unfairly treated.

34586. Am I right in thinking that this is what happened, that the railway rate was included in your standard rate?—We had to pay it at the same time.

34587. When they calculated your standard rate the amount of the railway rate was included in it?—No, it was not taken into consideration at all. It was a great hardship to us. We had to pay it, and we got no credit for it in the calculation.

34588. Therefore, you are prevented from spending that amount of money on local improvements?—That is so.

34589. A neighbouring District Council that had not got to pay the railway rate was able to spend that amount more money upon its local needs?—Exactly so.

Mr. James M'Cartan examined.

Mr. James M'Cartan.

34590. CHAIRMAN.—You are a District Councillor also?—Yes.

34591. Will you bring before us any points you wish?—I represent the District Council of Ballinamore. The cause of congestion in the congested districts of Ballinamore is the exorbitant rents upon the land. The tenants were forced to go on bogs and mountains, and wherever a patch of good land is to be had it is either in the hands of a grazier or in the landlord's hands, or somebody connected with him. The lands are ill-drained, ill-reclaimed and ill-accommodated by passes which leave the tenants in continual trouble and litigation. I say the remedy is compulsory purchase upon reasonable terms, terms that would give the tenants a chance to live upon the land, to make it worth something to them, that they would have an interest in it and work it. One of my reasons for believing so much in compulsory purchase is an estate in the rural district of Ballinamore called the Godley property which was sold after Lord Ashbourne's Act became law. The average price was fourteen to sixteen years' purchase. Twenty-five years ago it was a wilderness. To-day it is like a pleasure ground. The farmers, when they became owners of their own holdings, planted belts of shelter on their land, drained it, and reclaimed it, and built houses and improved them, regulated passes and mearings, and everything. Other tenants under landlord rule if they reclaim the land, probably when the land comes into court, the landlord comes up and swears the land was always in that state, and takes the benefit to himself. I don't say it is always done by landlords. It is only by extreme ones it is done, but it has been done.

34592. Sir JOHN COLOMB.—You mean before the Land Court?—Yes.

34593. CHAIRMAN.—You also favour compulsory purchase?—Yes, at a reasonable price. Ballinamore is situate in the Bawnboy Union. Portion of the Union that is not scheduled as congested was given a grant of £250 from the Treasury. In the rural district of Ballinamore, where we are equally badly off we got nothing simply because we belong to a congested district. That is a very small consolation to us, because we get very little from them.

34594. Where is this place?—It is in the rural district of Bawnboy No. 1. They got £250 from the Treasury for the relief of distress. They are getting seed to-day at the railway station.

34595. Mr. SUTHERLAND.—Why are you not getting it—is it because you are in a congested district?—Yes. That is the answer we got to a resolution proposed at a meeting of Guardians: that the Congested Districts Board would see to our grievance and that the Treasury could not interfere. Another grievance we have in the congested district is we are paying 1*s.* in the pound on a guarantee for the Cavan and Leitrim Light Railway. At the time the promoters of this line were taking it into their heads to build it they gave the farmers a verbal undertaking that the tax would never reach beyond threepence in the pound, and they got some signatures, and others they made free with to take themselves, but the thing worked on unfortunately, and now it is a shilling in the pound.

34596. It has been 2*s.* 6*d.*?—Since I became a ratepayer the highest I paid is a shilling. It is a shilling at present.

34597. Most Rev. Dr. O'DONNELL.—How long are you a ratepayer?—About fifteen years. The promoters said it would be only threepence in the pound. That was said to us at every meeting.

34598. Mr. SUTHERLAND.—How much is your valuation?—In the rural district of Ballinamore it is only £4 5*s.*

34599. You pay 4*s.* 3*d.*?—Yes.

35600. Is the railway a great benefit to the locality?—It is some benefit to the country, but there is one thing that is not all that might be desired. It is an evil-designed thing from beginning to end. It does not connect with the coal mines, where we could get our coal cheap, and then if the coal is carried to other places it has to be trans-shipped both at Dromod and Belturbet.

34601. The railway being a narrow gauge?—Yes.

34602. It would be convenient for passengers?—Yes. Another complaint we have against the railway is although we pay a guarantee the train fare is very high; higher than other railways.

34603. And you scarcely think it is an advantage to the extent of the four shillings you pay?—I don't believe it is.

34604. Most Rev. Dr. O'DONNELL.—Someone will be giving evidence, I suppose, about this railway before the Railway Commission?—There are some farms, non-residential holdings, that I would suggest to the Board they should buy them up and sub-divide among the tenants. It would be a great advantage to us in the congested districts. There are some electoral divisions in the rural district of Ballinamore that I suggest should be scheduled.

Rev. Denis Gray examined.

Rev. Denis Gray.

34605. CHAIRMAN.—I think you have been appointed by the Bishop to give evidence?—I have been appointed by the Bishop to give evidence and by the Fenagh Branch of the United Irish League and by the Ratepayers' Protection Association in the guaranteeing area in South Leitrim. My parish—the parish of Fenagh—seems to me fairly typical of the other congested districts in Leitrim. The land is bad, the rent high, and the people deeply in debt to the shopkeepers.

34606. When you say the rent is high do you mean that the Land Commission have not done their duty in fixing the rents properly?—I mean that after two judicial fixtures they have not in most cases brought it down to the old rent that it was in the sixties. It is considerably higher than it was fifty years ago, forty years ago, or even thirty years ago. I know one case where a district was occupied by five men. In living memory the rent was but £5. It was raised to £33. They have gone into Court once, and the rent now is £24. If it is improved it was the sweat and toil of the tenants made it what it is.

34607. It sounds an extraordinary thing that a holding which was rented at £5 should when you have

made allowances for the tenant's improvements be rented at £24?—Yes, after two reductions. It was considered a mountain tract then. Then they improved and cultivated it, and the rent was raised.

34608. Most Rev. Dr. O'Donnell.—How many acres were reclaimed?—There are five tenants living on it now and they have about thirteen acres on the average.

34609. Reclaimed?—They have it all reclaimed in a way. When the rent was £5 it was one holding, but there was sub-division on it privately.

34610. Since then the sub-division has been recognised?—Yes.

34611. And the change that has brought about the improved value in your opinion is due to the exertions of the tenants?—Yes, entirely.

34612. Sir John Colomb.—What is the valuation of the lands you are speaking of?—I have not got the valuation.

34613. Could you send in to the Secretary to the Commission the name of the particular landlord and the valuations?—I am sure I can.

34614. The reason I ask you is this: you are aware that the valuation was founded on inspection more than fifty years ago, and therefore it would be some help to the Commission to understand the statement you have given us, because it would be interesting to know what was the valuation which was made fifty years ago, and I should be glad if you let the Secretary have these particulars for the information of the Commission?—Yes; I shall.*

34615. Most Rev. Dr. O'Donnell.—Will you further, when meeting the very reasonable requirements of Sir John, supply the rent and valuations for some of the other holdings where the rent has greatly increased?—I can now.

34616. It will not be necessary now if you have not got them by you?—The parish of Fenagh comprises large portions of the electoral divisions of Rowan, Castlefore and Fenagh. Rowan and Castlefore are scheduled as congested. Fenagh division is not scheduled although its number of uneconomic holdings is larger in comparison with the entire area than in the scheduled divisions. It should be scheduled as congested, and indeed all Leitrim stands in need of being treated as a congested area. The average valuation of the county is the lowest in Ireland and its poverty is admitted. Leitrim is urgently in need of very paternal care at the hands of the Congested Districts Board if it is not to be allowed to become a complete wilderness. It is suffering acutely from the wasting disease, the running sore of emigration, for which no cure has as yet been discovered. It is now the poorest county in Connaught. It has lost and is still rapidly losing its principal wealth—the best of its people, at the alarming rate of nearly 1,000 a year. For the last half-century it has been drained of considerably more than half its population, and those who are going are the flower of the flock. The peasant parents of this county are rearing their fine families for what I may call the slave markets of America. But they have no other reliable asset, no other means wherewith to pay the landlord, the banker and the shopkeeper, except the earnings of the son or daughter in America. We have no fisheries, in fact no industries of any kind except a poor, uneconomic, sickly form of agriculture which is becoming more and more unprofitable every day. The climate is growing rapidly no better for successful crop raising. The land for want of manure and cultivation is deteriorating. We have no institutions of any kind except workhouses, which are anything but an unmixed blessing since they yield a minimum of return for a maximum of outlay. And as if all this was not enough we have the Cavan and Leitrim Light Railway which places a galling burden on the already over-taxed ratepayers of the guaranteeing area. How the poor people are fleeced by this precious railway fraud! They were hoodwinked into giving the guarantee by being told that it would be something infinitesimally small, but which turned out to be some years nearly 2*s.* in the pound, and worst of all, like the shirt of Nessus, this intolerable burden they cannot shake themselves free of by any means. They were told they would get cheap coal from the Arigna mines and that they would have a majority on the directorate of the concern in lieu of this guarantee. Faith was broken with them in both. There is a preferential tariff now in favour of outsiders who get the coal at 11*s.* a ton, whereas the guarantors are paying 15*s.* 6*d.* a ton. And instead of a working majority on the directorate the ratepayers' directors are in a hopeless and helpless minority. For the last eighteen years these poor guarantors have, out of their poverty, paid to this precious railway the enormous sum of £77,000. There is a kind of penal law of poverty operating against primary education amongst us. There are about 9,000 children on the rolls of the primary schools of the county. The average attendance at school in Leitrim is 59·6. In other words, out of every hundred children in Leitrim forty-one are not educated. Now why is this? It is not because the people do not prize education, which they love as the apple of their eye. The children don't attend school for the simple reason—they can't. The infants may and do attend except in the winter months when want of warm clothing makes it impossible for them. But the older children must stop at home to work, at least during the spring, in putting in the crop, during the summer in saving the turf and hay crop, and during the autumn in harvesting. The able-bodied men are away in England or Scotland and so there are none others except the very old and the children to work in the fields. The parents will tell you if you insist on driving the children to school, that if they do not assist in putting in and saving the crop they shall starve in the winter. That the youth love learning let me give you an instance or two. In the winter, after their day's toil, the young men plod their way long distances to the night schools, where they put in a constant attendance. Again, there is a manual instructor of carpentry under the Technical Department holding classes in my parish at present, and the youths who form the classes attend in full numbers every evening after their day's work, although some of them have to walk three miles to the school. We have had very few sales under the Land Act of 1903. In a few cases where the landlords agreed to sell the terms demanded were prohibitive, 24½ years' purchase, or 4*s.* in the pound. I knew of much better land being sold under the Ashbourne Act at 13 years' purchase, with decadal reductions. Second term rents, in my parish, which I take as fairly typical of the rest of Leitrim in this respect, are not an equitable basis of purchase price, because of the improvements effected by the tenants and because of the rack rents imposed and extorted. I would just instance one estate and would say to the Commission *ex uno disce omnes*. This is the O'Beirne Estate at Castlefore, which the landlord offered for sale at 24½ years' purchase, This estate formerly belonged to a Mr. Walsh, who was not considered to have his land let at anything like a low rent. Yet I have a document in my possession which shows the almost incredible rise in the rent after the estate came into the hands of Mr. O'Beirne.

34617. Sir John Colomb.—When did the estate come into the hands of Mr. O'Beirne?—About fifty-three years ago. I give the case of three tenants typical of the rest. First, Mrs. Gilhooly. Rent under Mr. Walsh, £3 2*s.* 6*d.*, under Mr. O'Beirne, £7 15*s.* 3½*d.*, and after two judicial fixtures the rent is now £3 16*s.* Second, Rodger Leddy. Rent under Mr. Walsh, £6 5*s.*, under Mr. O'Beirne, £15 19*s.* 6*d.*, and after two fixtures the present rent is £8. Third, James M'Manus. Rent under Mr. Walsh, £14 5*s.*, under Mr. O'Beirne, £32 7*s.* 9*d.*, and after two fixtures present rent is £15 13*s.* There is no turbary attached to the holdings on this estate, and a large portion of the land has been reclaimed by the tenants from the wild bog.

34618. Could you give me the valuations?—I can get the valuation and send it on to the Secretary. I did not know it was necessary to look it up.†

34619. Mr. Sutherland.—I suppose the gentleman who bought from Mr. Walsh bought in the Incumbered Estates Court?—I think he did. I am of opinion that if the tenants in Leitrim are ever to become the owners of the soil upon fair terms, compulsory purchase is the only means of achieving such a consummation. Pending the enactment of compulsory purchase the zones should be abolished and the County

* *Note by Witness.*—The valuation is £25 10*s.*—D.G.

† *Note by Witness.*—The valuations are as follows:—Mrs. Gilhooly, £3 10*s.*; Rodger Leddy, £8; James M'Manus, £15 5*s.*—D.G.

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Rev. Denis Gray.

Councils should have the power of veto on sales. The surplus population should be migrated to the untenanted land as a first essential for the relief of congestion. I regard this as the most difficult and delicate duty of the Congested Districts Board. So I would suggest they would take into their counsels the parish priests whose intimate knowledge of and influence with the people would have the effect of making the machinery work more smoothly and efficiently. The Board should enlarge the sphere of duties of parish committees and increase the grants. The scheme is doing splendid work in Leitrim North and South. Leitrim was for a good while treated rather like a step-child by the Board. It is a pity we have not a representative upon the Board. I hope one of the results of this Commission will be to give us such representation. The Board, however, by the parish committees are making up for their seeming neglect of this county in the past. Every one is enamoured of this scheme. Whoever conceived it and drew it up knew the congested districts' ills and their cure thoroughly. It is the very best thing the Board have undertaken and I have no doubt it is the work they have got best value for. It is the very kind of thing congested areas require. By it, not only is the material condition of the people improved, but their mental outlook also. It stimulates self-reliance rather than reliance on external aid. It is not a substitute for voluntary effort, but it engenders and supplements it. It strengthens the economic and social character of the people by associating them in a more or less responsible capacity with the work to be done. These are all necessary and vital characteristics of this excellent scheme. There is no other way in which money can be so productively applied for the development of agriculture. It stimulates the poor people to make the most out of the land they hold. It has a civilising and educational effect upon the people. It gives them ideas and ideals, and once they begin to improve their houses and surroundings they will go on improving. I believe the land in Leitrim, under this scheme with increased grants, could be made yield double as much as it is yielding at present. There is not a holding in which the gross produce could not be more than doubled under the efficient care of parish committees by improved system of agriculture, drainage, reclamation, good manuring, a good variety of crops, and the right kind of stock. In other words, it would be equivalent to doubling their holdings. Given liberal grants, these committees efficiently manned and managed would turn every farm in a parish into a garden. I am entirely opposed to the amalgamation of the Estates Commission with the Congested Districts Board. But they are not both wanted in Connaught. The Estates Commission will find quite enough exercise for its activities in the other provinces, but let Connaught be assigned to the Congested Districts Board, who from sympathy and experience are so capable of dealing with the many difficult and delicate problems peculiar to congested areas. The mineral resources of the localities should be worked. There are extensive coal fields at Arigna and Slieveanierin. In these we have at our door a great means of raising the congested areas of Leitrim to a level of comparative wealth. If it is true, as I think all admit, that no country ever achieved a high standard of wealth by agriculture alone, it is easy to see that something else besides agricultural industry is required to supplement the profits from the barren land of Leitrim. I would suggest that the Board would try and find out the mineral resources of Leitrim. Now how is this to be done? Geologists cannot tell us. We have the stethoscope which tells of what is going on in the human system by sound. We have the X rays by which we can see what is going on in the human system, but we have no such means of discovering things hidden in the earth. What then should be done? Put down bore holes. In India, some thirty years ago, there was no coal; the trains were worked by wood fuel. The Government put down bore holes up and down the country. By this means they discovered vast coal fields, and in the search they found salt mines, iron mines, and oil springs. Now India has a plentiful supply of coal and other minerals. It is said by some eminent engineers that the coal fields of Arigna are being but skimmed over, that the best coal seams are never reached at all. There should be a bore hole, 500 feet deep, put down at Arigna, and in all probability it would be the beginning of a huge development of the mining industry in the Arigna Valley. The same should be done in the Slieveanierin Mountain, and it is almost certain a splendid coal-mining industry would be the result in that part of South Leitrim where there is nothing at present but congestion and poverty. There should be some industries started, such as the compression of peat. This would be a very useful industry in Leitrim. The compressed peat could easily be carried long distances, and this would economise time and labour. There is, at present, a great want of peat fuel in many parts of the country, and the price of coal at Arigna is prohibitive. Drainage, both field and arterial, and road accommodation are very urgently needed in Leitrim. In my parish alone there are twenty lakes, and in the vicinity of most of these there are stretches of swamps. By draining two or three feet of water off some of these lakes, which could be easily done, many a broad acre of land would become reclaimable and profitable.

34620. CHAIRMAN.—I think your first point is that there should be compulsory purchase of land. May I ask what you suggest as the terms on which this purchase should be carried out?—I would suggest that the Congested Districts Board should get legal powers, by the passing of the necessary Act, to buy up whatever lands would be required in order to relieve congestion. They would be the purchasers and there should be a tribunal to value the lands and give justice to landlord and tenants by fixing a fair purchase price.

34621. When you say justice to landlord and tenant what is your idea of what justice would be to the landlord?—A fair price, all things considered.

34622. The basis of your procedure would be to purchase on terms which would do justice to landlord and tenant?—Yes.

34623. Take first of all the case of the landlord: would you consider justice done if his land was purchased at a price which would leave him in a worse position than he was before?—That is an extreme case. If the common good demanded it I think it would be in the abstract, justice.

34624. That is to say if the land was wanted for the purposes of migration you think it is fair to take from him something which he possessed before?—I do.

34625. If the man has £300 a year it would be fair to buy the estate at a price which would leave him only £200 a year?—I think if the public good demanded it it would be fair in the abstract, but the tribunal I would like to see established would consider the matter and I am sure they would do justice, all things considered.

34626. But the public tribunal must have some guide?—It would be perfectly just if the public good demanded it, that the landlord should part with the land, even at a loss. I would go that far, because the claim of the public good is paramount.

34627. That is carrying compulsion rather far. It might apply to other things besides land?—I think it is an extreme case, but putting it as it is, I think that the public good demands that the landlord should suffer loss in order to relieve a grave public necessity.

34628. Is not it a new view of justice that the State should have the power of taking away from a man what he had before?—No; the State has the power of justly transferring the right to property, given an adequate just reason.

34629. Can you quote any case in any country where it has ever been done?—I recognise that the State has the power.

34630. The State has got the power to do anything it likes. It can take you and chop off your head?—It cannot, in justice, if I don't commit a crime. We are here considering the just use of the power of the State.

34631. It is omnipotent, and can pass laws to do anything, and it is conceivable that the State might pass a law to chop off people's heads even if they did not commit a crime. It is rather a strong thing to do; but is there any precedent for what you suggest?—It does not occur to my mind at present, except where land is required for a railway. In that case it can be compulsorily acquired.

34632-3. Mr. SUTHERLAND.—Is not it common enough in history?—It is, but I cannot quote any instances at present except where land is required for a railway or as a site for a National school.

34634. Most Rev. Dr. O'DONNELL.—Of course, when confiscations occurred, the land was taken without compensation?—It was.

34635. Mr. SUTHERLAND.—Did you hear of the Act of Satisfaction of Queen Elizabeth?—Justice was not

observed there. I take it we are discussing here only the case where property can be justly transferred by the State.

34636. Most Rev. Dr. O'DONNELL.—That case which you gave us where the rent went up after the new purchase looked like a case of appropriation of other people's property?—Yes, and as unjustly as in the case of the Act of Satisfaction.

34637. Mr. SUTHERLAND.—For an income thus raised should a landlord get full compensation?—For an income unjustly raised he should not get full compensation. I recognise that the State having the power can exercise it.

34638. Most Rev. Dr. O'DONNELL.—Probably it is a hypothetical case you were taking. You probably were facing the abstract problem of whether in any conceivable circumstances it would be justifiable to take a man's property and leave him afterwards at a loss?—Yes.

34639. Just face the concrete, and see how it would work out. It is not a question of abstraction. You would first of all say, would you, that property may be taken by compulsion?—Certainly.

34640. As a practical man what would you say as regards compensation to the person whose property was taken. Would you consider it right that the application of compulsion should not put him in any worse position than he occupied before the compulsion was exercised?—I think he should get a fair price for his property.

34641. CHAIRMAN.—Fair price is a very vague term?—The tribunal appointed, *omnibus pensatis*, would be the judge of the fair price. It may be that a man may owe some restitution to his tenants, and in that case less than the full value of the land would be a fair price.

34642. Most Rev. Dr. O'DONNELL.—You conceive that after the exorbitant rents of the past he may not now have a claim to be left after the exercise of compulsion in the same position as he was before compulsion?—Yes.

34643. But take the case in which that does not come in, in which the tribunal fixing the price will not have that before them or will not take cognizance of it. It is a question simply of expropriating someone without any reference to the way in which he came into his property or managed it. In these circumstances what reply would you give? Would you say in the first place that he should get a fair price?—I would.

34644. Next, would you consider it equitable that he should not be put in a worse position by the exercise of compulsion?—I think he should not.

34645. CHAIRMAN.—Is it your view that so long as there is a public need for any special commodity it is justifiable that the State should take that commodity no matter what position it leaves the original owner in?—I have answered your lordship on that point.

34646. Would you mind answering my general question on that point—in your view, so long as there is a public want for a commodity the State has the right to acquire that commodity, no matter what position it leaves the former owner in?—It has.

34647. Land is not the only commodity which is needed?—No.

34648. Fuel is also needed?—Yes.

34649. Suppose turf banks were exhausted in Leitrim and there was an absolute necessity for the people to obtain coal, would you say that the people of Leitrim would have the right to acquire the Arigna mines, leaving the former company in a much worse position than they occupied before?—No. It is the right of the State if the public good required it and could not be satisfied in any other way that the State could appropriate those coal mines, and give them to the public.

34650. And purchase them irrespective altogether of the return that they were giving to the former company?—There should be a fair value put upon them.

34651. Is not a fair value the value to the man who holds it?—I would say that the fair value, practically speaking, is what would appear to be the fair value to the official tribunal that would be established.

34652. Is not the fair value the value which property of any kind represents to the man who owns that property?—Yes.

34653. If it can be shown by the owners of the Arigna mines that they are making £3,000 a year out of that property, would it be fair for the State to acquire these mines compulsorily, and leave the owners with a sum of money which would only give them £2,000?—No. The State should give them a fair price for it.

34654. The State should buy them out at a price which would return them what they were deriving before?—Yes.

34655. What is the difference between mining property and landed property?—The owners of landed property may have been exorbitant in the price that they charged for it in the past. They may have charged the maximum premium, which is always an unjust premium, and therefore may have extorted from those people so much in the past that really they ought to part with property on cheaper terms in order to make up to those people for what they took from them by the maximum premium.

34656. Do you seriously wish to put forward that argument after twenty-six years' fixation of rents; do you say after twenty-six years, during which the fixing of rents was not left to the landlords at all, but to a State tribunal, you should now penalise the owner because rents have been in the opinion of certain people too high?—No. The case put to me was a particular hypothetical case. I took it, abstracting it altogether from the fixing of fair rents. I took it on its own merits. In my parish a landlord has refused to fix rents, and made some tenants future tenants, so that they cannot get rents fixed, and they charge them, as I would say if I was a Land Commissioner on my oath, twice the value of the land.

34657. Sir JOHN COLOMB.—Is it since 1881 that the landlord put the exorbitant rents upon the tenants?—The landlord put on exorbitant rents, as you call them, about fifty-one years ago when he purchased the property.

34658. Lord Dudley put it to you that for the last 26 years it was impossible to fix exorbitant rents, and if those rents were exorbitant before 1881 the tenants could have secured the proper adjustment of them by an independent judicial tribunal—the Land Commission?—Yes, but the judicial rent is often too high, because in fixing it the tribunal does not take into account the excessive rent extorted in the past.

34659. CHAIRMAN.—It is not a question for the landlord whether a future tenant goes into court or not?—It is.

34660. A future tenant cannot go into court except the landlord agrees to give him the required status?—He cannot, and therefore he can be fleeced by the landlord.

34661. You say the landlord prevents future tenants from going into court, but the Land Act does not apply to future tenants?—According to the Act of '81 a future tenant cannot go into court by any means.

34662. Is not it a fact that the Land Act does not apply to future tenants?—Precisely.

34663. There is no provision for fixing fair rents on them?—There is not.

34664. If that is so, why is the landlord to blame for preventing future tenants from going into court?—He is to blame, because he makes them future tenants in order to prevent them from going into court. I will give an instance of a tenant, a most industrious man, who lives within half a mile of my place. He failed from poverty to pay his rent twenty-six years ago. He was evicted with his family, and the landlord or his agent put him in again, but put him in as a future tenant. Since I became parish priest of Fenagh this poor man came to me and told me his sad case, and he is certainly paying twice the value of the land. He asked me to speak to the new agent, and I spoke to the new agent, and asked him to take the millstone from the neck of this poor tenant, and make him a judicial tenant and allow him into court, and he said—"I will call out and see his land and see what can be done," but he never came, and never removed this bar to the man going into court, and he never can go into court as long as he is a future tenant.

34665. Suppose he had gone into court before he was evicted?—No. It was just about the time the Act was passed. He had not time to go in when he was evicted.

34666. That supposes a case before the Act of 1881 applied?—The Act was passed, but he did not go in. He was in arrears of rent. When the Act first passed anyone in arrears could not go in, because the landlord would swoop down upon him for the arrears.

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He was evicted. Then he was let back again as a future tenant. It is the same landlord.

34667. Mr. SUTHERLAND.—He became a future tenant after the passing of the Act?—Certainly.

34668. Sir JOHN COLOMB.—On the passing of the Act of 1881 this man became a present tenant under that Act?—Yes.

34669. You said he did not go into court because he had not time, but had he lodged his notice he could not have been proceeded against until the case was heard?—If he was in arrears he could not go in.

34670. That is your point—that this is a peculiar hardship?—Yes.

34671. Since he was put back the man was continued as a future tenant at the old rent?—Yes.

34672. But he has got security of tenure?—No security. He is a future tenant.

34673. Is it not the case that if the landlord wanted to disturb that man he would have to pay him up to seven years' rent as compensation for disturbance and also pay him for his improvements?—I don't know the intricacies of the law about compensation for disturbance. I could not go into that. I am not sure that compensation for disturbance applies to future tenants, but even though it does the little compensation they would get would keep them a very short time out of the workhouse.

34674. You can look it up—you need not take it from me, but you will find it does. With regard to compulsory purchase, let me ask you this—would you apply compulsion in the case of a landlord who is ready to sell at twenty-four years' purchase while the tenants won't give more than twenty?—In the congested areas?

34675. Anywhere—take the congested areas. I am rather dealing with the question of direct sale to the tenants, and I want to get an illustration. The landlord wants twenty-four years' purchase and the tenants will only agree to give twenty. Of course, if the landlord won't come down and the tenants won't advance that stops the sale. In that case would you apply compulsion?—I would not apply compulsion in that case, but would try to make an amicable compromise.

34676. That is not one of the cases which you have in your mind as requiring the application of compulsion?—It is not.

34677. Now, coming to the question of land necessary to relieve congestion, if there was 100 acres of grass land required would you apply compulsion to acquire that land for the relief of congestion?—If it could not be acquired by an amicable sale I would certainly.

34678. For a matter of public necessity?—Grave public necessity.

34679. Suppose the grass land belongs to an adjoining farmer and is worked as part of his farm, and the same difficulty occurs, would you apply compulsion to him—suppose from father to son the tenants have been improving tenants and saved money, and they buy this 100 acres of grass land when it is up for sale with the money which they saved as a result of their industry, would you, in order to get this land to relieve congestion, apply compulsion in that case?—No, that would be a residential farm.

34680. Then you would exclude the residential land holder?—I would, if his farm was a residential one.

34681. Let me take the case of a shopkeeper—a common enough case—of a young man with nothing in the world to look after except himself, who goes into a shop as a clerk, and by his intelligence and industry finally becomes a shopkeeper. By his own industry and exertions he acquires some capital. A grazing farm of 100 acres some five or six miles off is for sale, and he acquires it and works it as a grazing farm because it pays him best. Would you in that case apply compulsory purchase for the relief of congestion?—Yes; if there was no prospect of his making it a residential farm I would compulsorily acquire it for the relief of congestion.

34682. Therefore you would apply compulsion to everybody except a farmer?—A residential farmer.

34683. Take, then, the case of a farmer who has a residential holding, and adjoining it is another farm which he has—would you consider that latter farm non-residential?—It is practically residential. It is part and parcel of his holding, and should not be divided, because if you bring down everything to a dead level you will be inflicting injury. One reason is there is a great craze for building labourers' cottages. The country is dotted over with them. If you do not leave some men to afford means of labour to the cottiers by giving them work, the rent of the cottages will devolve on the rates, and it will be indirectly inflicting an injury upon the farmers.

34684. I understood you to attribute the going back of the land to poverty and the absence of labour, which we all lament?—That is one of the causes.

34685. It is so important a cause that you would consider it a primary cause?—It is one of the principal causes.

34686. That being so, I take it is a primary cause of the land not being worked sufficiently?—Yes.

34687. And therefore of the produce coming from the land not being what it ought to be?—Precisely.

34688. I observed when you were paying that quite eloquent tribute—and I was very glad to hear it—to the work of the parish committees, you said you really believed that the parish committees with larger means would so assist the farmers that they would double their output and double the value of their holdings?—I believe they would.

34689. You say land is going back for the want of labour, but you also say that the parish committees might double the output?—Yes, I am talking of our county. I think if we take a farmer into our hands and give him enough money to enable him to put the labour, which is the best of all manures, into the land, and also give him instruction as to how to apply manures and other matters, that it would be the means of doubling the produce of the land, compared with what it is at present.

34690. Do you think that the action alone of the parish committees would have the effect of keeping more labour in the country?—I do.

34691. Most Rev. Dr. O'DONNELL.—Suppose a tenant went into court after the passing of the Land Act of 1881 the Act had no retrospective effect?—No.

34692. If the rents had been very high before it had no effect on the excess that had been charged in the past?—None.

34693. It would appear to me that your views have been a great deal coloured by that consideration?—Yes.

34694. Take that O'Beirne property. After it was purchased the rents were more than doubled?—Yes.

34695. And the operations of the Land Commission had nothing to do with the increases of rent from the time the rents were raised until 1881?—Not the slightest effect.

34696. Probably that underlies the answer you gave to Lord Dudley when you said that the State might apply compulsion to an owner, and not give him a sum corresponding to that which he now enjoys?—Certainly.

34697. After the passage of the Land Act in 1881 it could scarcely be expected by the legislature that all the tenant-farmers of the country would tumble head over heels into the courts?—It is not possible.

34698. Do you think was the existence of arrears one of the causes of keeping them out of court?—I am sure it was.

34699. They might be pursued for arrears at any time?—Yes.

34700. Might not the tenant to this day be proceeded against for arrears even if he had lodged his application with reference to a fair rent?—Of course, he might.

34701. As the law now stands a process of eviction can be carried on against him for only two years' rent, but he can be sued in an ordinary court of law for the balance?—Yes.

34702. However a tenant might be evicted. If he is again restored he is a future tenant?—He is, unless there is a special clause put in by the landlord making him a judicial tenant.

34703. You know that by the 17th section of the Act of 1896 these men can, by mutual agreement, be made judicial tenants?—They can.

34704. But, as a rule, evicted tenants when restored are future tenants?—Yes; that is the rule if the landlord wants still to fleece them.

34705. If they are sent about their business out of the holding they will be entitled to compensation for disturbance; but I suppose we might take it that that compensation for disturbance would be a very poor provision for the future of that man?—It would be a poor set off for the workhouse or the emigrant ship.

34706. Has he any chance unless he is fixed to his holding?—Not the slightest. It is the only chance for himself and his family.

34707. I don't quite understand one of the answers you gave Sir John Colomb about compulsion. You would apply compulsion to landlords?—I would.

34708. Only when necessary for the public good?—Yes.

34709. You laid down the doctrine that the State might, for the public good, take a man's property without fully compensating him; that was an abstract proposition, as I understood?—Yes.

34710. The State can make a law enforcing conscription and do other things, for which a man is not compensated?—Yes; I hold it as an abstract principle that the State can do that.

34711. Take the case of the tenant on that principle. Even if the tenant suffered you should be entitled to take his property for the public good?—Certainly.

34712. Suppose the State require the tenant's property and the State could not fully compensate the tenant?—The same principle would apply.

34713. That is your theory, but coming down to the concrete facts, suppose in a district there is no land in a landlord's hands, while there are some large tenants who could get on fairly well if they were compensated, and there are other men on the border with uneconomic holdings which cannot be enlarged unless you take the land of these larger tenants; in that case would you apply compulsion to the tenant if he is not a reasonable man?—I would, on the same principle as I would to the landlord.

34714. Suppose the shopkeeper had acquired land which is not necessary for his business as a shopkeeper, and is required for the small men around?—Certainly, I would apply the same rule to him.

34715. Taking it all round, suppose the Congested Districts Board were empowered to take land by compulsion for the relief of congestion, would you take it as a guiding principle that those to whom it is applied—landlords, tenants, or shopkeepers—ought not to be in a worse position than they were before the land was taken?—I would.

34716. I was greatly interested in what you said about Parish Committees, and in your replies to Sir John Colomb about them. I do not think we have had a truer appreciation of the power of the Parish Committees to elicit the best energies and best qualities of the people than we have had from you. May I suggest you should send a copy of that portion of your evidence—although he will get the entire of it in the ordinary course—on to the Secretary to the Congested Districts Board?—Very well. I will.

34717. Mr. Sutherland.—One word as to the difficulty of getting tenant and landlord to agree as to price. We have had it frequently in evidence before us that there is no need for compulsion, on the ground that the landlord is perfectly ready to sell provided he gets a reasonable price?—Of course there is no need then.

34718. In that case it is a question of agreement as to what is a reasonable price?—Yes.

34719. I presume you hold that no man ought to be a judge in his own case?—I hold that.

34720. The difference of opinion between parties willing to sell and parties willing to buy is only one of price, and in your opinion this should be settled by an impartial tribunal?—Yes.

34721. There would be no great difficulty in getting this done?—I am sure it would not be beyond the wit of man to find a way of doing it.

34722. Of course there are equities on both sides?—Of course there are.

34723. It would be for an impartial tribunal to settle; you don't see anything wrong in that?—I do not.

34724. So when you come to close quarters the question is not so formidable after all?—I think so.

34725. I suppose before 1881 there was not much talk of compensation between landlord and tenant in Ireland?—It did not come up for consideration.

34726. You made a remarkable statement that only 59 per cent. of the children attend school?—Yes.

34727. Can the summary power to compel attendance at school not be applied in Ireland?—I would like to try every other means before applying compulsion.

34728. Are you certain you have paid £77,000 on account of that railway?—Yes; during eighteen or nineteen years the guarantees necessary to make up the deficit in the earnings so as to pay the dividend of 5 per cent. amounted to that sum.

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34729. Mr. Kavanagh.—You know that there is a compulsory education law in Ireland and that it is applied in some counties?—Yes, but I would not like to try it until every other means failed. I think the managers are in a position to use all the compulsion that is desirable. Where you use it in a mild way you can get some of them to school, but where they are at home working on the land you could not possibly force them to come to school or they would starve in winter. I knew one farmer in my neighbourhood with five acres, during eight years, at the latter end of his life—he died at 104—to labour continuously on his patch of land, and I never saw anyone working there except himself. There is another man, eight-seven years old, with four acres, and he has not a soul to till it except himself. I see him every day. So it is a union of the very young with the very old—*juvenes cum senioribus.*

34730. Your argument is that compulsory attendance at school would take away the labour from the fields?—Yes.

34731. You would favour applying compulsion to landlord, tenant, farmer, and shopkeeper?—Yes.

34732. Would you see any difference between the man who works his own grass land and the man who lets it on the eleven months' system?—Certainly. The man who works it would be likely to give work to labourers, but the man who works it on the eleven months' system should certainly have compulsion put upon him in every case.

34733. Would you apply compulsion to the man who absolutely worked the land himself?—That is, tilled it?

34734. A man has two holdings; he lives on the one, and five or ten miles away he has a grass farm on the other, but he works the two in connection. He tills a great portion of the farm he lives on and uses the other to put out his cattle; would you make any difference in applying compulsion between that man and the man who works on the eleven months' system?—Yes, I would look on the two farms as practically one residential farm.

34735. Therefore, you say that compulsion is not to apply to residential tenants?—Yes.

34736. You would go further and say you would not touch any farm that a residential tenant had reserved and was using for his own advantage?—In connection with the agricultural farm that he had at home, but if he let it as a grazing farm on the eleven months' system then I should permit compulsion. In the other case it would be practically all one farm that would give a chance to labourers to earn their own livelihood. Therefore, I say these holdings would be essential, else you would have labourers unable to pay the rents of their cottages, which would add to the rates levied on the farmers.

34737. A shopkeeper has a good deal of grazing round a town, and perhaps uses it himself or perhaps lets it out as accommodation land to the people of that town, suppose you applied compulsion to that man and took the land and gave it to migrants, that would be a hardship not only to himself but to the whole town; would not you look on grass land around the town as somewhat different land from the grass land far away?—I would make very little difference. The needs of the town are not so extreme as the needs of the migrants. Therefore I would give it to the migrants.

34738. The needs of the town for the accommodation of cows are very great?—I admit it is a need, but it is nothing at all in the balance against the need of the migrant.

34739. Sir John Colomb.—As a general principle do you think where the State carries out a policy which involves loss that any individual or class of individuals should bear that loss, or that it is only reasonable that the State should bear it?—I think it is best that the State should bear it.

34740. Chairman.—You said that so stimulating was the effect of the Parish Committee that under its influence nearly all the land in this part of the world could be made to yield double what it now does?—Yes. I am taking my own parish, and the work of our Committee.

34741. If that is so I don't understand why you say at the same time that the rent is too high. The rent surely is not fixed on the energies or the agricultural

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knowledge of the holder but on the capability of the land, the power of the land to return a certain amount of produce?—I hold that capability should be largely taken into account.

34742. Do you mean to say that you would fix a rent on the character and energy of the person who tills the land?—No.

34743. You would regard all men as equal from the point of view of fixing rent?—Yes.

34744. Therefore, if you don't fix rent on the character of the person you must fix it on the capability of the soil?—That is a great deal of the principle upon which it is fixed, the value of the soil; but I would not hold that it would be justice to fix a rent on the capacity of the soil, because an exceedingly industrious, hardworking man will slave and knock more out of it than an ordinary man would. It would not be justice that the rent should be raised in accordance with his extra industry.

34745. Then, I understand you would fix it on a sort of medium scale?—Yes; what an ordinary man would do in ordinary circumstances; then the capability of the soil would be taken into account according to what he would do, but if you were to fix the rent on the capability of the soil as worked by a man who would slave at it, and receive a great deal of extraneous aid, it would be unjust to take this man as a standard.

34746. You say it would not be fair to fix the rent on the full capability of the soil because it would mean that a man would have to till it up to its utmost in order to earn the rent?—Yes.

34747. You say you must leave a margin?—Precisely.

34748. Would you go so far as to say that a half should be the margin; because, look at what your statement involves; you say on the one hand that the rent is too high, and on the other hand if the holdings were worked to the full extent double the returns could be derived?—Yes, because of the means the parish committee would use to secure that result.

34749. But, as a fact, if these holdings were tilled as they could be tilled they would earn double the amount?—Exactly.

34750. That means that at present they are being tilled to produce one-half the amount of which they are capable?—Precisely.

34751. Therefore, the rent is probably at present on half the real capability of the soil?—In the case I contemplate extraordinary help is given to the tenant, but I mean that the rent is to be fixed on the possibilities of the land as worked by an ordinary tenant, without this help. I am bringing in extraneous aid, and that is not a thing you are to take into account in fixing the fair rent.

34752. You bring in machinery which will increase the tenant's energies and knowledge; that is the method by which it is done; but at present is not it the fact that the rent is payable on half the capabilities of the holding?—Just take the case of a man in my neighbourhood, who is paying £1 an acre for his land. I give him plenty of money and labour and he works up his land so that it may be worth £3 an acre. Is the rent to be raised because I am kind to that man?

34753. No; let us take this point. The gross return of a holding is £10 a year. There is £1 rent, and he complains that his rent is too nigh. Assume, as you say, that if his energy is stimulated he can, as a matter of fact, get £20 out of his holding?—Through extraneous aid. The aid we give him does not come from himself. It is assistance we give him, and when the rent was being fixed it was never contemplated he would have such a kind friend to enable him to knock more out of the land than he otherwise would.

34754. Take the question of drainage. You say to the man that if he drains his holding in a way that you approve of you will give him a certain grant. In view of that aid that man drains his holding, makes roads, and provides other improvements. By those means he is enabled to get £20 a year out of his holding where formerly he could only get £10. The original rent of £1 would not press on him if he could get double the return from his holding?—This is altogether a thing that was not to be expected when the rent was fixed. It was not contemplated that a special parish Providence would come to his aid.

34755. I don't say you should raise his rent. All I want to point out is it seems to me that the two things are inconsistent, and that probably the reason his rent weighs upon him is because he is not getting the full amount out of his holding, and that if he did get the full amount out of his holding it is a proper judicial rent?—Precisely; if you work it to the very last possibility, but many can scarcely work it to its lowest possibility much less its highest possibility. You have an illustration of this in the cases I gave you of the high rents. These people, the young and the old men working the lands will never make the rent; but if an army of friends comes to assist them, as the Parish Committee may be called, and thus made the land yield double produce and the landlord was to have a right to that, then justice would be blown to the skies.

34756. You compare the Parish Committee to an army of friends as if the whole character of the soil was changed by some beneficent authority; as a matter of fact the man does it himself, only you stimulate him; the army of friends is the man himself?—They instruct him to do it; they give him the means, without which he never could have done it himself.

34757. You stimulate him. You don't give any machinery that he had not before. All you do is to encourage him?—When God gave to David the power to hurl the stone was not it the very same? We are giving him a power he had not before. Is he to be rack-rented because we are giving him this power?

34758. No; that is another point. I don't say his rent should be increased. I only say would he feel the pressure of his judicial rent fixed by the Commissioners if he were to work up his holding to the extent you say it can be worked?—It is impossible for him if left to his own unaided resources.

34759. Even with the assistance of the parish committee?—He can do nothing without it.

34760. With the parish committee he is able?—Yes. they would enable him to accomplish what was before impossible.

34761. Would you suggest that the parish committee should aid him to double the yield of his holding and that at the same time the rent should be reduced?—No; I never thought of the rent being reduced because of the aid of the parish committee.

34762. Then when you complain of the rent being too high you are not complaining of the reductions of the Commissioners in fixing the amount?—I think it is too high, and in the cases quoted anyone can see the reductions were inadequate.

34763. Do you contemplate it remaining too high or do you mean that it should be lowered?—Justice demands that it be lowered.

34764. Then you do wish it reduced?—Of course, I do.

34765. Then you say you wish the parish committee to stimulate the energy of the man to double the yield of his holding and at the same time reduce his rent?—I think if you allow it to be kept at the figure it is at because of the help we give him then you are putting a rent on the help we give him, and not upon the proper principle at all.

34766. Is not the proper way to look at it this that you are stimulating him to so till his holding, so that he will be able quite easily to pay the rent which is fixed upon the holding?—Of course he will be able to pay because he is helped, but taking him as he is without any extraneous aid he is not able to make the rent and live up to any fair standard of human comfort.

Mr. Michael Roddy examined.

Mr. Michael Roddy.

34767. Chairman.—You are a farmer?—Yes. I live at Dromany, Aughnasheelan.

34768. What is the size of your holding?—About eighteen statute acres, with a valuation of between £9 and £10.

34769. What sort of land is it?—It is hill land and low land—all bog land.

34770. How many acres do you till?—About 1½ or 2 acres Irish.

34771. What do you do with the rest of the holding?—I work it as a mixed farm. I keep cows upon it, and I meadow it, and graze it during the winter for the hay, and the crops feed the pigs and serve the use of the house.

34772. You keep milch cows?—Yes.

34773. Where do you sell the milk?—At the creamery here.

34774. How much do you get per gallon for the milk in the creamery?—From 3*d.* to 4*d.* per gallon.

34775. Is it more often 3*d.* than 4*d.*?—It is seldom so low as 3*d.* It goes from 3.40*d.* to 3.70*d.* a gallon, or an average of 3·55. I don't think I ever heard of the one price for two months running.

34776. What do you feed the cows on?—On the grass in the summer season, and on the hay in the winter.

34777. Do you give the calves separated milk?—You must feed the calves on the natural milk until they are eight weeks old, and then you can mix meal with the separated milk, and the calves begin to get on.

34778. Is it your experience that the calves do as well now as they did before the creameries were established?—Certainly, if they are fed as I say. I had last season as good calves as ever I reared, and they were fed in the way I say.

34779. Do you make more money by selling your milk to creameries than you did before by making the butter and selling it?—I did not keep an exact account of all I made, but I think it is about the same; but there are many things to be taken into consideration as well as the price. It is a saving of labour—the sending of it.

34780. But the labour was your own family; did not the wives and daughters of the family make the butter before?—Yes; they did. Where there was a good, well-trained butter-maker they would run the creameries close, but in the ordinary course of things, the butter in the country was not up to the standard.

34781. Where the butter-making before was very good there was not very much difference in price, but all the butter-making was not good, and where the butter was made badly they could get more by selling the milk?—Yes; bad butter-makers would make more in the creameries than in the market.

34782. I suppose the majority were bad butter-makers?—I would not say that, but there was a great deal of bad butter in the local market, and there was a good deal of difference in the price in the local market.

34783. Is there anything else specially that you would like to tell us?—Yes. I was sent here by the local branch of the League at Aughnasheelan about the relief of congestion. I am a member of the parish committee. They recommend the purchase of land in our district through the agency of the Congested Districts Board, and the relief of congestion in our district by migration and adding cutaway bogs to enlarge holdings to assist the small holders to improve their productive powers.

34784. How do you think that could best be done?—The best agency we ever saw in the country, if it was properly worked and extended, was the parish committee, but all it has done is only a slight beginning towards its possibilities. It wants to be extended and the limits of its operations should be raised from £7 to £10 valuation.

34785. Do you think the people in your district would migrate?—I asked several of them since this Royal Commission started. Some of them would agree to go if they got a place within a reasonable distance. Several would go the length of ten or twenty miles, and would be very glad to go.

34786. What sort of people were they whom you asked. Had they got holdings themselves?—I am referring to small holders who have some land that they cannot live out of.

34787. They were heads of families themselves?—Yes, fathers of families.

34788. Don't you think they would go further than ten or twenty miles?—I think perhaps they might go.

34789. Suppose there was not enough land for them in the County Leitrim would they go to Roscommon?—Some of them might go, but still it would not be easy. There would be no obstruction if we had them for young men, while we have fine young men and girls going to America.

34790. They would migrate to any part of Ireland?—Yes.

34791. What is the objection to the distance; if a man would move twenty miles with his wife and family why should he not move thirty miles?—They would not have such a hard and fast line in that way.

34792. It is a question of this county or any other county?—It is a question of connection with immediate relations, friends, and neighbours.

34793. If they moved twenty miles they would go out of the district in which they knew the people: so if they had to go into a new district does it matter whether the distance is ten or twenty miles near or further?—It will in the beginning, anyway until they wear off their notions of home.

34794. Do you think any men would say they would go to the County Leitrim, but not to any other county?—No, but a man would go twenty miles. If several people were to go together they would go thirty or forty miles.

34795. You think if several people went and succeeded others would be glad to follow?—Yes, and if you would send colonies they would go more readily than by themselves, a group of five or six. We think by getting land and assisting migration congestion could be relieved, and some agency like the Parish Committees, where there are cutaway bogs and turbary, should be able to add them to small holdings in order to improve the production of the piece of land the people have.

34796. Mr. Sutherland.—Is there much cutaway bog available?—In the mountain bar across there is a considerable amount.

34797. Sir John Colomb.—Taking the case of a tenant with a small patch of good land and a large tract of bog land, what you mean is to assist that tenant to reclaim more of the bogland?—Where there are cutaway bogs they are generally the property of the landlord, and the whole bog is in turbary going away. There should be assistance given to reclaim it and add it to adjoining small holdings. That would leave the people a better way of living.

34798. You don't mean a tenant who has only bogland should be assisted to reclaim bogland?—I think it should be done in the same way as the Parish Committee at present work.

34799. You mean to say that some means should be taken where there is bogland beyond the tenant's own holding, to acquire that land and then assist him to reclaim it?—If there was plenty of bog adjoining the holding no matter whom it belonged to it would be a good thing to acquire it and give him the means of reclaiming it.

34800. If there is a tract of bogland not occupied by tenants and there are tenants adjoining it, to whom it would be profitable to reclaim it, you would like powers to enable the Parish Committee to secure that bog for them and help them to reclaim it?—The Parish Committee or some agency like it. The Parish Committee is the best I have seen yet.

34801. Most Rev. Dr. O'Donnell.—In solving the problem of congestion the first means is to migrate people to better holdings?—Yes.

34802. Then you think that the Parish Committee could do a great deal to improve the holdings by drainage and reclamation?—Yes, I do.

34803. You consider if the people got a little encouragement in the shape of a small grant more drainage could be done than at present and more bogland could be reclaimed in case the boglands were given them?—Yes. That is my opinion with regard to that, and the Committee have discussed it and have come to the same conclusion.

34804. Are there mountainous tracts in the district you know best?—Yes; Graghlass and Stralongford.

34805. Is the population mainly on the mountain sides or are there people in low valleys?—The whole parish of Ballinamore, or the principal part of the district around is congested. In one electoral division of Ballinamore the holdings are fairly large, but outside that they are all small holdings, mostly under the living standard.

34806. Have you noticed in some of the divisions not scheduled as congested very poor spots?—Yes, some as poor as in any division.

34807. You would like it to be possible for the Parish Committee to attend to these?—Yes; I know instances of poor men across the mearing who are quite as much in need of assistance as the men beside them who are scheduled.

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Mr. Michael Reddy.

34808. You say the limit should be £10?—Yes, raised from £7 to £10.

34809. If they had increased grants and the limit were raised a great deal could be done?—It won't be a remedy for everything, but it will improve the present state.

34810. CHAIRMAN.—Does the Department of Agriculture do anything in this part of the world to stimulate the people?—That is a thing the Committee directed me to speak on. The Department of Agriculture in this county is useless up to this, and almost everything else except the Parish Committee. We don't think ourselves fairly treated by the Congested Districts Board, without meaning any imputation on any body of men, with regard to the distribution of the funds.

34811. The County Committee does not work here?—The County Committee of Agriculture and Technical Instruction sent round some lecturers. I saw no practical use in it. You might as well give them a lecture in Latin or Greek as to have a man coming round once in twelve months. It is not worth paying carriage for.

34812. You think a resident instructor would be much more practical?—I think it would be the proper thing to do if funds at present administered were handed over with the funds we have already to the Parish Committee. They would make one hundred times more use of it, for we can see nothing after the other.

34813. Who is the representative in this part of the world of the County Committee?—There are gentlemen on it better than I, who am only a plain working farmer. There is the Chairman of our Rural District Council, Mr. Kane.

34814. Were you on the County Committee?—No. Father Gray is a member of it, and I think all the County Councillors are members. They had a larger committee some time ago, and they re-arranged it.

34815. Have you pointed out to the people on the County Committee that the present methods are not much use?—Yes; we talked to some of the members about it. They don't seem to be able to mend it.

34816. Have they ever tried, do you know?—They are working away.

34817. With no results?—Whatever it may have done for other parts of the country, at any rate in our parish we are nothing the better of it.

34818. Have you got any example plots about here?—Yes; we have got experimental plots this year. There is now for the first time one in our district.

34819. On good land or bad?—On medium land. It is as good as what the people have to live on generally.

34820. Who looks after that plot?—The owner of the farm gives the labour, which he applies according to the directions of the Committee's expert.

34821. Does anybody ever go to look at it?—It is only commencing now. There is not much time to look at it yet.

34822. What other point do you wish to refer to?—There should be a stop put at once to the practice of sales between poor tenants and landlords. Under pressure of arrears the tenants would give anything they are asked to give to get away from the load of arrears and the chance of being turned out altogether. I know cases myself of estates where agreements were signed for 21½ and 24½ years' purchase, and there were seven, eight, nine, and up to fifteen years arrears, and they have no security for 24½ years' purchase.

34823. There has not been very much buying and selling in this part of the world?—Not under the last Act. There have been a few sales under the previous Acts.

34824. Would you say that sales ought to be prevented direct from landlord to tenant?—There should be some safeguard to prevent the landlord from getting the upper hand. If a man gives twenty-four and a half years' purchase when he has not been able to pay for the last fourteen years, how are you going to get the annuities? The whole armies of England would not get it. I know estates in the district I am referring to sold under the Act of 1903, and other estates sold under previous Acts at sixteen, fifteen, and fourteen years' purchase.

34825. Do you object to direct sales under the old Act or under the new Act?—Tenants with a load of arrears are brought to make a bargain on whatever the landlord asks. If he asked thirty years' purchase, and insisted on it, they would sign it to get rid of arrears.

34826. You object to direct sale no matter whether they take place under the old Acts or the last Act?—I did not refer to the old Acts. There was nothing over sixteen years' purchase until the last Act.

34827. It is only to direct sale under the Act of 1903 that you object?—Yes; I object to direct sale between landlord and tenant. The landlord has the upper hand, and the county will have to pay the money for that poor tenant.

34828. Still it has not often occurred yet?—It has not, but the attempt has been made, and I know estates in the same locality where the tenants had to agree to the price because they were in the landlord's hands, while on the neighbouring estate the land has been offered at twenty-four and a half and twenty-one and a half years' purchase for the last two years, and the tenants won't take it.

34829. Sir JOHN COLOMB.—You have told us how you feed your cows in the summer and winter?—Yes.

34830. You treat them well in winter?—Yes.

34831. In order to make provision for the cows and calves in the winter what crops do you grow—any turnips?—Not much.

34832. Or any mangolds?—No; we have some plots of mangolds we labour occasionally, but not very much of it.

34833. What do you feed your cows on in the winter?—Principally upon the hay; altogether I may say.

34834. And the calves?—We feed them on the hay too; they might get some indian meal or milk, and several other foods of that kind.

34835. You don't make any butter at all in the winter?—There would be no butter in the winter because the cows are dry.

34836. The only thing you grow for the winter feeding for the cows is the hay?—That is all; they might use the straw sometimes by half threshing the oats.

34837. Did you attend any of the lectures of the Department lecturer?—Yes.

34838. You said it was like Greek; we have many people telling us the same thing. Did they tell you about mangolds and turnips, and the advantage of having some both for feeding the cattle and making more manure?—He told us a lot of things.

34839. Did he tell you that?—Yes; I could not remember half of what he told us.

34840. Did he tell the people the importance of making manure?—He did.

34841. Did he tell you of the importance in order to make manure in the winter for cropping in summer of having some mangolds and turnips to feed the cattle in winter?—Yes, and discussed it with local farmers; and what keeps back the growth of turnips to a great extent is the ravages of the fly.

34842. That was not Greek to the farmers?—That was quite reasonable. What I said about Greek and Latin was perhaps a little too strong, but I will not withdraw this that the general tone of the lecture was all right until you would come to put it in practice when it would be quite another thing. He told us how to plant potatoes and all that sort of thing. He did not tell us what to do when you come to sow oats on May Day that ought to be sowed on the 25th of March.

34843. Was the experimental plot cropped last year?—No. The only experimental plot in our district was about half an English acre of potatoes, and it is cropped at present, and you can crop lea fields, you can plant potatoes when you cannot sow oats.

34844. Do you mean the Commission to understand that the only thing grown on the experimental plot was potatoes?—The only experiment made in this locality was with potatoes. This is the first year it started.

34845. Have you seen or heard of any plots off which they take crops of turnips, mangolds, vetches, rye, or rape, or anything of that kind?—No.

34846. So far as your knowledge goes the only experimental plot to improve the knowledge of agriculture in your district has been laid down in potatoes?—Yes; in our district there was one plot of potatoes. This is the first time it has been done. It remains to be seen what it will do. There is one matter that the Congested Districts Board would do well to attend to. In this district there is a great want of assistance for cattle. We lose a great deal of cattle through the

wet seasons. A veterinary surgeon in Ballinamore or the neighbouring district is very much required, to go round among the poor holders. There is no doctor except a quack doctor in this locality, and the Committee think it would be a most useful thing if this defect could be remedied.

34847. Mr. SUTHERLAND.—Is there no veterinary surgeon in this neighbourhood?—There is no veterinary surgeon that I am aware of nearer than Boyle or Longford.

34848. They charge high for such assistance?—They seldom come down. It is no wonder they would charge when they have such a long distance to come.

Rev. MATTHEW KANE examined.

34849. CHAIRMAN.—Would you kindly mention any points that you wish to bring before us?—I live in a district which is congested, in the Ballinamore district. I have a good knowledge of the townlands that are scheduled, and have had full opportunities of observing the people and their habits. They are very poor people, and I believe that those in districts not scheduled are equally poor as those who live in scheduled districts. It is a mountain district and the crops depend upon the weather. Last year the people of the district had no potatoes. The potatoes failed completely, and the Congested Districts Board did not take any action with regard to alleviating their poverty except the usual dole they give out to each of these districts each year.

34850. The "usual dole" being the Parish Committees?—Yes.

34851. You regard the Parish Committee as a dole?—It is not at all equal to the wants of the place. We have, available for the relief of congestion in this place, 360 acres of untenanted land. There were evictions carried out in this district. I think it was in 1892. They were carried out with characteristic cruelty by the landlord.

34852. Characteristic cruelty?—It was quite convenient to this district.

34853. Is it characteristic of the district that there should be cruelties?—All landlords, without exception. I never knew of what might be called a good landlord, nor I never read of it.

34854. Is it characteristic of all landlords that they should be cruel?—That is my evidence. If I ever read of a good landlord I have forgotten it. In the case of this Stroke, that is a townland quite convenient to Ballinamore, in the year 1892, there was an agitation, following after a very bad year, to get the rents reduced. These people were not able to pay their rent and they came under notice of eviction. The agent of the property that lived near was not remarkable for much leniency, but he shrank from such an ordeal as putting them out. There was an emergency agent appointed under him to carry out the evictions, and they were carried out with that characteristic cruelty that I will just relate. He went out to the district and parafined the houses and burned the whole townland. He built slated houses for emergencymen on that townland, and I am told some of these men never paid a penny of rent since. Of course he put them in on the eleven months' system. The remedies I would suggest would be compulsory purchase at a moderate price; further grants to be made to the Congested Districts Board in order to meet the necessities of the districts, and I would suggest that this would come from the Treasury, and from the excesive taxation we are paying each year. We are paying four millions excess each year. According to their own experts Ireland has been robbed of more than two hundred millions since the Union. If that four million a year was distributed among the congested districts, and applied, say, to building suitable dairies, to drainage, and other reproductive works——

34855. How do you arrive at that four millions?—I have the Government's own experts.

34856. Can you give me the figures?—I cannot give the exact numbers. It is a very doubtful thing. It is far more in my opinion. It is Sexton I have the greatest reliance on. He leaves it at six millions. He is the greatest arithmetician in Ireland.

34857. Do you know what the present gross amount of taxation in Ireland is?—No.

34858. Nor do you know the gross amount spent?—I did not look myself for the figures. It is like a proposition in Euclid. I take it for granted though I might not be able to prove it, that two sides of a triangle are greater than the third.

34859. Am I to understand that you tell the Commission Ireland is overtaxed to the extent of four millions without taking the trouble to inquire the gross amount of taxation?—That is a question for experts. I will give you the case of another landlord. I know it myself. Before the Land Act of 1881 he took 2,000 acres of mountain for a grazing ranch for himself. It was very valuable land—limestone. He ran a mearing fence across it. He let small patches to the farmers at the foot of the mountain. He was not content with that, but raised the rent a shilling in the £ on them every successive year, to help them I suppose. Suppose a tenant was paying £10 one year it was £10 10*s.* the next year, and £11 the next, and £11 10*s.* the next, and so on.

34860. Mr. KAVANAGH.—What year was that?—That was before the Land Act of 1881. He was an absolute ruler then. He did not content himself with that, but I was passing one day a house and I remarked that there were no fowl about and I asked the woman of the house did she keep ducks and she said "No," and I asked why, and she said the landlord would not allow her to keep ducks. I asked her what was the reason of that, and she told me the landlord had a pond he fished in; there was a little stream passing the house, and he was afraid the ducks would take up some of the fry of the fish, and he would not allow her to keep ducks. There was one farmer in the place who had a lease, and the landlord used to keep a sluice out of his fish-pond, and this farmer had a right of irrigating his meadow, and he used to raise the sluice and let out the fish, and the children used to have great fun seeing the fish hopping about on the meadow. The landlord told him he would evict him, but he said, "You cannot, because I have a lease." I knew another agent. He was passing a road one day on a car, and he heard the sound of a shot. He was an magistrate, and an agent of the estate. He stopped the car. There was a young farmer's son, and he had some trees planted in front of his house. A school of magpies used to go on the top of the trees and pick the top of them and destroy them. He was after firing a shot at a magpie, and the agent asked him what did he fire the shot for. He said, "I killed a magpie; he was destroying the trees." "I will let you know," said the agent, "that you will fire no more shots, because I will raise your rent £1 a year." The case was heard afterwards in court, and the man was asked what was his rent raised £1 a year for and he said, "for killing a magpie." The agent did more than that. There was two young fellows in the country took it into their heads to have a boxing match. He was all-powerful. He could evict them if he liked. The father of the chap that was beaten went and complained. He went to the other father and he says: "You must send your son away out of the country"; "Why"? "Because he is too great a fighter; you will have to send him away." So he had to send him away or he would be evicted. Probably he is in the police force at present. The same agent got notices printed. He used to make a rule that if the tenant was not in at a certain day to pay his rent he would charge them ten shillings fine. Some were good enough to say he used to pocket it himself; but he got a picture of the landlord, a young man who was coming of age, and sold copies to the tenants at a shilling apiece, and the person who would not buy one for his drawing-room at home was no friend of his. The landlord came of age and was married and settled down on the estate, but the castle he was going to live in he took a charge of dynamite and blew it up. These are facts. The landlords must be bought out. There will be no peace in the country until they are gone. That is an argument for compulsory purchase. With regard to parish committees, my opinion is they are doing the best work they can on the very poor means they have. They ought to be provided for by the money

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Rev. Matthew Kane.

we are being plundered of every year. There ought to be more attention paid to drainage and the building of dairies. These are reproductive works. As far as creameries are concerned there is a difference of opinion as to their usefulness, but one thing certain is that I don't like them. I believe they are a harm to the country, sending away the young girls, emigrating them as they have no work to do at home. It is demoralising the country. I heard an eminent doctor, talking about the children, say you would know on their faces going to school where there was a creamery, owing to the appearance that they presented for want of proper feeding. He said he believed well-made, home-made buttermilk on the old style was the best tonic he knew. I believe that drainage and the building of dairies should be, to a great extent, increased. If you had better dairies built, suitable to the farms, you could have good milk and butter made and industries for the people who have to emigrate.

34861. Don't you think there must be some method of seeing that the butter is of standard quality?—They could do that if they had these dairies built on the same plan through the country. Suppose some of the four millions was granted to build dairies then they could have a uniform standard of butter.

34862. Most Rev. Dr. O'Donnell.—A cottage dairy for each house?—Yes.

34863. Chairman.—Having erected these dairies with the four millions how do you propose to secure that the butter should be of uniform standard?—I would suggest they should have a few instructresses, but they are very good butter makers here.

34864. They never did this before?—They were not able to build dairies with the excessive rents and taxation.

34865. It is not a very expensive thing to build a dairy?—It would take £8 or £10 to build and equip a dairy. It would want to have hot water pipes in the winter to keep up the temperature. That would be in connection with the farm house.

34866. Mr. Sutherland.—The colder the dairy is the better?—In summer.

34867. Always?—You must keep it at a certain temperature all the year round, and it will fall lower in winter.

34868. Most Rev. Dr. O'Donnell.—They could build a dairy attached to the house and having an entrance to it from the outside?—Yes. It would not be difficult at all to do. Leitrim, as far as I can see, is behind the other counties in the amount of money it has got from the Congested Districts Board. I was president of the committee in Glenfarn for eight years, and we never got any money.

34869. Chairman.—Have you always been in the County Leitrim?—Most of my time; about eighteen years in the County Leitrim. Before that I was in Monaghan and Donegal. Bundoran was my first parish. We have in this district a coal mine. With regard to the Agricultural and Technical Department, I don't see what great good they are doing, but on the contrary you will get a very strong opinion that they are ruining the country with regard to the breed of cattle, horses, donkeys, pigs and fowl; they are not suited at all for the place. What I would suggest is, that some one connected with the Congested Districts Board should meet the parish committee and ask them what were the principal things to do for each district, because each district knows what is good for itself. In some places they went in mostly for agriculture, and in other places they went in mostly for rearing cattle, because it paid them better; the grass was fairly good and the labour was dear, the population was going and they had to leave it out in grass. In other parts of the country I was in they could not do that very long because there would be no grass at all in it in a short time. They had to keep it cropped. I knew another agent in the County Donegal, and he had no money of his own. When he was buying the property he borrowed it simply from a money lender in Dublin, and he doubled the rent when he bought the place, and the people were compelled to work themselvs to death's door in order to pay that rent.

34870. That was before the Act of 1881?—Yes, and he got a valuator on the land, and doubled the rent, and in order to pay the rent they had to sow the land with flax year after year. Everyone who knows anything about agriculture knows you will destroy the land if you do that. They had to do that until the land became as bare as the floor of this courthouse. With regard to the breed of horses and cattle, the country people here who are very well up in agriculture—we have as good farmers here as in any part of Ireland—tell me they are a total failure. They have destroyed the breed of horses in the first instance. The grand horses of the West, the carriage horses, are all ruined by crossing them with English horses sent over by the Agricultural Board. In the case of donkeys they have a few of them through the country; they are a total failure. They are not able to carry a back load, and they are harder to feed than a horse. The real old Irish donkey had to carry very heavy loads, and was easily fed. With regard to fowl, there was never any disease known in the fowl until the new breeds of fowl came into the country. They are not suited for it at all. The climate is too wet. With regard to the breeding of pigs, they are an absoluate failure, because the old Irish pig gave better bacon if properly fed. They had such long snouts, about a foot long. They used to plough the land in winter.

34871. Is it due to the Congested Districts Board that this remarkable breed has died out?—They have not died out I am very glad to say.

34872. Most Rev. Dr. O'Donnell.—Have you any special suggestion to make with regard to industries?—Yes; the building of dairies and drainage would be reproductive because they would go on not only this year but they would go on continually, and I think the money expended on drainage would help very much to improve the land. As regards emigration, if you are to stop it you must have home industries. The only home industry we have here is butter-making, and that is being destroyed by the creameries. In some districts it is destroyed entirely. They only keep one day's milk that is Saturdays, and churn on Monday.

34873. Mr. Kavanagh.—But I suppose they sell their milk because they get a better price?—On the contrary they say themselves that taking everything into account it is far better to keep the milk and butter at home and not sell it to the creameries at all.

34874. Why do they do it?—It is for an experiment I think.

34875. It is a co-operative creamery?—Yes.

34876. They all joined to start the creamery?—Yes.

34877. They have all considered the question?—Yes.

34878. Still they go on doing it?—They did not understand at first it would be a loss.

34879. Why do they go on doing it?—Like a person putting in money they venture it. Very probably at first they were advised to do it by others who had some authority with them, and thought it would be a better thing.

34880. Do they get the benefit of any profit on the society?—There has been no profit in this district.

34881. Chairman.—No profit for the district?—Not at all. The tenants never got a penny for their shares.

34882. What used they get in the old days for the butter they used to make themselves?—The price varied.

34883. Give us an average price?—I remember the time it was fifteen pence a lb., the time of the French war.

34884. Agricultural produce tended to be high at that time?—It came down to a shilling, 11*d.* and 10*d.* An average price would be 11*d.*

34885. In what year?—Every year since, except a few years after that.

34886. Take 1890?—The average would be 11*d.*

34887. How much milk would it take to make a lb. of butter?—About three gallons.

34888. How much a gallon do they get?—3½*d.* to 4*d.* It is the evidence of the country people I am giving. I did not go into the subject myself very minutely. I did not pay much attention to the creamery business because I was opposed to it. I merely showed its shortcomings.

34889. You showed its shortcomings without its advantages?—Yes.

34890. Mr. Sutherland.—Generally there has been no adequate return for all this money that has been spent on agriculture and these things in Ireland that is not spent in other countries?—I think it is fairly well spent as far as it goes.

34891. Everything you have told us is a record of failure?—As regards the Department of Agriculture and the breeds of cattle.

34892. Is it encouraging that there should be a record of failure?—Yes, but the fact is that I am only giving what I heard. It is not the fault of the County Committees. They are trying to do their best with what little pittances they get.

34893. Most Rev. Dr. O'Donnell.—I gather you think that the grants to the Parish Committees should be increased and the Committees consulted about the local schemes?—Yes.

34894. For the poorer classes of people you would be in favour of cottage dairies as against creameries?—Yes.

Mr. Patrick Mulvery examined.

34895. Chairman.—Where do you reside?—At Currabeer. Ballinamore. I am a farmer. I happen to be in charge of the work of the Congested Districts Board in this parish and wish to say a few words as to my experience there.

34896. Are you Supervisor of the parish committee schemes?—Yes. Our grant was £50. This is our third year of working. We had eighty applications, and finally we had fifty-six persons getting something of this grant. What I wish to draw attention to is the case of the very poor people who get no benefit from the grants, because they are not able to approach the committee with the necessary contribution towards the work. What the committee have decided on giving here in the case of improvements to houses and surroundings is one-fourth of the estimated actual value of the work. Poor people who want to get improvements effected cannot come with the necessary contribution to get the grant. These people are too busy earning a living for their families. They generally have five or six acres of land and they earn wages with the better-off people in the district, generally for a shilling a day and their support, and they devote a good deal of their time to that, or to labour in England or Scotland. Sending up my book to the Board last week I have referred to the necessity of getting at the very poor people that we are all anxious to help.

34897. You think it would be a help to the very poor people if the grant were larger and the contribution less?—I have written my views to the Board. If they would kindly instruct their own inspector I would point out those exceptional cases with a view to seeing what could be done.

34898. Mr. Sutherland.—Are there many such cases?—They are rather limited.

34899. Could you say what proportion they represent of the number you assist; are they one-fourth of the whole?—By no means. They are not one-sixth nor one-eighth. There are not a great many of them.

34900. Seven-eighths of them would be able to fulfil the conditions?—Yes; they are doing it punctually and creditably.

34901. Does the Congested Districts Board not give discretion to the Parish Commtitees to act as they think best in matters of this kind?—There is no power to deal with exceptional cases at all.

34902. Would your case be met if the rule were relaxed, and in some cases like those to which you refer you were enabled to give a larger proportion?—Yes. That is the point that I wished to bring forward when I heard that the Commission was sitting here. It has been pressing on my mind for some time past.

34903. Mr. Sutherland.—I think after the statement you have made here in presence of the Bishop, who is a member of the Congested Districts Board, your recommendation should have consideration.

34904. Most Rev. Dr. O'Donnell.—Quite so. It is very important. The cases you mention could be treated as exceptions?—Yes.

34905. There are people who cannot help themselves unless they got a grant almost equal to the improvement?—Yes.

The Commission adjourned.

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APPENDICES.

APPENDIX I.

APPENDIX I.

DOCUMENTS put in by Mr. H. G. L'ESTRANGE in connection with the evidence given by him before the Commission.

A.—STATEMENT showing how RENTS have been paid on ESTATES managed by him in Co. Sligo.

—	Rental for period of 10 years.	Rents received in this period.	No. of Tenancies on Estate.	Average Yearly Rent per Tenant.	—	Rental for period of 10 years.	Rents received in this period.	No. of Tenancies on Estate.	Average Yearly Rent per Tenant.
	£ s. d.	£ s. d.		£ s. d.		£ s. d.	£ s. d.		£ s. d.
A.	86,486 13 4	87,091 10 9	868	9 19 3	G.	1,865 9 9	1,827 18 1	21	8 17 8
B.	35,248 0 0	35,357 9 11	325	10 16 10	H.	879 13 9	880 17 9	19	4 12 6
C.	19,505 1 6	19,404 2 7	197	9 17 3	I.	403 0 0	421 2 6	5	8 1 5
D.	13,428 16 7	13,950 4 2	160	8 7 10	J. (6 years).	830 9 10	845 3 9	27	5 2 6
E.	11,652 10 2	11,594 2 11	118	9 17 4					
F.	2,757 12 3	2,769 3 3	13	21 4 3		173,057 7 2	174,141 15 8	1,753	

B.—STATISTICS as to PAYMENT of RENTS on ESTATE of Major WM. GRIFFITH PHIBBS.

PERIOD.	Rental for the period mentioned.	Rents received in the period mentioned	Number of Tenants on Estate.	Average Yearly Rent per Tenant.
	£ s. d.	£ s. d.		£ s. d.
For Half-year ended 25th March, 1882, ...	663 7 5	558 19 1	101	13 2 8
For One Year ended 25th March, 1883, ...	1,252 10 8	1,269 5 1	101	12 8 0
For One Year ended 25th March, 1884, ...	1,115 15 3	1,159 17 0	101	11 0 11
1885, ...	—	—	—	—
For Half-year ended 25th March, 1886, ...	552 4 11	592 18 1	101	10 18 8
For One Year ended 25th March, 1887, ...	1,063 3 8	857 11 1	101	10 10 6
For One Year ended 25th March, 1888, ...	1,047 18 8	315 3 6	101	10 7 6
For One Year ended 25th March, 1889, ...	1,045 19 10	937 12 10	101	10 7 1
For One Year ended 25th March, 1890, ...	1,045 19 10	929 12 4	101	10 7 1
For One Year ended 25th March, 1891, ...	1,040 4 2	1,178 14 5	101	10 6 0
For One Year ended 25th March ,1892, ...	1,040 4 2	826 5 3	101	10 6 0
For One Year ended 25th March, 1893, ...	1,011 2 6	990 15 3	101	10 0 2
For One Year ended 25th March, 1894, ...	1,005 7 6	871 8 6	101	9 19 1
For One Year ended 25th March, 1895, ...	1,005 7 6	945 16 6	101	9 19 1
For One Year ended 25th March, 1896, ...	1,005 7 6	934 7 0	101	9 19 1
For One Year ended 25th March, 1897, ...	1,005 7 6	824 13 3	101	9 19 1
For One Year ended 25th March, 1898, ...	1,005 7 6	878 13 2	101	9 19 1
For One Year ended 25th March, 1899, ...	961 13 6	875 4 1	101	9 10 5
For One Year ended 25th March, 1900, ...	883 11 11	835 7 7	101	8 14 11
For One Year ended 25th March, 1901, ...	858 6 11	707 7 4	101	8 9 11
For One Year ended 25th March, 1902, ...	844 0 8	761 9 10	101	8 7 1
For One Year ended 25th March, 1903, ...	850 4 8	438 1 6	101	8 8 4
For One Year ended 25th March, 1904, ...	836 4 8	700 2 9	101	8 5 7
For One Year ended 25th March, 1905, ...	792 0 8	521 15 9	101	7 16 10
	21,931 11 7	18,911 1 2		

C.—Statement of Loans on Estate of late Col. E. H. Cooper.

LAND IMPROVEMENT (10 Vic., c. 32, &c.).

Number of Loan.	Date.	Amount Issued.	Half-yearly Instalment, 5th April and 10th October.	Expiring at	Gale due 5th April, 1907.
		£	£ s. d.		£ s. d.
5361	18th November, 1873 (Loan £2,310), ..	2,300	46 0 0	October, 1917, ...	45 4 8
5820	9th February, 1876 (Loan £3,730), ..	3,000	60 0 0	April, 1919, ...	59 0 0
6261	14th February, 1878, ...	3,610	72 4 0	October, 1924, ...	71 0 0
6295	6th April, 1878, ...	3,000	60 0 0	April, 1924, ...	59 0 0
10478	1st May, 1884, ...	150	4 17 6	Redeemed 5th April, 1898,	—
10582	29th July, 1884 (Loan £320), ...	225	5 12 6	Do., ...	—
13307	5th May, 1886 (Loan £825), ...	330	7 9 10	Do., ...	—
15038	1st June, 1894 (Loan £1,345), ...	1,330	43 4 6	April, 1918, ...	42 10 2
17196	21st May, 1901 (Loan £1,160), ...	890	22 5 0	October, 1939, ...	21 17 7

RELIEF OF DISTRESS ACT, 1886 (Land Improvement, 43 Vic., c. 4).

313	3rd July, 1880, ...	5,000	85 12 6	April, 1919, ...	84 18 3

APPENDIX II.

Documents put in by Sir Josslyn Gore-Booth in connection with the evidence given by him before the Commission.

A.—Notes of Evidence.

As I think they may be of use to the Commission, I hand in short statements dealing with the following:—

(1). Voluntary striping of grazing lands.
(2). Price of grazing lands.
(3). The growth of the co-operative movement.

With regard to (1):—

In the year 1901 I was asked by the neighbours to stripe a grazing farm of 153 statute acres. I replied, "Certainly, provided I do not lose by the transaction." They agreed that this was very fair, and the problem was tackled at once.

This farm had been used to take in grazing cattle from the neighbouring farmers. It was agreed that the net income should be taken in a five years' average of the returns from grazing, less expenses, *i.e.*, herd's salary, rates, etc.

Rough rules were drawn up, as—although the farm was not actually situated in a congested district—there were on the property several small farmers whom it was desired to assist.

These rough rules were embodied in an agreement drawn up by my agent, Mr. Cooper, and, as this agreement sets forth in clear language the basis on which the whole transaction was conceived and carried out, I give herewith copy of same (see Appendix B).

It is only right to mention that I was offered far larger sums in fines from neighbouring farmers whose holdings I did not consider required enlargement. The tenants were helped to raise these fines in the local bank by the parish priest, and I understand from him that these have long since been paid off. All the people who got these additions have done well and worked their land with great energy. It may be mentioned that in one case a holding situate about two miles from the grazing farm was equally divided between two small adjoining tenants, the latter paying for the tenant right of each half. The tenant selling was then provided with a new and better farm in Streamstown, paying the fine mostly with the money already received by him. He has already built a new slated house on this farm. The point which I wish to emphasise with regard to this striping is that it was done voluntarily, on business lines, with the people who required enlargements. No one has lost any money by this striping, and I am certain that the people are not only materially, but morally, the better for the transaction. On a visit some time ago I was immensely struck by the pride which the people took in their additions.

With reference to (2):—I am of opinion that a great deal of grazing land would be immediately available for the enlargement of holdings if the prices offered were fair ones, taking into consideration the previous average net income made by the landlord out of the farm. I would go further, and state that, in my opinion, many large graziers who have acquired judicial tenancies in their grazing lands would voluntarily give them up, provided they got fair compensation.

APPENDIX II.

The Commission can judge for themselves as to the unreasonableness, or otherwise, of the owners and occupiers of the grazing lands hesitating to offer same to the Government when they peruse the following cases which have actually happened on my own estates:—

CASE No. I.

Area.	P.L.V.	Average Net Income.	Price as valued by our Valuer.	Price offered by Land Commission.
A. R. P.	£	£	£	£
147 3 3	105	145	3,368	2,100

(Twenty-five times net income would be £3,625.)

I may mention that my late father bought the tenants' interest in this holding for £953 at the request of the adjoining tenants in order to provide them with accommodation land.

CASE No. II.

Area.	P.L.V.	Average Net Income.	Price as valued by our Valuer.	Price offered by Land Commission.
A. R. P.	£ s. d.	£	£	£
243 1 14	183 15 0	122	3,314	—

This grazing farm, together with mountain land, containing 894a. 2r. 18p., Poor Law valuation, £85 5*s.* 0*d.* (the total valuation, therefore, being £269) was offered by me to the Land Commission. The price offered by them for *all* was £1,739.

CASE No. III.

(Farm in tenant's hands jointly offered for striping).

Area.	P.L.V.	First Term Rent.	Landlord's Interest at 21½ Years' Purchase as agreed with Tenant.
A. R. P.	£ s. d.	£	£
354 0 8	250 5 0	240	5,169
	Price offered by Land Commission.		5,635
	Leaving for Tenant's Interest.		£466 (or less than two years' purchase).

I may mention that I have seen that Mr. Bryce stated in the House of Commons (in reply to a question asked by Mr. M'Hugh) that the prices paid by the Congested Districts Board varied from 28 years' purchase of the annual value of untenanted land to 29 years' purchase for 1906, with an average for the six years of $27\frac{3}{4}$ years.

Re No. (3):—

With regard to the possibility of improving the agricultural industry I should like to give an instance.

This is a good dairy county and I give the following figures taken from the audited accounts of three co-operative creameries in this neighbourhood for the years 1900 and 1906.

—	Share Capital		Turnover.		Net Profit (after depreciation).		Bank.		Reserve Fund.	
							Amounts overdrawn.	Cash in Bank.		
	1900.	1906.	1900.	1906	1900	1906.	1900.	1906.	1900.	1906.
	£		£	£	£	£	£	£	£	£
1	742	891	7,662	9,326	71	170	642	80	124	959
2	475	810	4,240	8,041	47	178	295	300	43	200
3	428	542	3,698	6,163	18	90	349	209	95	366

Practically every farmer within reach of these creameries supplies milk, is a member, and the creameries are owned by the farmers themselves. The figures prove that they are a business success, and I give them to show what the people can do to help themselves. The only assistance they got was the teaching of the Irish Agricultural Organisation Society. The people themselves have found the necessary capital and are working these creameries through committees of farmers elected by themselves. The possibilities of co-operation especially amongst small farmers are enormous, but unfortunately the I.A.O.S. has not the necessary funds to carry on an active propaganda.

To sum up. With regard to (1): I believe that grazing lands can mostly be striped without loss to anyone, except in certain cases in congested areas. I understand that even the Congested Districts Board in many cases charge fines in congested areas. On the other hand, the policy of the Land Commission in presumably much richer districts is, I am informed, to charge no fines whatever and give away a valuable asset for nothing.

With regard to (2), it is too early to ask for compulsion to acquire untenanted land, when (as in my case) a fair price, taking into account the previous net income is not forthcoming for granting lands voluntarily offered.

With regard to (3), I cannot do better than quote the following paragraph from Sir Horace Plunkett's Memorandum (page 10):—

"What we now need is a policy which has as its constant aim, not only the inculcation of the principles of self-help and self-reliance, but the making of these principles vital and operative through a broadly conceived scheme for improving the conditions of the people in rural Ireland."

Just one further point. As I have seen it stated before this Commission that no landlord in the West of Ireland ever did anything to improve his property I wish to state that with regard to my estates this is entirely inaccurate.

In giving the foregoing evidence I should perhaps mention that I am doing so merely as a private individual.

B.—Agreement as to the Division of Streamstown Grazing Farm, belonging to Sir Josslyn Gore-Booth.

Agreement made this twentieth day of May, 1902 (one thousand nine hundred and two) between Sir Josslyn A. R. Gore-Booth, Bart., of Lissadell, Sligo, of the one part, and the several persons whose names are signed hereon, on the other part . . . . . Whereas the farm known as Streamstown grazing farm, in the townland of Streamstown and County of Sligo, and containing 153a. 2r. 4p. statute measure, is at present in Sir Josslyn A. R. Gore-Booth's hands as life owner of same, and he being of the opinion that some of his tenants adjoining, or in the vicinity of said farm, have not sufficient land in their present holdings to enable them to support themselves and their families in comfort, wishes to increase the said holdings by giving them such portions of the said farm as he considers right, to be added to said holdings, on a business basis as between himself and said tenants, viz.:—

The basis so agreed on is that Sir Josslyn A. R. Gore-Booth, Bart. (the landlord), is to receive the same Net Income from the whole of the said farm when so divided as he receives at present from grazing.

The land having been valued at a fair rent, and this being insufficient to cover same the landlord hereby agrees to receive from each of the said tenants a fine in cash for the occupation interest or "tenant-right" of said land (fixed in proportion to the quality of the land), this fine being calculated on the basis that if the total amount received in fines were re-invested the interest on same would make up the difference between the present grazing income and the fair rent as above.

The tenants as in schedule herewith having paid cash down as set forth for their fines, hereby agree as follows:—

1. To sign the usual 15 (fifteen) years' agreement for the fair rent as respectively shown in schedule for the additional land.

2. That such additional land is to be added to present holding and both to be considered as one holding at a total rent as shown in Schedule.

3. To sign any agreement on the above basis (if any), that may be required by the Solicitors or other ~~legal~~ advisers of Sir Josslyn A. R. Gore-Booth, Bart., when so required by them.

Signed by the said Sir Josslyn A. R. Gore-Booth, Bart.

(Signed), Josslyn A. R. Gore-Booth.

In the presence of:—

Witness:

(Signed) J. A. Cooper,
Raheily, Co. Sligo, Land Agent.

Signed by the said tenants of Sir Josslyn A. R. Gore-Booth, Bart., in presence of:

(Signed), Edward O'Hara.
,, Peter Marren.
,, John Mullin.
,, James Gormally.
his
,, Pat + Gormally.
mark
,, James Kennedy.
,, Michael Marren.
,, John Gannon.

Witness:—
B. Quinn, P.P
(Signed).

Certificate of Remainderman.

I, Mordaunt Gore-Booth, of Lissadell, in the County of Sligo, do hereby assent to the terms of the within Agreement, I being the next tenant-for-life.
Dated this eighth day of September, 1902.
Signed by the said Mordaunt Gore-Booth.

(Signed), Mordaunt Gore-Booth.

in the presence of:

(Signed), J. A. Cooper,
Raheily, Castlegarren, Co. Sligo,
Land Agent.

C.—Schedule referred to in Agreement herewith.

Tenants' Names and References.	Fine paid in cash for occupation interest.	Present Acreage and Rent.		Addition to same, with Fair Rent (as agreed upon).		Total Acreage and Rent.	
	£ s. d.	A. R. P.	£ s. d.	A. R. P.	£ s. d.	A. R. P.	£ s. d.
Peter Marren, ...	32 10 0	18 2 31	9 10 0	6 1 36	3 4 0	25 0 27	12 14 0
Edward O'Hara, ..	30 0 0	16 1 10	7 10 0	5 0 37	3 1 0	21 2 7	10 11 0
James Gormally, ..	30 0 0	14 1 32	5 0 0	5 0 37	3 1 0	19 2 29	8 1 0
John Mullin, ...	30 0 0	23 1 32	7 5 0	5 0 37	3 1 0	28 2 29	10 6 0
John Gannon, ...	34 18 4	10 1 6	4 10 0	6 0 17	3 17 0	16 1 23	8 7 0
Michael Marren, ..	32 13 4	12 3 34	8 0 0	5 2 7	3 5 6	18 2 1	11 5 6
James Kennedy, ...	30 10 0	4 1 39	2 5 0	5 2 7	3 1 0	10 0 6	5 6 0
Pat Gormally, ...	24 7 6	11 2 38	6 0 0	5 2 7	2 9 0	17 1 5	8 9 0
	244 19 2	—	—	44 3 25	24 19 6	—	—

N.B.—The foregoing was only the first Agreement; more striping of this Farm was done afterwards.

APPENDIX III.

APPENDIX III. DOCUMENTS put in by JOHN G. QUILTY in connection with the evidence given by him before the Commission.

A.—STATEMENT as to position of TENANTS on the LOGAN ESTATE, Drumcliffe, Co. Sligo.

No.	Area of Farm.	Rent.	Tillage.	Cows.	Family.	Remarks.
	A. R. P.	£ s. d.	A. R. P.			
1	12 0 0	6 10 0	0 2 0	3	Six sons, ..	Husband six years dead; four sons in America; one working on the farm, and one an agricultural labourer.
2	12 0 20	10 10 0	0 1 0	4	Two sons and five daughters.	One daughter in America and two at service in Ireland, who will ultimately join their sister. Adds to his income by fishing and fowling.
3	8 0 20	4 0 0	0 2 0	2	Unmarried. ..	A brother and sister lives with him—brother is a police pensioner. Adds to his income by carting agricultural produce to market for others, and keeps a horse for this purpose.
4	8 2 0	5 0 0	0 1 0	3	Three sons and three daughters.	Young family. Tenant is a shopkeeper and owns land on other estates. This farm belonged to a brother and sister who sold out and emigrated to America seven or eight years ago.
5	5 3 10	3 10 0	0 1 0	2	No family, ..	Has a sister also living with him. Works as handy man at slating, plastering, &c.
6	9 0 2	6 4 0	None	None	Unmarried, ..	Farm in meadow.
7	3 1 10	2 0 0	0 0 20	1	Lately married, ..	Only a short time returned from America.
8	7 1 11	6 5 0	None	—	——	A gentleman farmer, having large farms in freehold and in tenancy on other estates. Gives employment to some of the tenants' sons.
9	Over 100 acres.	37 10 0	2 0 0	10	Five sons and three daughters.	Tenant is the estate bailiff, and is also employed as a clerk in a loan office. A large part of this farm is unreclaimed bog-land. One son in America, and another in South Africa.
10	16 1 20	8 5 0	0 2 0	4	Two sons and ten daughters.	A widow. One son and five daughters in America; daughters at home assist by working at dressmaking.
11	19 2 35	6 10 0	0 1 0	3	Two sons and three daughters.	Son in Glasgow, and three daughters in America
12	12 0 20	6 9 0	0 2 0	3	Lately married, ..	This farm and the following were formerly one tenancy, which the agent recently divided. The tenants are first cousins.
13	12 0 20	6 9 0	0 2 0	3	Six sons and one daughter	One son a teacher in England; one in the R.I.C.; one a shopkeeper in Sligo, and one in America. Son at home assists by working with a horse and cart for others.
14	18 3 27	9 16 6	0 3 0	3	A son and daughter,	Tenant spent thirty years in America. Family work on farm.
15	4 0 0	4 0 0	None	None	Unmarried, ..	Shopkeeper—land in meadow.
16	22 0 0	17 3 0	1 0 0	5	Four sons and three daughters.	Family young. Drives the post to Roughley; son also employed as post boy.
17	2 0 0	2 0 0	0 0 20	None	Three sons and one daughter.	Eldest son employed as agricultural labourer. Young family. Widow.
18	6 2 10	2 12 0	0 1 0	2	One son and two daughters.	Pensioner from the American navy. Carpenter by trade. Young family.
19	4 2 8	2 10 0	0 2 0	None	None, ...	Sartorial artist—complains much of trade slackness.
20	6 1 10	2 12 0	0 1 0	None	Four sons and one daughter.	Son employed as agricultural labourer, and two sons in navy; rest of family young. Works as an agricultural labourer himself.
21	12 3 35	5 15 0	0 0 20	2	Unmarried, ..	A sister living with him. Land boggy and bad.
22	17 1 10	3 10 0	0 1 0	3	None, ...	Land of very bad quality. Brother living with him.
23	20 1 20	5 19 0	0 2 0	1	Four sons and one daughter.	Two sons in America, and one in Glasgow. Son at home employed as agricultural labourer. Land boggy, and much in need of drainage.
24	17 0 32	7 3 0	0 2 0	3	Two sons and one daughter.	Employed as relieving and sub-sanitary officer for the surrounding district. One son in England. Land is very poor.
25	18 0 0	14 4 2	None	None	Unmarried, ..	Keeps dry stock.
26	8 1 26	5 12 0	—	—	——	A lady of independent means. Land grazed by her nephew.
27	8 3 0	4 18 8	0 2 0	2	Three sons and three daughters.	Family are young.
28	3 1 36	2 7 0	0 2 0	1	One son and seven daughters.	A shopkeeper on Sir J. G. Booth's property, from whom he also holds land. Has four daughters in America. Son is living in England, and was for a short time in the army.
29	4 0 0	3 10 0	0 1 0	1	Three sons and three daughters.	Two sons employed as agricultural labourers, and one at the local salmon fishery. Two daughters at service in Ireland.
30	10 2 22	7 10 0	0 2 0	3	Unmarried, ..	Two sisters and a brother employed as an agricultural labourer living with him. His land is very highly rented.
31	37 1 5	8 10 0	0 2 0	None	Unmarried, ..	Land only partly reclaimed, and much in need of drainage. Bad quality.
32	34 3 26	22 10 0	0 2 0	5	Two sons and three daughters.	One daughter employed as milliner. Rest of family employed on farm.

B.—Statement as to Midleton Tenantry.

The striping, as it is called, of the Rosses, including Cregg, which divided the district into the existing holding, took place about 1860, and against the will of nearly all the tenants. Two men named Barber and Yeats were the chief instruments employed in the operation, Barber taking the lion's share of the work and incurring most of the odium of the transaction. Up to that time the people held in rundale, and were spoken of as one-cow tenants, two-cow tenants, etc., according to their right to graze one, two, or more cows. It was pretended by the stripers that the new holdings would be made out on the principle of giving to each tenant a quantity of land proportionable to his grazing right; but instead of acting on this equitable principle, the managers, if we are able to believe what everyone in the Rosses says, so handled the matter as to help their favourites at the expense of all others. The stripes being arranged, the poor people had to take what they got, and, to add to the evil, while the land they received was less than it ought to be, their rents were enormously increased. Nor was this the only injustice they had to put up with. Before the striping, Bowmore and what is now known as the Green were a common, on which all the tenants had a prescriptive right to pasture cattle free, but they were now tricked out of this; for Barber and Co., professing a desire to serve them by planting bent along the sea to keep off the blowing sand, and pretending they could not do this without receiving possession of the land from the tenants, asked the possession, giving at the same time an assurance that the people would get the grass again at a nominal rent. The simpletons gave what they asked, but found when too late that they were juggled out of their rights, and that the new charges for grazing were up to the full value of the land. The Rosses were purchased in 1867 by the late Mr. William Middleton from the Misses Cooper, the purchase money being £17,500. Under its new owners the place has greatly prospered, about £2,500 having been expended by Mr. Middleton and his family on improvements. The Rosses property comprises 642 acres 2 roods 6 perches, Irish measure, and every foot of it Church land. The details are given in what is called "A map of the Twelve Cartrons of the Upper and Lower Rosses, and Creggiconnell, in the Barony of Carbury, and County of Sligo, being part of the See-lands of Elphin, in lease to Mrs. Cooper."

APPENDIX IV.

APPENDIX

DOCUMENTS put in by Mr. R. ST. G. ROBINSON in connection

A—SALES of TENANTS' INTERESTS on the CONGESTED ESTATES

No.	Townland.	Name of Tenant (Vendor).	Area.		Griffith's Valuation.	Rent.	
			Statute Measure.	Irish Plantation Measure.		Old Rent.	Judicial Rent.
1.	2.	3.	4.	5.	6.	7.	8.
			A. R. P.	A. R. P.	£ s. d.	£ s. d.	£ s. d.
2	Coonaflicka, ..	Frank Tracy, ..	—	—	—	—	14 0 0
7	Cullen, ...	Edward Jennings, ..	32 3 0	20 0 35	12 10 0	—	14 5 0
13	Carrowreagh, ..	Eliza Flannagan, ..	23 2 20	—	17 15 0	—	18 10 0
9	Cornamoroe, ...	Jno. J. Carney, ..	—	—	—	—	13 0 0
1	Aughris, ...	Thomas Kilcoyne, ..	11 2 15	7 0 13	7 5 0	—	6 0 0
44	Cloonacool, ...	Jno. M'Donnell, ..	—	—	—	—	7 0 0
2	Roadstown, ...	M. Gildea, ...	20 3 32	12 3 29	15 0 0	—	15 5 0
2	Do., ...	Jno. O'Dowd, M.P., ..	20 3 32	12 3 29	15 0 0	—	12 0 0
8	Carrowroe, ...	Reps. Wm. Petrie, ..	59 2 7	36 3 0	84 10 0	—	68 0 0
76	Ballintean, ...	Sarah Harte, ..	97 2 26	60 1 4	67 10 0	—	54 0 0
10	Cullen, ...	Reps. E. Jennings, ..	—	—	—	—	6 1 0
65	Carricknagar, ..	Reps. L. M'Cormick, ..	14 0 25	8 2 37	8 0 0	—	7 10 0
134	Largan, ...	James Phibbs, senior, ..	33 1 26	20 2 18	12 10 0	—	8 10 0
84	Rover, ...	James Mattimoe, ..	—	—	3 0 0	—	2 16 0
83	Tap, ...	Jno. Monaghen, ..	6 0 20	3 3 6	2 0 0	—	2 6 6
132	Largan, ...	F. Phibbs, ...	13 2 30	8 0 30	6 5 0	—	8 5 0
129	Do., ...	Do., ...	—	—	—	—	8 5 0
47	Fortland, ...	John Johnston, ..	13 1 10	8 0 33	2 15 0	—	4 5 0
7	Tully, ...	John Hunt, ...	10 0 31	6 1 6	3 14 0	—	9 0 0
26	Dromore, ...	Reps. Peter Flynn, ..	5 0 35	3 0 34	3 15 0	—	2 15 0
8	Grayfield, ...	Thomas Tims, ..	23 0 34	14 1 10	13 0 0	—	10 2 0
22	Drumduff, ...	K. Williams, ...	—	—	—	—	6 18 5½
18	Rathmacluny, ..	Bryan Carty, ..	8 0 0	4 3 30	4 15 0	—	4 10 0
64	Ballinleg, ...	E. Martin, ...	10 2 30	6 2 14	8 10 0	—	7 2 0
—	Carraroe, ...	V. Fletcher, ...	4 0 5	2 1 38	4 10 0	7 17 0	—
53	Carrownamaddoo, ..	Tim Finn, ...	2 0 30	1 1 9	1 5 0	—	0 19 0
1	Grayfield, ...	Kate Roddy, ..	59 3 32	36 3 21	37 17 0	—	30 0 0
6	Ballysumaghan, ..	E. Kelly, ...	6 3 25	4 1 8	2 15 0	—	3 5 6
16	Ballinvally, ...	Reps. Pat Benson, ..	11 3 20	7 1 13	8 0 0	—	6 18 6
9	Branchfield, ...	Catherine O'Hara, ..	—	—	—	—	7 0 0
13	Tullynagracken, ..	Reps. J. M'Lynn, ..	8 3 6	5 1 27	8 0 0	—	7 16 6
30	Killunduff, ...	L. Mullowney, ..	9 3 10	6 0 9	5 0 0	—	2 17 0
112	Greaghnagurn, ..	Henry Hamilton, ..	55 3 26	34 2 3	8 10 0	—	8 10 0
1	Moneragh, ...	John Curley, ..	13 3 23	8 2 12	6 10 0	—	6 10 0
238	Esker, ...	Reps. Thomas Mason, ..	23 1 13	14 1 23	13 15 0	—	9 16 6
17	Tullynagracken, ..	Pat Davy, ...	58 2 28	36 0 34	59 0 0	—	48 7 0
639	Cooladie, ...	John Patterson, ..	45 1 16	—	33 10 0	—	26 15 0
1	Finnea, ...	Reps. John Boyd, ..	91 3 7	—	84 0 0	91 16 6	86 0 0

IV.

with the evidence given by him before the Commission.

since 1st January, 1882, in the Counties of Sligo and Roscommon.

If Judicial Rent, insert date when fixed.	Date of Sale of the Tenancy.	Amount obtained for the Tenancy.	Number of Years' Purchase of the Rent.	OBSERVATIONS. (*Inter alia*, information would be useful as to quality and condition of land and buildings at date of sale and whether improved or deteriorated by the outgoing tenant.)
9.	10.	11.	12.	13.
		£		
24th June, 1884, ..	5th March, 1889, ..	160	11	W. Barrett, Esq., Landlord.
Non-Judicial, ..	4th April, 1891, ..	130	9	J. F. Kane, Esq., Landlord.
1882, ...	5th December, 1891, ..	200	11	Reps. Rev. E. B. Wood, Landlord.
June, 1884, ...	1892, ...	300	23	Major Phibbs, Landlord.
April, 1884, ...	27th December, 1892, ..	67 10s.	11	Mrs. Gethin, Landlord.
——	13th April, 1894, ..	75	11	J. M. Young, Esq., Landlord.
——	September, 1893, ..	155	10	E. J. Tighe, Esq., Landlord. Same farm. Tenant subsequently purchased the fee for £295.
17th September, 1901, ..	September, 1906, ..	315	26	
——	21st June, 1895, ..	920	14	Peter O'Connor, Esq., Landlord.
June, 1895, ...	1896, ...	525	10	James Hale, Esq., Landlord.
——	11th February, 1896, ..	130	22	J. F. Kane, Esq., Landlord.
29th June, 1895, ..	20th February, 1897, ..	165	22	John Mulhall, Esq., Landlord.
——	1897, ...	123	15	The MacDermott Roe, Landlord.
——	28th December, 1897, ..	35	11	Col. Hewitson, Landlord.
——	4th January, 1898, ..	40	17	George Keogh, Esq., Landlord.
——	2nd March, 1898, ..	23	15	The MacDermott Roe, Landlord. Same farm.
——	23rd May, 1889, ..	100	12	
——	3rd March, 1899, ..	66	16	J. L. Brinkley, Esq., Landlord.
June, 1900, ...	September, 1899, ..	127	14	Miss Mossman, Landlord.
——	1900, ...	53	19	J. Mulhall, Esq., Landlord.
10th March, 1890, ..	1900, ...	105	10	Col. French, Landlord.
Leasehold, ...	19th October, 1900, ..	208	29	Mrs. Ramsay, Landlord.
——	17th April, 1901, ..	47	10	H. C. Lloyd, Esq., Landlord.
15th October, 1898, ..	1901, ...	80	11	J. Hale, Esq., Landlord.
Non-Judicial, ..	3rd August, 1901, ..	175	22	P. O'Connor, Esq., Landlord.
Yearly, ...	1901, ...	13	13	A. T. Gilfoyle, Esq., Landlord.
19th January, 1901, ..	15th February, 1902, ..	225	8	Mrs. French, Landlord.
15th July, 1898, ..	26th July, 1902, ..	65	20	M. R. F. Stack, Esq., Landlord.
20th March, 1901, ..	1902, ...	97	14	E. J. Tighe, Esq., Landlord.
Judicial, ...	January, 1904, ..	200	28	R. A. Duke, Esq., Landlord.
14th October, 1892, ..	November, 1905, ..	290	36	P. O'Connor, Esq., Landlord.
Yearly, ...	16th February, 1905, ..	40	12	J. Hale, Esq., Landlord.
1894, ...	19th November, 1905, ..	100	12	The MacDermott Roe, Landlord.
——	14th February, 1906, ..	200	31	J. Hale, Esq., Landlord.
November, 1898, ..	March, 1907, ...	435	44	Col. Wood Martin, Landlord.
Non-Judicial, ..	25th February, 1907, ..	1,120	23	P. O'Connor, Landlord.
Judicial, 1st February, 1893.	1906, ...	700	26	Dowager Countess of Kingston. Fee of this farm sold for £556. Purchased by Mr. Flynn while negotiations for sale were going on.
9th January, 1902, ..	February, 1907, ..	600	7	Col. C. G. Tottenham, Landlord.

APPENDIX IV.

B.—STATISTICS as to PAYMENT of RENTS on ESTATES managed by MR. R. ST. G. ROBINSON.

COUNTY. 1.	Estate. 2.	Period. 3.	Rental for the Period in Col. 3. 4.	Received in the Period. in Col. 3. 5.	No. of Tenants on Estate. 6.
			£ s. d.	£ s. d.	
Sligo, ...	A.	For five years ended September, 1905, ..	4,038 6 0	4,020 17 2½	64
Do., ...	B.	For five years ended September, 1905, ..	3,668 9 10	3,538 18 3	97
Do.	C.	For five years ended September, 1905, ..	5,122 16 4	5,233 2 6	82
Mayo, ...	D.	For five years ended May, 1905, ..	3,679 18 6	3,784 18 1	66
Roscommon and Sligo,	E.	For five years ended November, 1905, ..	4,620 12 4	4,569 11 10	95
Sligo, ...	F.	For five years ended September, 1905, ..	1,407 15 10	1,416 4 3	16
Do., ...	G.	For five years ended May, 1904, ..	3,451 2 10	3,469 5 8	53
Do., ...	H.	For five years ended November, 1905, ..	3,143 11 8	3,143 12 5	64
Do., ...	I.	For five years ended March, 1905, ..	2,139 3 6	2,155 13 6	23
Roscommon, ..	J.	For five years ended March, 1905, ..	6,879 0 7	7,005 1 3	51
Sligo, ...	K.*	For four years ended September, 1903, ..	6,582 17 0	6,579 8 11	182
Do., ...	L.	For five and a half years ended November, 1905.	1,948 16 0	1,976 11 8	52
Do., ...	M.	For five years ended November, 1904, ..	832 1 11	830 12 7	22
Do., ...	N.	For five years ended September, 1905, ..	1,591 1 7	1,539 2 6	31
Do., ...	O.	For five years ended 1st November, 1905,	940 12 10	924 4 6	37
Do., ...	P.	For five years ended 1st November, 1905,	1,299 3 8	1,314 3 11	22
Do., ...	Q.	For four and a half years ended 1st November, 1903.	1,491 4 6	1,493 1 2	28
Do., ...	R.	For five years ended March, 1905, ..	1,225 5 8	1,227 1 2	19
Do., ...	S.	For four and a half years ended March, 1904,	3,314 16 3	3,348 2 0	32
Do., ...	T.†	For five years ended September, 1904, ..	941 17 3	949 11 9	19
Do., ...	U.	For five years ended 1st November, 1905,	618 5 0	615 18 6	10
Do., ...	V.	For six years ended 29th September, 1905,	2,022 12 6	2,017 5 8	30
Do., ...	W.	For five years ended March, 1905, ..	1,611 5 6	1,625 7 9	20
Do., ...	X.	For five years ended September, 1905, ..	1,748 17 4	1,755 2 9	24
Do., ...	Y.	For five years ended November, 1905, ..	1,473 15 10	1,472 0 3	15

* Estate sold from September, 1903. † Estate sold from September, 1904.

APPENDIX V.

DOCUMENT put in by REV. JOSEPH MEEHAN, C.C., in connection with the evidence given by him before the Commission.

THE CASE OF COUNTY LEITRIM.

The writer belongs to the county, and has been for the last twelve years living in and surrounded by its congested districts. He has had therefore exceptional opportunities for seeing any work that has been performed by the Board in Leitrim. Owing to this he has been selected by the County Council to give evidence on their behalf.

The terms of reference of the Commission may be taken up in order.

I.

"What areas outside those already scheduled should be treated as congested?"

I am strongly of opinion all Leitrim stands in need of such treatment. The following reasons support that conviction:—

Leitrim is not the smallest but it is absolutely the poorest county in Ireland. Its present (1906) rateable valuation is barely £138,575. The next lowest in point of valuation is Longford, £153,096. But the population of the county just named is 46,581, Leitrim's is 69,343—almost one-half more. In 1841 Leitrim's population was 155,297, *i.e.*, 16,895 more than double its present. Neither Kerry nor Mayo nor Donegal, three counties which may rank with Leitrim in point of congestion, has lost as high as 50 per cent.; this is over 55 per cent.

In 1891, the first year of the Congested Districts Board's existence, Leitrim's population was 78,618, and its rateable valuation £136,603. Consequently, according to the rough and ready mode of selection adopted by the Board, all Leitrim might have been almost bodily scheduled as "congested." How it then stood in reference to the other congested counties (omitting Clare) will be seen from the following table A. How it now compares with them may be seen from Table B, p. 2. It will be there noticed that though this county seems to be increasing in wealth, the appearance is but fictitious, and is due to Leitrim's very great loss of population between 1891 and 1901, —much the heaviest loss from any of the congested counties—coupled with an arbitrary increase of valuation. This drain of population continues in its full force. Leitrim will soon be comparatively a desert and Blue Books will prove it wealthy.

As it is, 38 of its 78 electoral divisions are scheduled as congested, *i.e.*, practically one half of it. The occupiers of the unincluded portions are about equally poor, in some cases poorer. But the electoral divisions were excluded in some cases, as in that of Scramore (Dromahair) and Belhavel (Killarga), because owing to wholesale "clearances" the populations were small; the people live on the mountain outskirts to where they were expelled; in other cases, as in Drumkeeran and Ballinamore, they included little towns and the total valuations were in consequence high; and in other instances, as in Cloonlougher and Lurganboy, because they contained the residences of gentlemen which brought about the same results.

TABLE A.

1891.

County.	Population,	Valuation, 1891.	Valuation per head. 1891.
		£	£ s. d.
Leitrim, ...	78,618	136,603	1 14 0
Mayo, ...	213,034	311,818	1 8 0
Donegal, ...	185,635	296,303	1 11 0
Galway *	197,753	441,851	2 4 0
Kerry, ...	179,136	290,227	1 12 0
Sligo, ...	98,013	212,472	2 3 0
Roscommon, ...	114,397	245,529	2 2 0

Absolutely Leitrim is certainly the poorest county in Ireland. Relatively to population it is, I am persuaded, also the poorest, and bodily stands in need of special treatment. Three other counties—Kerry, Mayo, and Donegal—would at first sight seem to rank as about equally poor if we confine our attention barely to land valuations and computed populations. But each of these possesses many advantages which Leitrim has not. Their lack tells seriously on the whole county. Among the drawbacks Leitrim is labouring under are:—

(A.) It has no fisheries. Every other one of the eight congested counties (Roscommon excepted) has. The actual cash received by Irish fishermen in 1905 amounted to £414,364. Judging by the analogy of previous years the value of the salmon fisheries should be about £550,000 more. Accordingly, total value of fisheries equals, roughly, £1,000,000. Taking into account unrecorded sales, etc., the value to fishermen could not have fallen below £1,250,000.

(*a.*) Taking, for example, one of the four congested counties mentioned—Donegal—the cash paid to the sea fishermen in 1905 totals £79,688 (Particulars). Besides this sum hundreds were earned at the Congested Districts Board's six curing stations, by carting and marketing, etc., so that the total value of the industry to this one county cannot fall far short of £100,000. If one reckons the inland fisheries this should be doubled. Indeed so important is it that according to the "Report of the Sea and Inland Fisheries in Ireland" for 1905—the latest issued—(p. 33), since the salmon and winter herring fishery began in the Rosses district, N. Glenties, there has been no emigration. Mainly to benefit the fishery at this particular point of the Donegal coast the Government constructed a railway—that from Letterkenny to Burtonport—at a cost of £318,270 (of which Donegal contributed £5,000). In 1900-1 in the Rosses, £16,702 was paid to the 1,549 fishermen and £3,536 to the 575 persons engaged in curing. This would imply that a very large part of the population are participating in the benefits of the industry.

(*b.*) Another industry which, in the words of the last Congested Districts Report, "adds appreciably to the means of subsistence" is kelp-burning. Kelp merely dried was sold for £1 10*s.* per ton and burnt kelp at from £3 10*s.* to £4 10*s.* per ton. Many families obtained from £10 to £12 each. Leitrim is practically a non-maritime county, and has neither of these sources of income.

(B.) Within the County of Leitrim there are no public institutions of any kind or description, Workhouses excepted.† The Asylum is in Sligo, the Industrial Schools here and there. There is no high-class school in the county. Of the 9,728 pupils receiving education in 1901 only 13, as the Census shows, were receiving a "superior education," although to be entitled to be so classified all that was wanted was that they were being taught a foreign language.

Summing up the county abstracts and adding to the total a small estimate for the drawback just mentioned, it will be seen that the annual sum sent out of the county for payments, which in almost any county in Ireland would be spent in the county itself, amounts to fully £12,000. Putting to this the annual amount swamped by the Cavan and Leitrim Railway, the total dead loss to the county is about £16,000 (Particulars). This list is by no means exhaustive.

(C.) A further loss is that practically all the "landlords," the owners of house property in the little towns as well as the owners of land, are absentees. Take the town Manorhamilton for example. Basing the matter on the returns in Thom's Directory, of the 87 larger Leitrim landowners seven-eighths are non-resident, and between them take about £100,000 annually out of the county

* Leaving out the "County of the town" of Galway.

† To be absolutely correct I should also except a small "County" Infirmary. Its upkeep costs barely about £400 annually. But it is situated in Carrick in an extreme corner of the county and is therefore no use to three-fourths of it. From the point of view of circulation of money it is insignificant.

APPENDIX V.

(D.) The emigration is the highest of any of the congested counties—11·8 per cent. between 1891 and 1901 (see Table C). The loss in 1905—the latest return available—1·2 per cent., *i.e.*, about 1,000 persons annually.† This represents an annual drain of at least £120,000 in cash, besides its other ill consequences.

Small wonder they emigrate. The wages in Leitrim are on the lowest list of any county in Ireland. Put up your finger and you will get 100 men at 10*s.* or 12*s.* a week. Railway milesmen get 13*s.* There was near me a vacancy lately, and in one day there were sixteen applications.

(E.) We have no industry whatever but agriculture and its undeveloped bye-industries.

Cf. Donegal.—At Adara and Carrick annual value of home-spuns, helped by the Congested Districts Board, is about £7,000 (Ninth Report, p. 41). Shirt-making in the North, carpet-making in Killybegs, lace-making, etc. We have never had a chance.

(F.) The whole economic edifice of Leitrim rests upon the farmer. There are in the county 13,151 farmers. Of their holdings—

3,421 are at or under £4 valuation;
6,188 between that and at or under £10.

Put in another way—

73 per cent. of the farms are at or under £10 valuation;
83 per cent. are at or under £15 valuation.

This implies that about 83 per cent. of the holdings are uneconomic.

(G.) The county is not good for agriculture. The soil is cold, stiff, and retentive. I have seen land drained perfectly and yet water lodged over the very drains for days. Rushes may be seen growing luxuriantly along the roadsides where it is drained as well as could be. Not more than 30 per cent. of the land of the county could be classed as fair; the rest is miserably bad. It is from the millstone grits mainly. Soil of that origin is hard to labour. As it is retentive a man cannot after rain work on it properly for two or three days—he would be making mortar. Of rain we have a superabundance. The land is very hilly. This too both renders it more laborious to work and causes the easier washing away of its fertility into the streams and rivers.

Hence (*a*) cost of producing crop greater than in a lively, loamy soil; (*b*) they are driven to the peaty loams for their crops. These produce bad crops, but it is the best can be done. Hence anything like "intensive culture" is out of the question, and this means of curing congestion must be largely discounted.

We are living on credit, and on the returns from America. Our incomes are microscopic in their smallness.

(*Tables of Incomes of Average Farmers*).

(H.) As to the Workhouses—our sole public institutions—not all of them are situated in the county. Eighteen of our seventy-eight electoral divisions (*i.e.*, almost one-fourth of the county) are included in two Unions. Bawnboy and Ballyshannon, whose headquarters are outside the county—a further drain. Moreover, the Union at Carrick-on-Shannon is astride the Shannon and is as much a Roscommon as a Leitrim institution.

SUMMARY.

Leitrim has at least half-a-dozen special disadvantages:—

(1.) No Fisheries; (2.) No Public Institutions of any kind or description, not even a gaol; (3.) Double or treble the average amount of absenteeism; (4.) A total absence of Industries; (5.) An unusual amount of uneconomic holdings; (6.) Extremely poor soil.

Translating some of these drawbacks into figures which have been shown to be justified:—

		£
(1.)	Annual drain of Public Institutions, .	16,000
(2.)	,, ,, Absenteeism, . .	100,000
(3.)	,, ,, Emigration, . .	120,000
	Total Annual Drain, .	£236,000

These figures suggest and, I submit, establish that the whole county needs special treatment. It is rushing to bankruptcy.

It has a dearth of representative, fully educated men, and a total absence of influential men. Its people are too proud to be clamorous about poverty or to be exposing their sores to the world. Hence they have been long suffering unseen. (Instances).

Had we a poor man's University, such a University, for instance, as Edinburgh or Aberdeen, there would be no lack of thoroughly equipped laymen to act as leaders in thought and action. As it is, Clergymen, Ministers in the North, Catholic Priests in the West and South, are constrained to step outside their exact sphere of duties, and do work in economy and politics for which they cannot be expected to have any special tastes or natural aptitudes. With pleasure they would hand over those burdens to others. With a University, too, another result would follow that brilliant young fellows—I know many of them—would not waste talents that might be of vast benefit to the State as well as to themselves.

II.

"Operation of Acts dealing with congestion in Ireland and the working of the Congested Districts Board"—In Leitrim.

I beg to submit a Table gathered from the last Census returns. Its object is to show how Leitrim stands relatively to the other districts entrusted to the care of the Congested Districts Board.

I also venture to put in evidence a Table which will facilitate a comparison between the non-congested and the congested halves of the county.

From the Reports of the Board and particularly from its last I shall undertake to show that, comparatively to other counties and almost absolutely, this county has been completely ignored and neglected. The little that the Board has done in Leitrim is excellent of its kind—(Particulars). The complaint is that it has been so very little and that as a relief to congestion it is worthless. The accompanying Pamphlet—"Pioneer Lectures"—compiled by the witness will indicate some of its work.

TABLE B.

Congested Areas of	Population, 1891.	Population, 1901.	Loss, per Cent.	Valuation, 1901.	Number of Scheduled Electoral Divisions.
				£	
Leitrim, ..	35,240	30,955	12·1	47,213	38
Cork, ..	38,678	34,555	10·6	47,069	33
Donegal, ..	107,501	104,146	3·2	100,847	89
Galway, ..	72,345	66,491	8·0	67,588	60
Kerry, ..	86,698	80,297	10·4	102,367	77
Mayo, ..	139,903	129,329	7·5	129,964	92
Roscommon	32,758	29,576	9·2	38,481	18
Sligo, ..	31,587	27,415	13·2	40,245	21
	547,710	498,764	8·9	573,774	428

TABLE C.

	Population, 1891.	Population, 1901.	Loss, per Cent.	Valuation,* 1891.	Valuation,* 1901
					£
Congested Leitrim,	35,240	30,955	12·1	46,952	47,213
Non-Congested Leitrim.	43,378	38,388	10·7	89,651	90,770
All Leitrim, ..	78,618	69,343	11·8	136,603	137,983

N.B.—Valuation of Leitrim, 1906, £138,575.

* These valuations, it is to be noted, are solely valuations of land and houses. Neither fisheries nor any other sources of income are taken into account. If, accordingly, this county's valuation works out in this Table at about 26*s.* per head, Sligo's at about 25*s.* 6*d.*, and Donegal's at near 19*s.* this, at first sight, seems to indicate that living is easier in a congested area in Leitrim than in one in the other counties mentioned. It is not the case.

† In 1906 1,005 persons from Leitrim emigrated.

These two tables make clear (*a*) that Leitrim's congested population is going down more rapidly than that of any other county entrusted to the Board*, and that (*b*) it is the scheduled portion of this county that is more rapidly disappearing. In the congested electoral division in which the writer has been living —Killarga—the decrease in the ten years was over 19 per cent., as far as I could make out the highest in Ireland.

This of itself points to the Board's neglect.

The above tables further suggest a principle which in equity should have been, it is submitted, a guiding principle of the Congested Districts Board. 1891 was the year the Board took up work. The ratio of Leitrim's congested population to that of the total area which it was given in charge will be found to be as 1 is to 15·5. Consequently of every £15 10*s.* entrusted to the Board £1 was intended for this county.

Taking scheduled areas as the basis of comparison the total number of congested electoral divisions is 428. Of these, Leitrim has 38.

$$\frac{38}{428} = \frac{1}{11{\cdot}02}$$

Consequently Leitrim was entitled to one-eleventh the entire funds, time, and attention of the Board. For every £10 spent elsewhere there should have been £1 spent in Leitrim. The mere spending of money, it is to be remarked, is of small moment compared to the Board's time, thought, and wise guidance, of which it is the index. Putting these relative claims in a convenient form:—

TABLE D.

	Total for Leitrim.	Total for all Ireland. Leitrim included.
(*a*) Scheduled Congested Districts, ..	38	428
Claims on Funds, Time, and Attention.	£1	£11
(*b*) Population of Congested Districts,	35,240	547,510
Consequent claim on Funds, Time and Attention, ...	£1	£15 10*s.*

The Board's Reports will tell quite a different story. I beg to summarize them.

At the outset, however, one is prompted to think that perhaps the action of the Board is cramped by certain counties having paramount rights to its income. This is not the case. Its principle endowment is £41,250 per annum. This represents the interest at 2¾ per cent. on £1,500,000 of the Irish Church Surplus. The main endowment of a similar Board for Scotland, it may be remarked, is £20,000 a year. But this £20,000 comes directly out of the Imperial Treasury.

Now, as to this Irish Church Surplus, each county has upon it a definite claim. This the Board itself explains (9th Report, pp. 7 and 8). The definite claim on this £41,250 (the annual interest) one can infer from this reference works out so that Leitrim is entitled from it to £2,639 per annum.

As to the other two items of the Fixed Income, the Parliamentary Grant of £25,000 and the Inland Development Grant of £20,000, these are sums entrusted to the Board for the impartial benefit of the half million people throughout Ireland placed under its care.

The only case come across of particular funds† being "earmarked" for particular districts is that of the Irish Reproductive Loan Fund balance of £43,035. This, in 1874, was handed over in trust to the Commissioners of Public Works. Among the particular purposes for which this respectable sum was held in trust "instruction in, and the promotion of agricultural science" in certain Irish counties including Leitrim, is specifically mentioned. In 1891 this balance was passed on to the Congested Districts Board. Will it be credited that Leitrim's claim was denied it and that a county which had no lien on it reaped the main benefits of agricultural instruction and of this trust money? Yet so much can be gathered from the Board's Reports.

TABLE (*a*)—FISHERY SCHEMES (15TH REPORT). APPENDIX

	Expenditure in all Ireland.	Expenditure in Leitrim.
	£ *s.* *d.*	£ *s.* *d.*
(1) Fishery Schemes (p. 53), ..	197,758 1 1	0 0 0
(2) Barrelmaking (p. 54) (Donegal),	16,727 6 7	0 0 0
Instruction in Barrelmaking (p. 54) (Donegal), 1891–'99,	208 12 11	0 0 0
Instruction in Barrelmaking, 1899–1906.	?	0 0 0
(3) Boatbuilding (p. 54)‡, ..	1,099 17 7	0 0 0
Instruction in Boatbuilding 1891–1899 (p. 54).	360 3 9	0 0 0
Instruction in Boatbuilding 1899–1906.	?	0 0 0
(4) Steamer and Steamer Services (p. 55).	61,938 4 4	0 0 0
(5) Marine Works§ (pp. 83–88), ..	66,626 0 0	0 0 0
Total ascertained Expenditure up to 31st March, 1906.	344,718 6 3	0 0 0

This is a large sum. We do not fall into the mistake of assuming there have been from it or from other outlays no refunds. The tables of receipts are there and testify to these returns all along. The steamer, v.g., whose maintenance cost £3,130, paid back to the Board £45 (App. I., p. 36); so of the first four items in this table. But this £344,000 is also an index which cannot be discounted, to the care and guidance of the Board. It seems not unreasonable to hope that on the non-maritime counties there will be bestowed a compensating amount both of attention and of help. We go on to test this.

The fifteen Reports of the Board contain the full record of its work. From the fifteenth or last issued alone shall I quote. Besides detailing by themselves the Board's operations for 1905-6, it sums up all the work done since 1891, 1905-6 included. No later return is yet available to the public.

The Board's great work is migration and enlargement of holdings. The following table will make clear how far it has been carried out in this county.

TABLE (*b*)—MIGRATION, &C.

Claim on Funds, &c.	Total for all Ireland. Leitrim included. 11	Total for Leitrim. 1
(1) Number of Estates purchased by C.D.B. (p. 8).	103	1
(2) Number of Acres purchased (p. 8),	263,175	207
(3) Total amount of purchase money (p. 8).	£1,220,135	£850
(4) Purchases agreed upon, (1905–6), (p. 8).	340,361	0
(5) Improvement of Estates (p. 43),	£480,362	£131
(6) Purchase of Tenants' interests (p. 11) (utilized to relieve congestion).	£57,548	0
(7) Number of Acres purchased from tenants (p. 11).	17,434	0
(8) Compensation intended for tenants in 1906–7 served with notices to quit (p. 12) (vacated farms to be utilized for same purpose).	£38,000	0
(9) Outlay in respect of erection of houses for migrants (p. 13).	£76,719	0
(10) Lung River Drainage, ...	£11,395	0
(11) Number of new, enlarged, and rearranged holdings (p. 117), ..	2192	0

Not only, as we here see, has practically nothing been done for this county under this most important head, but nothing further can be done or attempted. This is an easy inference from published facts. The Board cannot afford for the future to deal with more than £140,000 of property each year (15th Report, p. 9). Now, according to the Estates Commissioners last report (p. xxii.) "Requests" for the purchase of estates (none of which are in Leitrim) have been issued to the Commissioners to the amount of £975,211. Of these, eleven have been purchased

* Sligo's twenty congested districts excepted.
† Donations excepted, *vide* Fifth Report, p. 4. They were, of course, all allocated as had been desired by the donors.
‡ Return of Boats built in Ireland (p. 82) work out at £14,944, besides Instruction.
§ Add to this £6,600 obtained by the Board for Killybegs (Donegal) Pier directly from the Treasury (*vide* 5th Report, p. 25). The Board gave out of its own funds a grant of £3,400 towards this work. Besides this, to make the Railway from Donegal to Killybegs the Government gave a free grant of £115,000.

APPENDIX V.

at a cost of, roughly, £200,000. There remains £775,000 to be dealt with, together with whatever purchases may have been "requested" since. It will take six years to obtain cash to complete these transactions. Nothing more can be done.

As things are at present the Board has but four years longer of existence. Consequently, its possible usefulness to Leitrim on this score is at an end. It practically never began to be useful. The paragraph at the foot of page 10 (last Report) suggests that it is not even anxious to be of use as far as this, its most important work, is concerned.

TABLE (*c*)—AGRICULTURAL SCHEMES.

——	Total Expenditure, 1891–1903.	Expenditure in Leitrim, 1891–1903.
	£ s. d.	
(1) Horses Asses, and Stud Farm (p. 51).	69,215 5 11	One horse always, except in 1903 alone, when there were two, one donkey half of the time, two the remainder (*vide* first twelve Reports—Appendices).
(2) Cattle (p. 51), ..	34,463 1 4	Average of 5 Bulls each year (*vide* 13th Report, p. 9).†
(3) Sheep (p. 51), ..	5,082 11 0	(?)
(4) Swine (p. 52), ..	1,831 14 4	One during nine years; two during three years (*vide* 13th Report, p. 9).
(5) Poultry, Poultry Depot (Donegal) and Fresh Egg Trade (p. 52).	7,522 1 4	Mainly four or five flocks of twenty fowl each, and two or three of ducks for four or five years.
(6) Example Holdings (p. 53).	3,110 0 0	
(7) Agricultural Instruction (p. 52).	5,268 0 0	0 (An Instructor several times refused).
(8) Agricultural Inspection &c. (p. 52).	6,303 0 0	Cost of visiting the horse, the pig, the donkey, and the ducks, &c., once or twice a year
(9) Knockboy Plantation, &c., (p 52).	9,023 0 0	——
(10) Swinford Union Gardening, Planting, and Asparagus Culture* (p. 52).	2,434 0 0	——

These are the main items. In the omitted ones this county's participation is equally insignificant, I may say indeed, ridiculous. Going through the Appendices, from App. VIII. to App. XV. the name of Leitrim almost never occurs. From App. XV. to XX. it actually does not occur even once. The very long App. XVIII. of six pages, for instance, is wholly given up to Donegal; the succeeding one concerns only Mayo and Galway. App. XX. is divided fairly impartially between them. App. XXI. details two special kinds of grants. The first half deals with Marine Works, and we see (p. 88) that a total of £66,626 was bestowed on them out of the Board's funds. Leitrim neither obtained nor, I think, claimed a penny. Naturally it is to be expected that when we go on to Inland Works the Board will make up for its not sharing to the extent of a farthing in any benefit in the Marine Works. Let us see.

TABLE (*d*)—INLAND WORKS (pp. 88-95).

Roads, Bridges, etc. to 31st March, 1906.

——	Number of Congested El. Divisions.	Amount expended.
		£
Donegal, ...	89	27,489
Mayo, ...	92	16,193
Leitrim, ...	38	1,896
Five other Counties, ..	209	21,935
Total expenditure to 31st March, 1906. ..	—	67,513

We thus see that Leitrim again has had hardly a look in. On a single Inland Work, Gweebarra, in the enterprising county of Donegal, there has been spent £8,995, almost five times as much as in the whole of this county. Donegal and Mayo coupled together have appropriated to themselves a good deal more than one half the total large sum voted by the Board for Inland Works. In the case of Marine Works they were a little more generous to the counties equally with them entitled to the Boards' care. Donegal took only £14,500, Mayo but £10,403. Sligo, or rather mainly an Antiquaries' island off the Sligo Coast, got a paltry £635. Kerry and the other maritime counties were, however, allowed subsidies about which they can, looking to this head alone, scarcely reasonably complain. Leitrim is nowhere, nor, let it be understood, does it find fault with this by itself.

But if the two counties which have mainly and almost exclusively benefited by the Board have here shown some consideration for others, doubtless their liberality will be soon rewarded. On July 1st, 1902, Mr. Wyndham introduced a Bill to provide for the construction and improvement of fishing harbours and for assisting the coasting trade, etc. A free grant of £100,000 was set aside, coupled, however, with the "self-help" condition of 1½ per cent. on this amount for four years, or in all £6,000. There is a familiar ring about the proportion in this condition. The amount of money, not speaking of this £100,000, already expended (out of Irish funds) on Irish fishing harbours, is enormous. The amount of assistance given to Leitrim for any purpose whatever is practically zero. It is worse than nothing as will be seen when we come to discuss railway-making (*vide* p. 11).

TABLE (*e*.)—INDUSTRIAL SCHEMES (pp. 53-54)

to 31st March, 1906.

	£
MAYO:	
(1.) Ballaghaderreen Factory, Capitation Grants,	4,116
(2.) Building Grants,	300
(3.) Foxford Factory, Swinford Union,	8,333
(4.) Foxford Mill Race ,, ,,	1,164
(5.) Kiltimagh Industries ,, ,,	467
(6.) Kiltimagh Technical School (1899),	1,604
(7.) Kiltimagh Technical School (1897),	
(8.) Belmullet Weaving Industry, &c., &c.,	91
DONEGAL:	
(9.) Tweed Industry (up to 1899),	818
(10.) Ballyshannon Factory,	127
(11.) Glenbeigh Rug-making,	407
(12.) S. Donegal Industries, Grants,	2,799
(13.) Killybegs and Kilcar Factories,	120
(14.) Killybegs Grant,	800
(15.) Donegal Carpet Factories,	2,129
(16.) Milford Weaving Industry,	240
LEITRIM:	
(17.) Two or three Carpentry Classes, four hours a day, three days a week, six months each,	
GALWAY, &c.	
(18), (19), &c.	
Total expenditure to 31st March, 1906,	£55,986

TABLE (*f*.)—PARISH COMMITTEES' GRANTS.

COUNTY.	Number of Scheduled Electoral Divisions.	Net amount of Grant to 31st March, 1905.	Gross Grant sanctioned for 1905–6.
		£	£
Mayo, ...	92	18,756	3,950
,, ...		Sum previous to 1897—?	
Donegal, ...	89	2,366	1,960
Leitrim, ...	38	729	1,090
Other five Counties, ..	209	7,076	4,265
Total, ..	428	28,930	11,245

* That the Asparagus Culture took place in Swinford I am not certain.

† During four years of the twelve there were six. Average number in Donegal every year—twenty three, in Mayo the same. The disproportion in horses was greater. During the twelve years—1891–1903—seven of the Board's horses were usually placed in Donegal, seven or eight in Mayo, though in 1895 there were as many as eleven, five or six in Galway. As far as I have been able to ascertain no sheep were sent to this county.

III.

"The working . . . of the Land Commission under these Acts" . . . . . in Leitrim.

Up to the close of the compilation of the last published report of the Land Commission 3,855 Leitrim farmers out of its 13,151 would appear to have bought out, owning 82,844 acres out of its gross total of 392,381 acres. Result—a stereotyping of congestion.

The writer's firm conviction is that under present circumstances in the face of the strong and growing foreign competition, backed by genuinely paternal and not mere ruling Govennments three fourths of the Leitrim farmers will be wiped out in the course of twenty or thirty years. Wiped out they would have been long ago but for American aid. Their sons and daughters practically sell themselves to slavery to keep the roofs over their parents' heads. It is they and not the land that paid the bills and paid the rent. And the pity of it is that those excellent young fellows wreck whatever chances they may have of a career or of independence for themselves in their efforts for their parents and younger brothers. The most enterprising go. Many of them succeed beyond the dreams of ambition—in America and Australia. (Instances, Sweeney of Buffalo; O'Connor of Leitrim). The wastrels stop at home. The unfitted survive, and the race declines. If this be so, it can scarcely add to the credit or to the strength of our Government that under a foreign Government alone can the best of us find our opportunities, or make off the means of merely existing in decency. In Leitrim we have had no beneficent landlords. The best we know are at best speculators, and their own agents never saw the face of some of them. We have had some who were as bad as the laws allowed them. Their sole rent-fixing principle was the railway one, "as much as the tenant could bear," all his extraneous sources of income ferreted out by the ubiquitous bailiff. This principle they endeavoured to import into the Land Courts. (Example). We had the landlord who raised the rent when he saw a neat cottage—small wonder we have grown accustomed to dirt. We had scarcely a landlord who did not evict when a man showed becoming independence. The law allowed the confiscation of improvements. Men, like all living things, adapt themselves to their surroundings. Not surprising if there should be a dash of thriftlessness and hopelessness in the generation that is passing away, and that perhaps it is still telling on the present. Small wonder that the standard of domestic comforts is rather low.

The radical mistake about the laws seems to have been that while they suited England, they were utterly unsuited to Ireland. It is so with all British made laws. If they do not suit us so much the worse for us. Protection, all along the line (dual ownership once abolished) would have been our salvation. It would have also been a boon to English agriculturists (*v.* Report of Commission on Agricultural Depression). But it would not commend itself to Englishmen generally. Hence we must put up with things as they are, and try to make the best of them.

The more recent sales have helped to stereotype congestion. They are too high. The first nineteen County Leitrim estates sold under the Act of 1885 were obtained at 16·1 years' purchase. The first five under the 1903 Act at 21 years' purchase. Contrast price of the Board's Leitrim pigmy estate at Kilgariff (the sole Leitrim purchasing it has done), 207 acres (out of 263,175 purchased), at 11½ years' purchase, with the price of the MacTernan Estate, also in a congested district (Garvagh), for which the tenants paid 22½ and 24½ years' purchase. Some years before 1903 the last-mentioned estate was arranged for at 18 years' purchase. The Land Commission came, inspected it, and declined approval. The Armstrong Estate which shares part of one townland with it was considered dear at 16 years' purchase. It is much better land.

Contrast the Townsend Estate, Drumkeeran, sold, I have been informed by the tenants, at 15 years' purchase, with the Johnstone Estate, both coming round the sides of it and of exactly the same quality, at 23 years' purchase. Contrast the price of the Meehan Estate, Glenade, the land of which I well know, at 17 years' purchase with the Weir Estate, Killarga, under the 1903 Act at 25½ years' purchase. The land of the former is a good deal etter. Contrast sale price of Duke of Leinster's Estate around Dublin with sale price of the Clement's Estate about this little town 25·88 and 23·88 years' purchase.

In 90 per cent. of the agreements the year's rent actually due was added to the purchase money. The option of this was a bait the tenants at once jumped at. In many of the cases the option was not given. It was done, but, of course, no one objected. Hence in 90 per cent. of the cases the number of years' purchase should be increased by one, where arrears were due by two or three. The seller's bonus was proportionately inflated. He obtained his 12 per cent. not only on purchase money but on rent due and on arrears as well. I wonder if the framers of the 1903 Act ever contemplated such extra cleverness, or made any provision for such contingencies. Are they really legal?

It is to be noted (*a*) in all cases above given the 12 per cent. bonus is to be added; (*b*) that the above are not specially selected cases, but just the ones the witness knows of himself; (*c*) that by the device of the higher price for the second term judicial rents the benefits of the Fair Rent Courts have been annulled; (*d*) that in the bargaining were on the one side a body of men, helpless as sheep, who understood in a hazy way only the Ashbourne Act; on the other, agents, honourable commercial men perhaps, selected for their astuteness and thoroughly acquainted with every provision of the Land Acts and naturally feeling bound to do either extremely well for their principals, or to retard sale altogether.

Why did the Leitrim tenants agree to exorbitant prices?

Because (*a*) they are all financially hard pressed. The practical remission of the year's rent actually due, coupled with the immediate reduction of four or five shillings in the pound (and for very many of them the equivalent wiping out of arrears) was too strong a temptation. They "cut the gad next the throat" as their own phrase has it. Because (*b*) they have been treated so mercilessly that they felt they were purchasing themselves out of practical slavery. It is not a price for land, it is a price for freedom. Because (*c*) thus alone could they securely buy a chance of progress and of a reward for labour which would correspond with their exertions. Because (*d*) with their outlook not reaching beyond their furthest market towns they are unable to appreciate the fearful competition that is before them in the immediate future. The first grip of it is the very cause that is forcing them on to seek relief. And (*e*) because they still have hope and look forward to the arrival of a truly paternal Government that will run this country not in the almost exclusive interest of England, but of the country itself.

For clearness' sake I beg to put tabularly the contrasts I have just enumerated.

TABLE E.

Act of 1885.	Years.	Act of 1903.	Years.
(1) Nineteen estates (12,810 acres).	16·1 (*a*)	(1) Five estates, direct sales. (*b*)	21
(2) Meehan estate (about 8,000 acres).	17	(2) Weir estate, ..	25½
(3) Townsend estate,	15	(3) Johnston estate, ..	23
(4) Congested Districts Pigmy estate.	11½	(4) M'Ternan estate (after rejection).	21 and 24½
(4) Armstrong estate (Sweetwood).	16		
(5) Congested Districts Board (?) 2nd. (*d*)	9·7	(5) Average of other estates in Congested Districts (on 2nd terms).	23 (nearly) and 25·3 (*c*)
(6) Fox Estate (Dromahair).	18 and 21	(6) Clements (H. J. B.) estate (Manorhamilton).	23·58 and 25·88

N.B. To the right hand column is to be added in 90 per cent. of the Agreements a further year for the rent actually due, and in about 30 per cent. of the cases a still further year's rent for arrears.

(*a*) Land Commission Report, 1906, p. 94.

(*b*) Land Commission Report, 1906, p. 126.

(*c*) Estates Commissioners' last Report.

(*d*) Estates Commissioners' last Report, p. 101.

APPENDIX V.

On this table I beg to make the following remarks:

(A.) To all the estates in the right-hand column the following paragraph in the Report of the Estates Commissioners, p. VII., applies:—

> "The rent is in fact not wholly paid from the produce of the land, but from the wages of labour, or money received from relatives in America or elsewhere. It is open to doubt whether a reduction of 25¼ per cent. on the second term judicial rents fixed for only fifteen years affords the State adequate security for the payment of purchase annuities on this basis for 68½ years. [It will be soon 75 years]. In such cases the land itself does not produce the rent or the annuity, and, although the rent may be well secured for a short period of fifteen years, it is evident that for a long period such as 68½ years, there is no guarantee that the existing conditions will continue. There is no certainty that the assistance from outside sources will continue, and, if the holding comes into the hands of an occupier who does not or is not able to supplement the return from the holding by other means, there can be no security for an annuity which is not produced out of the land itself. The fact that large prices are often obtained for the right to occupy such holdings is not a proper or a safe basis for an estimate of security. These prices are due to local causes or the land hunger which the land legislation of recent years is intended to discount, both in the fixing of fair rents and in estimating the security for purchase advances."

We fail, for instance, to see the security on the ten Leitrim farms congested of an average valuation of £4 10*s.* each tabulated in the Estates Commissioners' Report, as sanctioned at 25·6 years' purchase. Such sales must intensify the difficulty of the problem before the Commission. The very work of the Commission itself will but tie faster the Gordian knot. The more carefully it is executed the more inextricable it becomes. The sole possible means of unloosing it is—compulsion. Compulsory purchase at fair valuation, this alone will cut through it. Bargains already made should be subject to revision.

For the last three Christmases the Money Order Office at Drumkeeran had to stop payment. Despite the greatest foresight and unlimited credit it was broken.

(*"Statist" Articles—Details.*)

(B.) In the probable enough event of the cottiers being unable to meet their instalments to the Government the obligation devolves on the county. The County Council should therefore have been made acquainted with the terms, and granted the power to veto the bargain. *Cf.* Kildare, Longford, Leitrim, (£522 docked).

(C.) As to No. 6 in the table, the largest transaction in this neighbourhood, I wish to give details.

This estate was formerly Lord Leitrim's and surrounds this town. It is the second largest estate in the county—20,250 acres, and comprises 333 holdings. The higher rate of purchase was for "town parks" and first term tenants. The "town" has a population of 871 (last Census). Proximity to it has no special advantage. This is evidenced by the fact that on a particular contract perfected after tender the "town park" farmer is getting a lower price (4⅞*d.* per gallon) for milk than three other farmers living two or three miles off (5½*d.*). The "town parks" were rented at very high figures. They were constituted by the much-talked of Lord Leitrim presenting a document to the owner and commanding him to sign or give up his land. This was about thirty years ago. The increased rent much depended on his whim at the moment, but was always respectable. That "rack" rent was never reduced. That was the "fair" rent on the basis of which the 25·88 years' bargain was made. A moment before signing to purchase the tenant wrote his name on some document or other stating that this was his "fair" rent or purchase rent. Some of the "town parks" are over a mile from the town of Manorhamilton with its 871 inhabitants. Some of them, to my knowledge, are reclaimed bogs, reclaimed by the tenants' industry.

However, perhaps all this is strictly legal. Later it will render congestion more congested.

Again, first term tenants who were entitled to have a second term fixed obtained a reduction of 2*s.* 6*d.* in the pound, and then bought at 25·88 years' purchase. Second term tenants 23·89 years' purchase. Besides this a half year's rent due to the 1st November, 1905, was added to the purchase money in every case. They jumped at this and did not analyse terms. Where there was a year's arrears half a year's rent was added to the purchase, where more a full year's. In the case of one evicted tenant (M'Morrow, of Brackeymore) the supplement was two years' rent. There were a great many non-judicial tenants. In these cases an agreement which may be fairly described, I think, as "bogus" was entered into fixing the "fair" rent at the old rent. The advances made on this "fair" rent were so brought within the zones and inspection shut off.

N.B.—The landlord got besides bonus his 3½ per cent. on the arrears pending the advance.

The same principles were carried out in the Phibbs estate—the purchase money, £5,629, included £171 arrears—and, I presume, on all others. I do not know the Act well enough to say are they in contravention to it. If not the Act seems very comprehensive and very favourable to the seller. If it be, the transactions will go to support my contention for compulsory purchase. In either case the chronic congestion of the county has been confirmed.

(D.) The rent is a small item? Certainly in the eyes of a man with a £500 income. Certainly not to the average Leitrim farmer with his £15 or £16 income (Details). When the little pig or the little calf is sold the baker and the candlestick maker have to be paid their bills out of the proceeds.

There are no butcher's bills. If the little calf sickens and the "cow-doctor" (not a single veterinary surgeon have we residing in the county) fails to diagnose the case and quack him round to health, the old cow has to go, and the little children have to subsist on Indian meal and black tea through the winter and spring till another calf arrives. The neighbours will bring them a drop of milk at set times, for the poor are very good to the very poor. When the calf is growing strong the children begin to know again the taste of milk.

All this is exaggeration? Decidedly not. I know dozens of families to whom the description exactly applies. Their next door neighbour may not know of it—we are a proud people. The priest does. I know intimately a family, *v.g.*, of eight or nine whose most luxurious fare frequently for months and months at a time was potatoes and salt. I often sat down with them and amused myself with the children—most intelligent children. They are now, thank Goodness (little thanks to the Government) able to have occasionally a rasher of bacon. The eldest sons are in America and "doing well." This phrase is a Leitrim synonym for writing often and sandwiching the pages of the letter with a fat money order every time. The first "passage" was sent from beyond. The whole case is typical. The father in all his straits never failed to meet at least calls of honour. His credit was good; his assets his children and their careful bringing up. He would be described as one of the most respectable men in the parish. It is balderdash to talk of "self-help" or lack of initiative in such cases. The essential thing is to keep alive. Speculating and experimenting on new lines might lead up to the disaster of disasters—exposure of poverty or the Workhouse. They can take no chances.

(E.) The difference between 4*s.* in the £ reduction (24½ years' purchase) and 8*s.* (18½ years' purchase) is of little consequence in a £5 holding (the average for County Leitrim)? If the average farm is worth £3 12*s.* 1*d.* it is also worth £4 15*s.* 6*d.* a year?

This is the auctioneer's principle, and on the faith of it many an old cow that was not worth a £5 note found herself to her surprise a canting off at £10 or £12. The subtlety of this Eastern fallacy deceived even old Horace, and he was no fool. And it is in the mouths of men who preach thrift at us and denounce our improvidence!

(F.) The writer is a thorough partisan?

He belongs to no political society, and never did. He never stood on a public platform. He never read a speech or an article on the land question in his life. He deliberately avoided the whole land purchase question until a few weeks ago, having accepted the nomination of the County Council to appear before this Commission, he felt obliged to look into it. He began the study of it by trying to get rid of any possible bias for the tenant, if he had it. He unfor-

tunately knows less about it than any priest with whom he is acquainted. He has given most of the time he could spare in the exceptionally busy interval to finding out the truth.' He has confidence in the accuracy of every statement he has made, but is quite ready to withdraw anything which may be shown to be wrong. For what may be wrong he accepts full personal responsibility, as the County Council has given him no directions. He is convinced, however, he is expressing their opinions.

One thing suggested by the above paragraph your armchair economists seldom or never take into account, and that is accidents. All their theories run smoothly as a new bicycle, with never a hitch. With their lack of capital, the sickening of a cow or the death of a heifer is a disaster that tells on farmers for years. I have seen the tears dropping from a strong man's eyes as he placed a little lap of hay under a dying cow's head. John R., *v.g.*, of ——, Drumkeeran, lost thirteen beasts inside of the last four years. He has now no cattle, and 17*s.* 6*d.* is the highest he can get for the grazing of a two-year-old heifer. With the people hunger is often the cause of their disease. They bear it like heroes. I have been assured by the Resident Dispensary Doctor, and am allowed to make use of it, that of his bills £4 out of every £5 comes from America. The old people in their greatest straits are not neglected by their affectionate children. After a life of misery and hardship they try to provide for them every aid and some little comfort in their declining years. The old grandfather in the corner is the pensioner of the family in America. The heartbreak of it is that he has so often to share his remittances, which would smooth his way to the grave, with his ill-clad and sometimes starving grandchildren.

IV.

"What lands are most conveniently situated for the relief of congestion?"

TABLE F.—LEITRIM LANDS.

		Acres.	Acres.
Class I.,	Under Water,	22,451	43,267
	Roads,	17,891	
	In Plantations (1902),	2 925	
Class II.,	Marsh,	4,005	56,657
	Mountain,	30 423	
	Bog,	22,229	
Class III.,	Under Crops (1906),	79,143	292,457
	Pasture,	213,314	
	Total Area of Leitrim,		392,381

The problem presented is to make out of this a means of decent livelihood for the 13,151 farmers of Leitrim. As already shown 83 per cent. of them are managing to keep body and soul together on uneconomic holdings. Agriculture is our exclusive industry, and the basis of the whole economic edifice.

The acres in Class I. may be passed over, though they in reality contain the possibilities of two or three important sources of income.

(A.) In Class II. much of the "Marsh" could be drained and thereby holdings enlarged. Nothing has, as far as I am aware, been as yet done in this way in Leitrim. It is imperatively needed. By drainage, too, a vast quantity of the best land in the county could be improved. The Bonet, for instance, is a most uncertain river, about fifteen miles in length, running through North Leitrim. Meadow lands are all along its banks. Once every five or six years green crops and hay by the thousand tons are ruined along its course. No amount of foresight can guard against the disaster. An outlay, small in comparison to the damage and risk, the blasting of rock obstruction at Corrigencor bridge, would, it is said, reduce to almost vanishing point the chance of flooding. The first few miles of the Bonet's course is through a scheduled district, Glenaniff.

Again, at Drumkeeran, a river, part of which runs along a congested district, could be improved at no great expense to enormous comparative advantage. The whole lake of Belhavel, the highest water in Ireland, could be dried up by an easy engineering work. The Congested Districts Board cut a way to the sea for a lake, Kincassalagh, near Burtonport, and so drained a considerable area. But that was in Donegal. In Leitrim, from a scheduled district, a request for assistance for a particular drainage scheme was sent to the Board and repeated periodically every six months. The reply was received after a couple of years. The particular officials were overworked elsewhere. (The correspondence). The latest courteous letter on the matter, dated 27th September, 1906, would indicate that the Board will begin to seriously consider the matter some half-a-dozen years after it has ceased to exist.

(B.) The *Mountain Land*, a good portion of it, could be reclaimed. What was done once can be done again. A good deal of actually cultivated mountain land was exactly of the same class forty and fifty years ago. It was brought into cultivation by the farmers who were driven from the valleys. They displaced the moor fowl and turned the "keeb" and heather into grass lands. Sometimes, as at Scramore, the landowner wanted their acres to still further enlarge his extended sheep walks. Sometimes, as at Belhavel, the humble cottage did not fit in with his cultured tastes on landscape gardening. Sometimes, as in the case of Dromahair, the magnificent scenery was in his ideas blotched by the peasants' smokes. So has the valley of which Moore writes become a deserted hollow and now "smiles" as a rabbit warren. Sometimes, as at Glenfarne, the Lord of the Manor wanted their cornfields and their meadow lands to add to his demesne. So he made no more ado about it, but went and took them. They shifted. The thatched cottage in which they were reared and in which they were rearing their children was as much to them as Belhavel House or Glenfarne Hall to the wealthy occupiers, as much as Carton to the Duke of Leinster, or Hatfield House to Lord Salisbury. But it did not matter. They had to go.

As an illustration, about forty years ago, John Travers, one of a score on the Montgomery property, was, with his young wife and a squad of children, thrown out of his home beside Belhavel lake just mentioned. But as a special grace he was given about twenty acres of tussocks and heather on the top of Tullintowel—at a small rent; to be quite exact, 17 acres 1 rood 14 perches Irish, at £2. His previous improvements and those of his forefathers for a dozen generations were, of course, confiscated. He scooped out a new home literally in the bog bank. His wife could not stand it. She died. His cattle died; they could not browse on heather. John raised crops in the peat about him, bringing the lime five miles in donkey panniers, and then carrying it on his back up two miles against the braes to manure it. His sons grew up, as might be expected, strong and hardy drudges. They soon had the land "in heart" and were fools enough to have a clean and an obviously comfortable home. The landlord, the same man, observed it when on a shooting excursion. Next gale day the rent was raised in proportion to the apparent comfort. It was doubled, and became £4. John has survived it all. He is now 75, "hale and hearty," and can appear to-morrow to testify that these are facts. He has bought out and is no longer afraid to speak the truth, nor to wear on Sundays a decent coat on his back His house and farm are now a pleasure to look at, his fields well fenced and well drained. He is ready, he tells me, to give points on the reclamation of grouse runs to anybody that comes along. He has done it, it can be done. Economically? It would seem so.

Of such as John Travers are three-fourths of our Leitrim congested peasants. On the Government which if it be traced to first causes, blighted and ruined their lives and the lives of their children, and, as far as could be done, lowered their character, devolves a special claim to right their wrongs. They are poor, but their poverty is not to be laid at their own door. If a few of them are unthrifty and untidy and their homes cheerless and tasteless small wonder.* (Duties of a Bailiff).

* One of England's most rigorous reasoners, John Stuart Mill, a man noted for not having a particle of sentiment in his composition, wrote many years ago of the Irish cottier, of his cheerless lot and of his deprivation of any incentives to industry in the following strain :—

"If by extra exertion he doubled the produce of his bit of land, or if he prudently abstained from producing mortals to eat it, his only gain would be that he would have more left to pay his landlord. Almost alone among mankind the cottier is in this condition that he can be scarcely better or worse off by any act of his own. A situation more devoid of motives to either labour or self-command imagination itself cannot conceive. The inducements of free human beings are taken away, those of a slave not substituted. He has nothing to hope or nothing to fear except being dispossessed of his holding and against that he protects himself by the *ultima ratio* of defensive civil war."

(Political "Economy," B. II., Chap. 9, p. 187). The words are strong. One cannot well understand the present if he shuts off a view of the past, nor could he apply a remedy to disease in character until he had first made off the cause of it.

(C.) By a better knowledge of agriculture and of modern agricultural methods the produce of the crop lands—Class III.—could be improved and the acreage increased. We have now at last one and only one agricultural instructor in Leitrim who is promising well. We were repeatedly refused one by the Congested Districts Board on reasons which are scarcely sustainable. It was quite consonant with its entire treatment of the county.

The pasturage too is susceptible of some improvement. Intensive crop growing will never pay here. It is almost all spade work, on bad land. By organization and co-operation the farmers could have seeds, manures, farm implements, etc., cheaper and would in a hundred ways, benefit. The combined force of all under this heading would materially ease congestion. But the economic level of Leitrim must be raised before it is a fit subject for co-operation or for the Department's efforts. There is no capital whatever in the county. If every farmer paid his debts three-fourths of them would not have the working clothes to their back and these are in all conscience bad enough. Agricultural banks are doing good work, mainly because they place more money at the disposal of the poorest of the poor. This tides them over their most pressing necessities. But the total amount of capital introduced into the country by these banks is too insignificant. It is a mere blackberry for a starving man.

APPENDIX to C.

Table G.

Potatoes in Leitrim.

Cost of Growing per Statute Acre.

——	Days.	—	Produce.	Value.
(A).		£ s. d.		£ s. d.
Manure, 25 tons, at 3s. per ton.	—	3 15 0	(Mean rate of produce per acre in Ireland for the 10 years 1896–1905, 4·1 tons. Agricultural Statistics, Ireland, 1906, p. 9).	—
Carting, 2 days, at 5s.,	2	0 10 0		—
Scattering, 2 days, at 2s. 6d.	2	0 5 0		—
Digging, 30 days, at 2s. 6d. (good work).	30	3 15 0		—
Seed, 20 cwt., at 3s. 6d. per cwt.	—	3 10 0		—
Cutting seed, 2 days, at 2s.	2	0 4 0		—
Setting or sowing, 3 days, at 2s.	3	0 6 0	—	—
Moulding, 8 days, at 2s.	8	0 16 0	—	—
Weeding, 4 days, at 2s.,	4	0 8 0	—	—
Spraying, twice, ..	2	1 0 0	—	—
(B).				
Digging, 12 days, at 2s. 6d.	12	1 10 0	—	—
Pickers, 6 days, at 1s. 6d.	6	0 9 0	—	—
Carting to market, or home.	2	0 7 6	—	—
Sorting, ...	2	0 5 0	6 tons large, at 45s.	13 10 0
Rates, ...	—	0 3 0	(A too liberal yield for Leitrim).	—
Wear and tear of Machinery.	—	0 5 0	(Department at 40s. per ton).	—
Interest on Capital,	—	0 4 6	30 cwt. small, at 30s.	2 5 0
Repairs to Roads, ..	1	0 2 6	(Department, at 25s. per ton).	—
Fencing, ...	2	0 5 0	Total, 7½ tons.	
Rent (?).				
Total, ..	78	18 0 6	—	15 5 0

Loss per acre, £2 15s 6d.

N.B. (1) Fifty-three days to the acre in putting down crop (48 additional if the Department's advice be followed); 25 days in taking up the crop. Total, 78 days, or 126 days.

Gentlemen flying over the country on motor cars can scarcely appreciate all this labour per acre.

N.B. (2) This is ordinary Leitrim cropping. If all the Department's advice (Leaflet 81) as to manures, lime, new seed, be adopted the cost per acre would go up by £11 0s. 6d., the number of days at putting down the crop by 48. "Elbow grease," as someone, not a poet, said, is certainly the best manure that can go in land. But the spadesman must live on air while working. It could not afford him cold potatoes.

This list has been very carefully compiled. This is our staple Leitrim crop. Last year the acres under it totalled 12,245 out of a total of 14,731 under green crops. To make it pay a farmer's time must be estimated at about 1s. and his wife and children's thrown in gratis. I have seen a child of six regularly working. It used to lead a donkey. The mother at one end filled the little cart with manure, the father at the other end unloaded it. 1s. a day is still better than nothing. But all the experts in Glasnevin cannot under present conditions make potatoes in Leitrim pay a decent living wage. (My own experiences).

Estimate of remaining important Leitrim Crops per Statute Acre, on same basis of labour

——	Cost of Production.	Value of Crop.	Profit.
	£ s. d.	£ s. d.	£ s. d.
Oats, ...	6 0 0	6 15 0	0 15 0
Turnips, ...	8 0 0	9 7 6	1 7 6
Mangels, ...	9 10 0	11 0 0	1 10 0
Meadow Hay, ...	1 17 6	3 0 0	1 0 6
		Total Profit on 4 acres,	4 12 6
		Loss on 1 acre potatoes,	2 15 6
		Nett profit on 5 statute acres.	1 17 0
		Nett profit on one acre (say).	0 7 6
	Income, roughly, from this source on a 20-acre farm. ..		7 10 0

ESTIMATED YIELD OF CROPS IN ABOVE TABLE.

—	——	Value..	De-partment's Price.
Oats, ..	120 stone grain, at .. (Department's average 5 years. No manure).	8d. per stone,	8d. per stone
	26 cwt. straw, at .. (Department's average for 5 years).	£2 per ton,	£2 per ton.
Turnips, ..	18¼ tons, at .. .. (Department's average 5 years, 4 cwts. superphosphate).	10s. per ton,	9s. per ton.
Mangels, ..	18 tons, at .. .. (Department's average 18·5—15 tons farmyard manure).	12s. per ton,	11s. per ton.
Meadow Hay,	30 cwt., at .. .. (Department's average, 5 years, no manure, 29¼ cwt.)	£2 per ton,	£2 per ton.

Table H.

Untenanted Lands in Leitrim.

Rural District.	Extent.	Rateable Valuation of land only.
	A. R. P.	£ s. d.
Ballinamore, ...	2,428 0 10	424 14 0
Carrick-on-Shannon, ...	5,874 2 15	1,499 11 0
Kinlough, ...	5,215 1 25	593 15 0
Mohill, ...	8,564 3 18	1,555 10 0
Manorhamilton, ...	18,479 1 29	1,877 0 0
Total, ...	40,562 1 17	5,950 10 0

TABLE I.

Manorhamilton Rural District.

		Valuation of Land.
	A. R. P.	£ s. d.
Good Land, ...	2,228 3 34	1,181 6 0
Mountain, &c., ...	16,250 1 35	695 14 0

N.B.—This table is based on Ginnell's "Returns of Untenanted Lands" recently published, checked by personal local knowledge. I hand in a specific list of the most uneconomic holdings in nine electoral divisions of the rural district under consideration kindly supplied me by the Rate Collectors.

The enlargement of uneconomic holdings is the manifest first aid to congestion. Migration is indispensable for its application.

The total acreage of untenanted Leitrim lands, 40,562, would obviously be unable to do more than slightly alleviate congestion. Of the existing holdings, 85 per cent. at least are uneconomic, *i.e.*, 10,890, or, say, 11,000 of them. Migration to other counties is perhaps practicable if in colonies. But I am not sure that the Meath or Westmeath farmers would extend to the Leitrim migrants the same hearty welcome that Leitrim men on their part gave their persecuted forefathers and relations some hundred years ago. These latter, I must stop to say, hurled into North Leitrim from Donegal,* Fermanagh, and even from distant Kerry, were among their bravest and best, men who by their persistent bravery in defence of what they believed to be their rights had specially shown themselves incapable of the degradation that was being forced upon them. I am quite certain therefore that the witness who described Connaught as a "dumping ground" either did not intend the slur cast upon them by his use of the phrase or else knows little about history.

As to local migration, there are not in this rural district of Manorhamilton, for instance, good untenanted lands to go round all the "congests." But even the 2,228 acres in Manorhamilton rural district could do much if judiciously utilized. As a rough estimation it can create one hundred good farms. The holdings vacated may relieve possibly fifty of the existing neighbouring ones. About one-eighth of the Manorhamilton unoccupied lands are good (*vide* last Table and appended note). The remaining seven-eighths are mountain and marsh. I am not sure that, as it is, three acres of the side of Benbo—all that taking it rough and smooth could be afforded to each congest—would much benefit anybody.

Let it be clearly understood that I do not advocate confiscation. I do not commend righting wrongs by other wrongs. Personally I accept the situation as it is and I only urge that the best be made of it; that by good statesmanship we be taken out of our present slough and put once for all on a firm economic footing. After that let us do for ourselves. Safeguard us for the future by wise provisions. (The French System). And protect us against any temptation to be degraded. Let there be finality. We want to depend on ourselves and to maintain our traditions for manly independence. But we want first to be given a chance. We have never had it. Whenever we attempted to raise our heads we were knocked down.

Hence, unless in the case of the absolutely destitute, I should not go in for giving house or farm for nothing. The migration plan of the Congested Districts Board is exactly what would suit us. As to enlarging farms by reclamation of adjoining wastes, and even improving existing "slum" farms by similar methods I should subscribe at once to some such suggestion as that put before the Commission by a previous witness, Mr. Talbot-Crosbie. Further, as to all the recommendations submitted in the last few pages I should adopt the same principle.

As a specific instance, a large tract of mountain, Lackagh, in the electoral division of Killarga, within the last few years exchanged ownership. Its extent is 1,096 acres and valuation £14 15*s*. Its new conditions imply a tightening of congestion in an already congested area, because the farmers have no longer facilities for grazing their young stock. It is as reclaimable as was Tullintowel, to which I have referred, etc., etc., and this would be the simplest remedy for the congestion of a scheduled division, the rapidity of whose decline in population can scarcely be matched in Ireland. If taken over by the Congested Districts Board at a fair valuation, or allowing the new owner for his improvements and 10 per cent. profit on his purchase, the coast was clear for easing congestion in one quarter. (Details). If even given as an endowment to a Parish Committee they would make much of it.

In the sale of lands on or adjoining congested districts the Board should have so far the right of pre-emption that no sale would be valid until they would have seen might it be utilized for the easement of congestion and had given it their *fiat*. This should apply to all Leitrim and cover sale of tenants' interests as well as of landlords'.

May I refer to a not very pressing subject the *Preservation* of Game? The question was raised recently in the House of Lords by Lord Massy, the ex-owner of the largest property in Leitrim, 24,751 acres, though nobody in Leitrim ever saw the noble lord's face. The preservation of the game rights to the landlords has its advantages, but whether it is calculated to excite the hostility of the occupiers or not it results at all events in the total destruction of the game. (Why?) We had, for instance, a Coursing Club in Dromahair for years. Our sport grew sad and sadder and finally "petered out." This was one of the few, the very few means of amusement that brighten a sufficiently dead rural life. In the parish a hare is as rare now as in the Artic regions. In my own case a greyhound, whose advent was watched for years before it was born, had to be given away to a sportsman seventeen miles off. Beating through the parish for the one hare that was "hurded" for me (so I was told), was as profitless as searching for Nansen's white one round the North Pole. My thoroughbred in his new quarters did not live to win the Waterloo Cup. He was so thunderstruck at the sight of a hare that he killed himself outright in the first race. Now, according to the Report of the Irish Game Society just issued, £23,000 annually for game and gun licences is carried out of the country by the Inland Revenue. If agricultural societies working in a parish owned these rights they would become of value and in a short time prove a source of income. So too would congestion become a little more tolerable.

I should not advocate their recognition as national assets, but as local or district assets. The smaller the area to which they would belong the better. So would a proper public spirit be more rapidly developed. But they should be under the control and direction of a central authority. The same would apply to fishing rights.

V.

"What changes in law or administration are needed for dealing with the problem of congestion as a whole?"

I beg to put before you part of a resolution passed unanimously at a meeting of the Leitrim County Council held on 19th May, 1905:—

> Resolved—"That we, the County Council of Leitrim, beg to remind the Congested Districts Board, that for so far they totally ignored the

* The O'Donnells, Gallaghers, and Sweeneys, *e.g.*

APPENDIX V.

claims of Leitrim, and, with the exception of a few paltry hundred pounds to make some roads, they have never given the County Leitrim (although one of the poorest counties under their charge) any thing like its proper share of that support that they as a public board were supposed to give the congested areas of Leitrim when entrusted to their care."

At a meeting held in Tralee on June 4th, 1903, the Very Rev. Canon O'Leary, P.P., V.F., in the chair, and Messrs. O'Donnell, M.P., and Flavin, M.P., among the speakers, a resolution equally strong dealing with Kerry was passed.

On the 22nd March, 1901, amongst many other times, prompted by the belief of the neglect of particular districts, a question was asked in the House of Commons by Captain Donelan, and a reply, which might mean anything, was made by the Attorney-General.

On March 14th, 1902, Mr. Lundon moved in the House of Commons—

> "That, in the opinion of this House, the beneficial working of The Irish Congested Districts Board is marred by the slowness and partial character of its operations, by its entire failure to extend any benefits to many districts scheduled as congested, &c."

The resolution was seconded by Mr. T. P. O'Connor and carried against the Government by 94 to 148 votes.

Influenced by these expressions of opinion and by personal knowledge, I regret to say the people of Leitrim are dissatisfied with the Board.

The modifications I should advocate are the three in the Bill introduced into the House of Commons in March, 1901. They are (A) Compulsory Purchase, (B) Extension of Congested Areas, and (C) Reconstruction of the Congested Districts Board.

As to A.:—

(1.) As far back as 1894 or 1895 the Board itself passed a resolution in favour of compulsion.

The fourth Report—that for 1894-1895—contains it. (p. 10). It bears the signatures of Mr. Gerald Balfour, Sir David Harrel, Mr. Charles Kennedy, the Most Rev. Dr. O'Donnell, Mr. Frederick W. Pim, Sir Horace Plunkett, Mr. James H. Tuke, Mr. Frederick Wrench, Mr. A. J. Balfour, Rev. W. S. Green, and Rev. Denis O'Hara:—

> "That the Congested Districts Board is in possession of information through their Inspectors that there are large tracts of land that could be used to enlarge the holdings of small occupiers and promote schemes of emigration in congested districts. The Board are, however, of opinion that it will be impossible for them to give effect to this important department of their work unless more funds are placed at their disposal, and compulsory powers given to them to acquire such lands at their just value."

(2.) The following is an extract from the Board's eleventh Report (p. 16):—

> "We purchased the Leonard estate in the Land Judges' Court in July, 1896, for £5,340, a sum at least £2,000 in excess of the valuation made by our Chief Land Inspector. We were led to give this high price by our desire to assist a body of sixty very poor tenants, whose unfortunate position could never afterwards be effectually ameliorated if we had lost this opportunity of acquiring the land available for the enlargement of their holdings."

Here a sum of 37½ per cent. in excess of the estimated fair price was paid for the estate.

(3.) There is a hunger, a famine for land, *i.e.*, there is a hunger for the sole means of living on in the country. Land has gone up enormously in price. If in a famine a miser so raised the price of his goods he would be considered unjust. "The common opinion declares," states a high authority, "that it is against justice for a monopolist to sell at a price above what could be got if the monopoly did not exist."

(4.) The exposure of the need for land by the Commission will prompt its further appreciation. Confiscation is not advocated, but neither is the confiscation of all hope of the possibility to live in decency in the country. "If," said Jefferson, the author of American independence, "there are in any country uncultivated lands and unemployed poor, it is clear the laws of property have been so far extended as to violate natural rights."

As to B.:—

Everything I have said goes to show that the whole of Leitrim should be so scheduled. The outside areas are often the worst. You come to examine why they are not scheduled and you often find, as in Scramore (Dromahair) that the emptiness of population in the low, comparatively good lands is the very reason why those evicted from them and driven to the bogs and morasses on the outskirts of the same electoral division, to where gutter-snipe would not live, are now debarred from any of the little privileges supposed to be conferred by the Board.

As to all Connaught being scheduled, there is nothing to be said against it. But our experience with the present philanthropic Board would lead us to exact that if this be done provision shall be made that Leitrim be not again neglected. The same causes would be again in operation. We have no strong men, not over-many representative educated men. Leitrim would be swallowed up and ignored. A definite amount of the time, attention, and funds of the Board and of the care of its officials should be set aside for this county. We do not desire again the free hand in even philanthropic work. We want a definite amount on the basis of the number of scheduled areas or of our congested population and their unexploited needs.

As to C.:—

We advocate a reconstruction of the Board on the lines suggested in the House of Commons. It is now a purely nominated Board.

It is a just but an impracticable proposition to urge that restitution should be made now by the present Board for the share of its funds that were our due but were denied us and have been expended elsewhere. It is equally impracticable to ask that at the end of its twenty years of life (sixteen of which have already gone by) restitution should be made us for the more important matter of care and thoughtful guidance which, in the opinion of Mr. T. W. Russell, speaking in the House of Commons on March 13th, 1901, had brought about in one of the congested counties on which its care had been lavished a most remarkable change. The *personnel* of the Board, and the fact that it was trying hard in the face of immense difficulties to do good work—elsewhere—have shielded it from criticism. What it did was all right. What the Department of Agriculture did was all wrong, though it might be the self-same thing.

As an example, the Board's fishery instructors along one coast were exclusively Scotch, and there were forty-two of them. Irishmen were to be had; they were all Irish along another congested coast.* Had this been done by the Department I would say (if you don't mind mixed metaphors) that it would have been a peg for a fierce tornado, and all the Dublin big guns would have kept bombarding the unlucky Department with trissyllables and polysyllables ever since. No doubt it was justifiable.

* "The Instructors in the Donegal boats are all Scotch," p. 23, Fifteenth Report. "There were thirty-nine of them in the summer, and forty-two in the winter." Irish western boats were at the same time under the charge of Arklow and Cork men. Englishmen and Scotch men are now reaping all the big profits of Board's initial work. The Board has not extended the fishery scheme to Kerry and Cork.

The Board is not popular in Leitrim; it is unknown, or was at least unknown until the advent of the Parish Committees two or three years ago. On elsewhere it has focussed its attention with an odd stray beam escaping to us. Still we don't want to get rid of it and substitute for it another. The man a body knows (even though only through the public press) may be quite as good as the man a body does not know at all. The Estates Commissioners are an unknown quantity. In dealing with the people I should fear they would have about them too much cut-and-dry officialism. It never succeeds with Irish peasants.

If the Board in its sixteen years of labour has not yet accomplished removing congestion from the counties it has patronized, it is doubtful if it ever can. Leitrim for it is virgin soil and its peasants the self-dependent material out of which could be created as prosperous and happy a people as would be in Ireland. In the four years of the Board's life remaining to it, it could not possibly make up the leeway of its neglect. Placing now at the eleventh hour a representative on the Board, as suggested in the 1901 Bill thrown out by Mr. Wyndham and his colleagues, would be worthless. No new hand could possibly master fully the details of work for years. He would be all through a mere child among grown men. He would just be in at the death.

In 1911, by the Act of Parliament creating it, the Board's day will be spent. If Parliament will not give it time to redeem itself then I should advise County Leitrim to have nothing further to do with it, and to moreover bow its few existing petty schemes out of the county. Let it spend the penny where it has been spending the pounds and let this county not have the name, as it has had little of the advantages, of having been entrusted to it.

If the Board is to be continued after 1911, but remain constituted as it is, the same course would seem advisable. Leitrim would lose but little, if anything. Even with philanthropists charity begins at home. No man can do more than his very best. And so full of work at their own doors are the members of the Board that Leitrim without a friend and without an influential individual in its whole stretch cannot expect to be favoured with more than a thought.

The Board reconstructed as outlined by the Irish party, but with strict injunctions to make amends for past neglect and definite instructions laid down would meet with our approval.

VI.

"What changes are needed . . . . . for bettering the condition of the people inhabiting congested areas?"

The great need of County Leitrim is the establishment of some industries to supplement our poor and precarious returns from the one existing industry, agriculture. In North Leitrim generally (*a*) the bye-industries of agriculture; in Glenade and Balnagleragh (*b*) tweed making; in Creevelea (*c*) peat making on the very latest lines; in Drumkeeran (*d*) pottery making; in both the last two places mentioned (*e*) iron making and (*f*) coal mining are industries well in view. All of them have been attempted and with some success. But at the present time without better transit facilities these last four must ever remain doomed to failure. To urging the removal of the sole obstacle to their coming into being, viz., bad transport, the remaining paragraphs will be devoted.

A crying need for the Lough Allen quarter of Leitrim is the construction of a railway, the short connecting link of sixteen miles between Arigna and Dromahair. This line would benefit twelve scheduled districts in the parliamentary division of North Leitrim and two in County Roscommon. The special reason for its construction is that, though extremely poor, the intervening area, one "scraw" of congested districts, is teeming with mineral wealth. This line and no other will not only give a chance to the re-opening of all the mines, but insure, I am convinced, their immediate development. The proofs of an article to appear in the May issue of the *New Ireland Review* may save you the trouble of listening to a long pleading on this point. These proofs I beg to hand in.

I should like to recall to you that Mr. James Hacke Tuke, one of the original members of the Congested Districts Board and a philanthropist who thoroughly understood congestion, relied for the improvement of congested districts upon the extension of railways and other means of communication, and upon turning to account the natural resources of each county. This, his opinion, is quoted with approval in the Board's Fifth Report (page 27). Mr. Tuke unfortunately died in 1895.

The construction of railways is one of the best means that has been adopted by the Government for the betterment of congested counties. On Donegal, v.g., it has within recent years expended in free grants as much as £619,097, to which one can certify, and about £200,000 more, the particulars of which have not yet appeared in any Blue Book, and consequently are still beyond reach. (Particulars). On Mayo, £234,000; on Galway, £135,000; on County Down, £115,000.

Compare this with Leitrim's treatment.

Leitrim is the worst laid out county in Ireland, and the worst supplied with railways. From such railways as it has it has very badly suffered. Each of these statements will stand the closest scrutiny.

The Sligo and Leitrim Railway runs across the north of it; the Cavan and Leitrim joins up the south with Belfast about one hundred miles away. These are its railways; no others touch it except the Midland Great Western at the extreme south western corner, Dromod.

As to the Sligo and Leitrim, with which we in this rural district are more immediately concerned, it was constructed without any Government assistance whatever. In 1883 the "Tramways and Public Companies' Act" was passed, authorizing the Treasury to encourage by a free grant as well as by a loan precisely such undertakings. But the line had just been finished (1882). In 1889 "The Light Railways Act" was passed, again seven years too late. The merchants, landowners, and leaseholders of North Leitrim had, ten years before this, taxed themselves to the uttermost of their means for the construction of this line. North Leitrim's valuation is but £53,188, and from its opening for twenty-three years about £2,300 a year was being paid by this line's guarantors, thirty out of the forty-six of whom either lived in North Leitrim or had exclusively North Leitrim interests. In all £65,000 has been paid towards it.

North Leitrim has done quite enough.

South Leitrim too has but one railway and with it it has been equally unfortunate. Its disasters are traceable to the railway experimenting of the Government and to the Government's neglect to make proper investigation before such experimenting.

Proofs of the statement in the last sentence may be found in the Second Report of the Royal Commission on Irish Public Works (issued January, 1888). (Allport's). It condemns Light Railways (page 34) on many grounds. On page 30 it states:—

> "We now come to a matter for which the main responsibility must rest not with the framers of the Act (1883) but with the Executive Government at the time immediately before it became law. Upon the passing of the Act of 1883 a printed statement was issued by order of the Lord Lieutenant specifying the gauge of three feet as that upon which lines which would be allowed the benefit of the Act should, as a rule, be constructed, and announcing that schemes on the broad or normal Irish gauge

APPENDIX V.

> of five feet three inches would only be admitted on the condition 'that no guarantee should be asked for upon so much of the expenditure as is rendered necessary by reason of the departure from the three feet gauge' . . . . . We regret, however, to have to say that it is our deliberate opinion that this encouragement to the introduction at various points throughout Ireland, of a gauge different from the standard gauge of the country was a serious error, and that great evils have resulted from it. In this view we are supported by the practically unanimous opinion of those connected with existing railway companies, both British and Irish."

Robertson's Report on Indian Railways confirms this.

Aliport's Commission also finds fault with a higher responsibility having been placed on a district than 6*d.* in the pound. In South Leitrim it has touched two shillings in the pound and two shillings and two pence. The guaranteeing area includes nine congested districts, viz., Aghavas, Breandrum, Cattare, Cloone, Corriga, Cashel, Castlefore, Keeldra, and Rowan. The rateable valuation of the Leitrim guaranteeing area has recently risen somehow to £64,077—it was £63,731 in 1901—and the guaranteed capital for which Leitrim is responsible is now £146,260—it used to be 143,160. For 1903-1904 the net total charge on South Leitrim in respect of dividend and working expenses was £2,951, *i.e.*, 11*d.* in the pound. The previous financial year it was £3,588, which works out at 1*s.* 1*d.* in the pound. The last record in the seventy-fourth report of the Commissioners of Public Works is among recent ones the worst. The expenditure exceeded the gross receipts for the first half year by £137. The tax should have touched about 1*s.* 5*d.* in the pound.

All this goes to show why we in Leitrim are poor, why we are disheartened, and why we are dissatisfied with the powers that be.

A striking instance of the ignoring of County Leitrim and its claims is brought out by the Railway Act of 1896. This Act authorized the Treasury to aid the construction of Railways

> "which were necessary for the development of a district and which could not be provided without State assistance. In the case of a railway mainly or wholly through a congested district the aid might cover entire cost" (Seventy-first report Public Works, page 14).

Of the half million voted £318,860 was spent on the Letterkenny and Burtonport Railway, and £98,527 on the Buncrana and Carndonagh line, all in Donegal. Donegal contributed in each instance but £5,000. Congested Leitrim was importunate enough, but it got not a brass farthing. It all went somehow to the one county. Small wonder Leitrim has to face the prospect of continuing for very many years to be the poorest county in Ireland. We are discontent. But our discontent is not based upon sentiment, but on the pretty solid foundations of serious neglect, great material want and continuous material ruin. In this parish during the last twelve years I have seen scores of houses sinking to decay; I have seen but one or two erected. This is a sample of what is taking place all over the county. It is to be hoped that the Government will not stand idly by, but that, while yet it may, it will exert itself to make up for neglect and to undo accumulated past wrongs.

APPENDIX VI.

DOCUMENT put in by Mr. WILTON VAUGH in connection with the Evidence given by him before the Commission.

STATISTICS as to PAYMENT of RENTS on ESTATES managed by Mr. WILTON VAUGH.

COUNTY.	Estate.	Period.	Rental for the Period in Col. 3.	Rents Received in the Period in Col. 3.	Number of Tenants on Estate.
1.	2.	3.	4.	5.	6.
			£ s. d.	£ s. d.	
Leitrim, ...	A.	For three years ended November, 1906, ..	4,166 5 8	4,142 4 4	214
Do., ...	B.	For three years ended May, 1905, ..	302 0 6	302 0 6	26
Do., ...	C.	For three years ended May, 1906, ..	459 12 3	459 12 3	15
Do., ...	D.	For three years ended May 1906 ..	5,805 19 1	5,759 6 8	225
Do., ...	E.	For three years ended November, 1906, ..	295 3 6	287 10 6	26

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APPENDIX

DOCUMENTS put in by Mr. GEORGE HEWSON in connection

A.—SALES of TENANTS' INTERESTS on CONGESTED

County and Number.	Townland.	Name of Tenant (Purchaser).	AREA. Statute Measure.	AREA. Irish Plantation Measure.	Landlord's Name.	RENT. Old Rent.	RENT. Judicial or Present Rent.
1.	2.	3.	4.	5.	6.	7.	8.
			A. R. P.	A. R. P.		£ s. d.	£ s. d.
Leitrim, 1	Gortinar, ..	James O'Hara, ..	34 3 1	—	Owen Wynne, D.L.,	11 6 0	10 0 0
„ 2	Nure, ...	Sam Grier, ...	22 0 29	—	Do., ..	16 18 0	16 0 0
„ 3	Cloonaquin, ..	Pat Clancy, ...	19 2 39	—	Do., ..	1 0 0	1 0 0
„ 4	Gortgarrigan, ..	Charles Clifford, ..	14 3 6	—	Do., ..	8 0 0	8 0 0
„ 5	Srabrick, ..	John M'Combs, ..	34 3 1	—	Do., ..	10 0 0	6 10 0
„ 6	Lattone, ..	Denis Maguire, ..	20 3 24	—	Do., ..	4 10 0	4 10 0
„ 7	Gortinar, ..	John Millican, ..	57 1 1	—	Do., ..	13 10 0	12 0 0
„ 8	Lisdarush, ..	James Walshe, ..	20 3 31	—	Do., ..	13 0 0	11 6 0
„ 9	Shasmore, ..	P. Kearny, ...	41 1 18	—	Do., ..	20 0 0	17 12 0
„ 10	Raheelin, ..	Pat Gallagher, ..	13 2 28	—	Do., ..	3 14 0	3 4 0
„ 11	Gortgarrigan, ..	John Giblin, ...	14 3 6	—	Do., ..	8 0 0	8 0 0
„ 12	Cartrongibbagh, ..	Jeremiah M'Gowan, ..	59 1 39	—	Do., ..	25 0 0	22 0 0
„ 13	Tullyskeherny, ..	Hugh M'Morrow, ..	57 0 24	—	Do., ..	34 0 0	30 11 0
„ 14	Cloonlogher, ..	Pat Fallon, ...	66 3 38	—	Do., ..	12 0 0	9 15 0
„ 15	Ballyglass, ..	Martin Devany, ..	13 0 22	—	Do., ..	4 0 0	4 0 0
„ 16	Mountainthird, ..	Anthony Crown, ..	26 0 32	—	Do., ..	16 0 0	14 0 0
„ 17	Shasmore, ..	John M'Morrow, ..	41 1 18	—	Do., ..	20 0 0	17 12 0
„ 18	Nure, ...	Edward Boylan, ..	22 0 29	—	Do., ..	16 18 0	16 0 0
„ 19	Raheelin, ..	Thady M'Partland, ..	13 2 36	—	Do., ..	2 15 0	2 15 0
„ 20	Pollboy, ..	T. Saunders, ...	32 1 18	—	Do., ..	13 0 0	10 7 6
„ 21	Ballyglass, ..	Daniel Campbell, ..	46 0 10	—	Do., ..	28 0 0	28 0 0
„ 23	Shanvass, ..	James Gilmartin, ..	35 2 20	—	Do., ..	5 5 0	4 16 0
„ 23	Gortnaderrary, ..	James Keaney, ..	25 0 7	—	Do., ..	8 10 0	6 10 0
„ 24	Raheelin, ..	John M'Keown, ..	38 0 18	—	Do., ..	7 0 0	7 0 0
„ 25	Lattone, ..	Pat Meehan, ...	13 3 4	—	Do., ..	4 0 0	3 0 0
„ 26	Raheelin, ..	P. Gaynor, ...	38 0 18	—	Do., ..	7 0 0	7 0 0
„ 27	Ballyglass, ..	Maurice M'Daniel, ..	13 0 12	—	Do., ..	4 0 0	4 0 0
„ 28	Tullyskeherney, ..	Rose Maguire, ..	25 0 7	—	Do., ..	10 10 0	10 10 0
„ 29	Gortinar, ..	John James Fletcher, ..	13 0 5	—	Do., ..	7 0 0	5 10 0
„ 30	Gortahork, ..	James Conlon, ..	9 2 20	—	John J. Palmer, ..	6 15 0	4 0 0
Mayo, 31	Derrynamuck, ..	George Moore, ..	72 0 3	—	Percy V. Jackson,	50 3 0	38 0 0
„ 32	Corroy, ...	Mark Brislane, ..	17 1 30	—	Do., ..	10 10 0	9 0 0
„ 33	Corroy, ...	William Armstrong, ..	20 2 0	—	Do., ..	9 7 0	7 13 0
„ 34	Ballyderg, ..	Francis Boland, ..	45 1 33	—	Do., ..	32 0 0	25 7 0
„ 35	Cloonyarigaun, ..	Thomas Dowd, ..	8 0 38	—	Do., ..	6 0 0	4 10 0
„ 36	Barnfield, ..	Robert Scott, ..	229 1 21	—	Do., ..	98 0 10	80 0 0
„ 37	Ballynahaglish, ..	Pat Foody, ...	10 3 20	—	Do., ..	4 15 0	4 5 0
„ 38	Ballonlabawn, ..	Pat Lynn, ...	23 1 24	—	The Misses Paget,	10 5 0	8 14 6
„ 39	Roosky, ..	Pat Grogan, ...	5 3 20	—	Miss Orme, ..	2 0 0	2 0 0
Leitrim, 40	Garvagh, ..	Pat Flynn, ...	7 3 14	—	H. W. S. L. Montgomery.	4 12 0	3 15 0
„ 41	Tullinwillon, ..	Mark Feehilly, ..	9 3 39	—	Do., ..	5 6 9	3 10 0
„ 42	Corasra, ...	James Flynn, ..	20 1 29	—	Do., ..	6 10 6	6 10 6
„ 43	Corchuill, ..	James Meehan, ..	26 1 9	—	Do., ..	13 10 0	11 0 0
„ 44	Drumderg Upper,	James Stuart, ..	5 3 24	—	Do., ..	2 17 6	2 17 6

VII.

with the Evidence given by him before the Commission

ESTATES since 1st JANUARY, 1882.

9. If Judicial Rent, insert date when fixed.	10. Date of Sale of the Tenancy.	11. Amount obtained for the Tenancy.	12. Number of Years' Purchase of the Rent.	13. OBSERVATIONS. (*Inter alia*, information would be useful as to quality and condition of land and buildings at date of sale, and whether improved or deteriorated by the outgoing tenant.)
		£		
Judicial, 27th July, 1904, ...	1886	300	27¾	
Judicial, 8th May, 1888, ...	1884	200	12½	Same holding as No. 18 below.
Yearly (Non-judicial), ...	1885	35	35	
Do., ...	1888	60	7	Same case as No. 11 below.
Judicial, 29th June, 1901, ...	1888	150	15	
Judicial, 16th May, 1906, ...	1890	128	28½	
Judicial, 8th November, 1900, ...	1895	242	17¾	
Judicial, 25th March, 1899, ...	1895	290	22½	
Judicial, 12th February, 1904, ...	1898	437 10*s.*	21¾	Same holding as No. 17 below.
Judicial, 27th June, 1900, ...	1893	150	40½	
Yearly (Non-judicial), ...	1895	180	22½	Same case as No. 4 above.
Judicial, 16th September, 1899, ...	1895	500	20	
Judicial, 12th February, 1904, ...	1893	680	20	
Judicial, 2nd December, 1901, ...	1898	221	18½	
Yearly (Non-judicial), ...	1899	110	27½	
Judicial, 16th July, 1898, ...	1902	350	25	
Judicial, 12th February, 1904, ...	1901	465	23½	Same case as No. 9 above.
Judicial, 8th May, 1888, ...	1900	320	20	Same case as No. 2 above.
Judicial, 8th May, 1888, ...	1900	112 10*s.*	40½	
Judicial, 15th February, 1899, ...	1902	265	25½	
Judicial, 4th November, 1902, ...	1902	400	14	
Judicial, 4th November, 1905, ...	1902	169	32½	
Yearly (Non-judicial), ...	1902	164	25½	
Judicial, January, 1885, ...	1902	105	15	Same holding as No. 26 below.
Yearly (Non-judicial), ...	1904	100	34	
Judicial, January, 1885, ...	1904	395	56¾	Same holding as No. 24 above.
Yearly (Non-judicial), ...	1904	110	27½	
Judicial, August, 1883, ...	1906	225	21½	
Judicial, 17th March, 1902, ...	1906	160	20½	
Judicial, 16th July, 1898, ...	1905	111	27½	
Judicial, 29th June, 1897, ...	1903	518	13	
Judicial, 13th March, 1901, ...	1904	260	28¼	
Judicial, 26th June, 1901, ...	1904	126	14	
Judicial, 27th November, 1893, ...	1902	451	16	
Judicial, 15th May, 1893, ...	1902	87	19	
Judicial, 9th January, 1894, ...	1899	880	11	
Judicial, 26th July, 1893, ...	1907	80	18½	
Judicial, 18th February, 1898, ...	1897	425	40	
Yearly (Non-judicial), ...	1904	32	16	
Judicial, 28th July, 1892, ...	1892	75	17	Fee sold under Land Purchase Acts prior to Act of 1903, for £75.
Judicial, 24th January, 1890, ...	1893	84	24	
Yearly (Non-judicial), ...	1896	166	25¾	Fee sold for £110 under Purchase Acts prior to Act of 1903.
Do., ...	1896	270	24½	Fee sold for £207 under Purchase Acts prior to Act of 1903.
Do., ...	1893	45	17	

APPENDIX VII.

DOCUMENTS put in by Mr. GEORGE HEWSON in connection with

A.—SALES of TENANTS' INTERESTS on CONGESTED

County and Number.	Townland.	Name of Tenant (Purchaser).	AREA. Statute Measure.	AREA. Irish Plantation Measure.	Landlord's Name.	RENT. Old Rent.	RENT. Judicial or Present Rent.
1.	2.	3.	4.	5.	6.	7.	8.
			A. R. P.	A. R. P.		£ s. d.	£ s. d.
Leitrim, 45	Dergvone, ..	Owen M'Courty ..	3 2 34	—	H. W. S. L. Montgomery.	2 5 3	1 15 0
,, 46	Kilcoosy, ..	Robert Taylor, ..	6 1 26	—	Do., ..	4 0 0	3 2 0
,, 47	Do., ..	John Cunningham, ..	7 3 8	—	Do., ..	5 7 7	4 8 0
,, 48	Garvagh, ..	James M'Avey, ..	3 0 38	—	Do., ..	—	1 14 0
,, 49	Treaundullagh, ..	John Harkin, ..	7 3 22	—	Do., ..	3 14 0	3 0 0
,, 50	Tullinwillan, ..	Pat Gallagher, ..	7 0 1	—	Do., ..	7 14 0	6 10 0
,, 51	Brockagh, ..	Mark Teehilly, ..	23 0 38	—	Do., ..	12 0 0	10 3 0
,, 52	Aughrim, ..	Rose Rafferty, ..	—	—	Do., ..	—	0 3 9
,, 53	Dergvone, ..	Francis M'Loughlin, ..	37 3 27	—	Do., ..	5 9 3	4 12 0
,, 54	Gortnasillagh, ..	Neill Coyle, ...	13 1 35	—	Do., ..	7 10 0	5 0 0
,, 55	Tullintowell, ..	Dan M'Liffe, ..	18 3 23	—	Do., ..	9 5 0	5 17 0
,, 56	Treandullagh, ..	John Harkin, ..	9 2 20	—	Do., ..	5 0 6	4 7 0
,, 57	Aughnahaha, ..	John Breden, Moiety, ..	34 3 21	—	Miss Margt. Revell and others.	3 17 6	3 0 0
,, 58	Do. ..	Mary Regan, Moiety, ..	58 0 12	—	Do. ..	3 0 0	1 17 6
,, 59	Carrowkeel ..	Thomas M'Avanny ..	11 2 39	—	Do. ..	6 0 0	4 12 0
,, 60	Aughnahaha, ..	John Bredin, ..	25 0 10	—	Do.,	6 5 0	6 5 0
,, 61	Carrowkeel ..	Pat Bredin	8 2 12	—	Do. ..	3 10 0	3 10 0
,, 62	Drummanassoor ..	Mary M'Loughlin ..	1 0 0	—	Joseph J. Peyton	0 10 0	0 10 0
,, 63	Knockacuillion ..	Corney Rorke, Moiety of,	616 2 33	—	Do. ..	3 17 0	2 5 0
,, 64	Mullaghgarve, ..	Michael Flynn, ..	3 0 0	—	Do., ..	2 8 0	1 10 0
,, 64A	Derreen, ..	William Turbitt, ..	46 0 0	—	Do., ..	11 7 4	4 15 0
,, 65	Drumkeel, ..	Edward O'Byrne, ..	10 0 15	—	Rev. Henry W. West,	5 15 0	5 15 0
,, 66	Derrywillan, ..	Frank Hamilton, ..	8 1 35	—	Do., ..	3 17 3	3 17 3
,, 67	Tullynapurtlin ..	Bridget M'Partland, ..	5 1 30	—	Do., ..	1 10 0	1 5 6
,, 68	Drumkeel, ..	Bernard M'Govern, ..	61 3 20	—	Do., ..	25 0 0	18 12 0
,, 69	Tullynapurtlin, ..	Thomas M'Ternan, ..	4 1 21	—	Do., ..	1 12 3	1 11 6
,, 70	Drumkeel, ..	John Kelly, ..	15 1 4	—	Do, ..	8 2 6	5 10 0
,, 71	Tullynapurtlin, ..	Thomas M'Keon, ..	7 3 21	—	Do., ..	4 0 0	3 0 0
,, 72	Drumkeel, ..	John Carty, ...	10 0 15	—	Do., ..	5 15 0	4 15 0
73	Derrywillan, ..	Robert Flynn, ..	8 1 35	—	Do., ..	3 17 3	3 17 3
,, 74	Tullynapurtlin, ..	Hugh M'Goil, ..	7 3 21	—	Do., ..	4 0 0	3 0 0
,, 75	Cloonagh, ..	Thomas Kelly, ..	14 3 3	—	Do., ..	8 0 0	6 16 0
,, 76	Cuilta	James Loughlin ..	10 2 5	—	Do., ..	4 10 0	3 16 6
Mayo, 77	Ballyhaunis, ..	Edward Webb, ..	4 3 35	—	Mrs. Lucy O'Grady,	5 0 0	5 0 0
,, 78	Derrynaned, ..	Michael Murtagh, ..	8 1 34	—	Do., ..	2 15 0	2 15 0
,, 79	Curraghsallagh, ..	Dominick Laven, ..	1 0 4	—	Do., ..	0 10 0	0 10 0
,, 80	Do. ..	Martin Talbot ..	8 0 19	—	Do., ..	2 15 0	2 15 0
Leitrim, 81	Laughta, ..	Pat Connolly, ..	10 2 27	—	Jas. Johnston, D.L.,	3 15 0	3 4 0
,, 82	Ardagh, ..	Patrick Breden, ..	28 3 30	—	Do. ..	—	4 0 0
,, 83	Do., ..	Charles Sheeran, ..	19 1 39	—	Do., ..	—	4 2 6
,, 84	Larganbagh, ..	Barney Fox, ..	19 3 27	—	Do., ..	—	3 10 0
,, 85	Do., ..	Felix M'Gowan ..	23 3 35	—	Do., ..	—	8 2 6
,, 86	Do., ..	Francis Meehan, ..	11 2 10	—	Do., ..	5 0 0	4 5 0
,, 87	Mantiagh, ..	Michael Gilmartin, ..	21 1 26	—	Do., ..	—	3 0 0
,, 88	Corduff, ...	Francis Rodden, ..	31 1 11	—	George Marsham, D.L.	17 18 9	12 0 0
,, 89	Drumhany, ..	Thomas Mulligan, ..	13 2 1	—	Do., ..	8 16 0	6 15 0
,, 90	Derryhallagh, ..	Joseph Healy, ..	28 3 10	—	Do., ..	12 0 0	10 2 0
,, 91	Curragha, ..	Pat Shanley, ..	19 0 16	—	Do., ..	5 18 0	3 5 0

the evidence given by him before the Commission—*continued.*

ESTATES since JANUARY, 1882—*continued.*

If Judicial Rent, insert date when fixed,	Date of Sale of the Tenancy.	Amount obtained for the Tenancy.	Number of Years' Purchase of the Rent.	OBSERVATIONS. (*Inter alia*, information would be useful as to quality and condition of land and buildings at date of sale, and whether improved or deteriorated by the outgoing tenant.)
9.	10.	11.	12.	13.
		£		
Judicial, 22nd July, 1892, ...	1897	40	23	Fee sold under Land Purchase Acts prior to Act of 1903, for £30.
Judicial, 12th June, 1893, ...	1895	77 10*s.*	19¼	Fee sold under Land Purchase Acts prior to Act of 1903, for £62.
Judicial, 22nd July, 1892, ...	1895	80	18¼	
Judicial, 26th February, 1891, ...	1894	66	39	Fee sold for £34 under Land Purchase Acts prior to Act of 1903.
Judicial, 26th February, 1891, ...	1896	99	33	Fee sold for £60 under Land Purchase Acts prior to Act of 1903.
Yearly (Non-judicial), ...	1895	150	23¼	Fee sold for £125 under Purchase Acts prior to 1903.
Judicial, 12th June, 1893, ...	1903	220	20¾	Fee sold for £203 under Purchase Acts prior to 1903.
Yearly (Non-judicial), ...	1906	62 10*s.*	330	
Judicial, 22nd July, 1892, ...	1900	100	21¾	Fee sold for £99 under Purchase Acts prior to 1903.
Yearly (Non-judicial), ...	1902	100	20	Fee sold for £100 under Purchase Acts prior to 1903.
Do, ...	1900	140	24	Fee sold for £117 under Purchase Acts prior to 1903.
Judicial, 26th February, 1891, ...	1898	100	21½	Fee sold for £80 under Purchase Acts prior to 1903.
Judicial, 23rd March, 1901, ...	1905	110	36¼	
Judicial, 9th May, 1894, ...	1903	80	39	
Judicial, 30th July, 1892, ...	1905	250	56	
Judicial, 21st May, 1888, ...	1900	255	41¾	
Judicial, 1891, ...	1898	210	60	
Yearly (Non-judicial), ...	1906	60	120	
Judicial, 8th October, 1897, ...	1901	150	67	
Judicial, December, 1894, ...	1899	60	40	
Judicial, December, 1895, ...	1907	300	63¼	
Judicial, February, 1884, ...	1894	150	26½	Same holding as No. 72 below.
Yearly (Non-judicial), ...	1896	70	16½	The interest in this holding was sold in 1887 for £22 12*s.* 10*d.* Same holding as No. 73 below.
Judicial, 3rd December, 1900, ...	1899	48	39	
Judicial, 2nd October, 1885, ...	1901	775	41½	
Judicial, 26th October, 1903, ...	1901	92	58	
Judicial, 18th July, 1900, ...	1891	175	21½	
Judicial, 1st May, 1888, ...	1891	130	32½	Same holding as No. 74 below.
Judicial, 5th December, 1898, ...	1904	241 6*s.*	51	Same case as 65 above.
Yearly (Non-judicial), ...	1905	91	22½	Same case as No. 66 above.
Judicial, 1st May, 1888, ...	1906	210	70	Same case as No. 71 above.
Judicial, 9th January, 1899, ...	1898	150	18¾	
Judicial, 28th January, 1899, ...	1907	100	24¾	
Yearly (Non-judicial), ...	1902	280	56	
Judicial, 8th November 1882, ...	1901	70	25	
Yearly, ...	1905	27 10*s.*	55	An agreement to purchase this holding under Land Purchase Act of 1903 for £9 has been lodged with Land Commission.
Judicial, 17th May, 1883, ...	1906	77 10*s.*	30¾	
Judicial, 22nd December, 1904, ...	1904	151	27	
Judicial, November, 1889, ...	1905	100	25	
Judicial, November, 1890, ...	1905	85	20½	
Judicial, April, 1889, ...	1905	115	33	
Judicial, 23rd September, 1902, ...	1905	295	36¼	
Judicial, 22nd December, 1906, ...	1905	155	31	
Judicial, March, 1901, ...	1906	110	36	
Judicial, 23rd November, 1900, ...	1881	160	9	
Judicial, May, 1884, ...	1889	88	13	
Judicial, 14th January, 1903, ...	1882	105	8¾	
Judicial, 13th June, 1891, ...	1889	60	18	

APPENDIX VII.

Documents put in by Mr. George Hewson in connection

A.—Sales of Tenants' Interests on Congested

County and Number.	Townland.	Name of Tenant (Purchaser.)	Area.		Landlord's Name.	Rent.	
			Statute Measure.	Irish Plantation Measure.		Old Rent.	Judicial or Present Rent.
1.	2.	3.	4.	5.	6.	7.	8.
			A. R. P.	A. R. P.		£ s. d.	£ s. d.
Leitrim, 92	Adoon, ...	Francis Kelly, ..	Not known.	—	George Marsham, D.L.	5 18 3	5 18 3
„ 93	Tully, ...	Bernard Keane, ..	28 2 21	—	Do., ..	15 13 8	13 10 0
„ 94	Sraloaghan, ..	James Hewston, ..	11 3 24	—	Do., ..	4 10 0	4 10 0
„ 95	Mulnavanogue, ..	Pat Flynn, ...	35 3 14	—	Do., ..	13 0 0	11 10 0
„ 96	Fohera, ...	Dr. Patrick Mulcahy, ..	47 3 13	—	Do., ..	35 0 0	30 4 0
„ 97	Gortavacan, ..	Charles Browne, ..	69 1 0	—	Do., ..	40 0 0	32 0 0
„ 98	Cankeel, ..	Daniel M'Guinness, ..	15 2 18	—	Do., ..	6 0 0	5 13 6
„ 99	Aughrim ..	John M'Gourty, ..	11 3 14	—	Do., ..	4 0 0	3 10 0
„ 100	Do., ..	James M'Govern, ..	20 2 7	—	Do., ..	2 1 0	2 1 0
„ 101	Corkhills, ..	Philip Keegan, ..	22 3 24	—	Do., ..	11 0 0	8 16 0
„ 102	Drummonahugh, ..	Hugh M'Partland, ..	57 2 2	—	Do., ..	23 5 0	16 0 0
„ 103	Lisalue, ...	A. C. Frazer, ...	17 2 13	—	Do., ..	5 6 0	5 6 0
„ 104	Mullaghbawn, ..	Hugh Rorke, ..	28 1 6	—	Do., ..	14 0 0	11 8 0
„ 105	Do., ..	Charles Rorke, ..	13 1 7	—	Do., ..	6 10 0	5 0 0
„ 106	Settonahinch, ..	John Duignan, ..	Not known	—	Do., ..	3 2 6	3 2 6
„ 107	Monereave, ..	Michael Gilhooly, Part of,	30 0 21	—	Do., ..	1 7 7	1 0 0
„ 108	Derrinurn, ..	Pat M'Hugh, Part of, ..	91 0 11	—	Do., ..	8 10 0	8 10 0

B.—Statistics as to Payment of Rents on

County.	Estate.	Period.
1.	2.	3.
Leitrim, ..	A.	For two years ended May, 1905, ...
Do., ...	B.	For ten years ended May, 1905, ...
Do., ...	C.	For ten years ended May, 1905, ...
Mayo, ...	D.	For ten years ended May, 1905, ...
Sligo, ...	E.	For five years ended March, 1903, ..
Leitrim, ...	F.	For ten years ended May, 1905, ...
Do., ...	G.	For ten years ended November, 1905, ..
Do, ...	H.	For ten years ended September, 1905, ..
Do., ...	J.	For seven years ended November, 1905, ..
Do., ...	K.	For ten years ended September, 1905, ..
Do., ...	L.	For ten years ended November, 1905, ..
Roscommon, ..	M.	For nine years ended May, 1904, ..
Do., ...	N.	For ten years ended September, 1905, ..
Do., ...	O.	For five years ended May, 1903, ..
Do., ...	„	For three years ended May, 1906, ..
Mayo, ...	P.	For nine years ended November, 1906, ..
Leitrim, ...	Q.	For ten years ended 1905, ...
Do., ...	R.	For ten years ended 1905, ...

with the Evidence given by him before the Commission—*continued.*

ESTATES since 1st JANUARY, 1882—*continued.*

If Judicial Rent, insert date when fixed.	Date of Sale of the Tenancy.	Amount obtained for the Tenancy.	Number of Years' Purchase of the Rent.	OBSERVATIONS. (*Inter alia*, information would be useful as to quality and condition of land and buildings at date of sale, and whether improved or deteriorated by the outgoing tenant.)
9.	10.	11	12.	13.
		£		
Non-judicial, ...	1888	52 10s.	8½	
Judicial, 6th July, 1899, ...	1888	230	14½	
Judicial, 19th July, 1884, ...	1889	90	20	
Judicial, 20th February, 1904, ...	1889	215	16½	
Judicial, 25th June, 1906, ...	1889	375	10½	
Judicial, 20th January, 1902, ...	1889	325	8½	
Judicial, 31st July, 1903, ...	1889	62	10½	
Judicial, 17th December, 1899, ...	1893	62	15½	
Non-agricultural, ...	1903	65	32	
Judicial, 15th December, 1896, ...	1904	305	34½	
Judicial, 2nd January, 1906, ...	1906	360	22½	
Non-judicial, ...	1906	75	14½	
Judicial, 18th April, 1905, ...	1900	200	14	
Judicial, 6th June, 1902, ...	1899	100	14	
Non-judicial, ...	1906	130	41½	
Judicial, 28th March, 1906, ...	1906	25	18	
Judicial, 1st November, 1885, ...	1906	230	27	

ESTATES managed by Mr. GEO. HEWSON.

Rental for the Period in Col. 3.	Rents Received in the Period in Col. 3.	Number of Tenants on Estate.	County.
4.	5.	6.	
£ s. d.	£ s. d.		
5,521 13 9	5,682 6 0	513	Leitrim
9,883 12 0	9,976 9 3	157	Do.
18,639 2 10	18,524 2 11	217	Do.
12,573 8 11	12,531 2 7	131	Mayo.
832 16 0	895 19 2	14	Sligo.
2,866 5 8	2,930 8 8	73	Leitrim.
4,361 11 0	4,494 8 10	94	Do.
15,212 3 9	14,812 6 7	209	Do.
5,572 16 3	6,163 6 0	137	Do.
2,471 14 4	2,511 8 11	67	Do.
650 4 8	667 3 8	12	Do
1,685 5 5	1,653 15 5	40	Roscommon.
554 18 6	551 3 6	9	Do.
2,497 8 0	2,372 10 7	93	Do.
1,107 4 3	1,137 9 10	61	Do.
2,278 19 6	2,237 19 0	25	Mayo.
1,541 11 8	1,545 17 0	19	Leitrim.
13,514 19 8	13,552 9 10	119	Do.

APPENDIX VIII.

APPENDIX VIII.

DOCUMENT put in by the Rev. PATRICK DOLAN, in connection with the evidence given by him before the Commission.

A.—OUTLINES OF EVIDENCE.

I have been nominated by the Right Rev. Dr. Hoare, Lord Bishop of Ardagh and Clonmacnoise, to give evidence before the Commission on behalf of the parishes of Aughavas, Mohill, and Cloone, portions of which form part of the congested districts. To the views and suggestions of improvements, which I present to the Commission, I may say I have the complete agreement of the parish priests of Mohill and Cloone. I myself am the Parish Priest of Aughavas.

Drainage. I propose to draw the attention of the Commission in the first place to the question of drainage, a most important thing, in the County Leitrim. In the Aughavas electoral division, sometimes in the summer and autumn after heavy rainfalls the country is flooded. Meadows, newly made hay, and other crops are completely destroyed. Even in the spring-time work is greatly retarded. As late as last 16th March the fields were little lakes. The floods on these occasions even cross the public road, and hinder the people from going to church or on their business unless they wade through or go a long way round. These floods arise from the overflowing of various streams that finally empty themselves into what is called the Black or Cloone River. Here is the statement of one of the parties aggrieved. It is a sample of the rest, who number about seventy-five. He states "That the greater part of his meadow land together with six acres of his pasture land adjoins one of these streams, and that they are injuriously affected by its floods. The aforesaid meadows produce twenty-five cocks of hay annually. The floods drive in sand and coarse gravel, which injure the hay to such an extent that frequently five or six beasts die some years, and he must sell the remainder of his stock. The pasture land is covered with water so that cattle cannot be turned out to feed on it, and also the sand is driven in on it so that the cattle cannot feed on it. He estimates his losses occasionally at about £20 a year." This man's valuation is a little over £20 a year.

Attempts were made to remedy this state of affairs, but to no purpose. The landlords did not trouble. A resolution passed by the Mohill Board of Guardians in February, 1902, was sent to the Lord Lieutenant, asking that some steps should be taken to improve the drainage referred to. Nothing came of it.

At a meeting of the Aughavas Congested Districts Board Committee, held 24th September, 1905, a deputation was appointed to call on the Congested Districts Board in Dublin, to get help to carry out the necessary drainage. The deputation was well received, and various inquiries were made. A grant of £100 was asked, the Parish Committee undertaking to carry out the work at their own expense. A copy of a report, survey, and a statement of the probable expense, made out by the Assistant County Surveyor, were sent to the Board. The estimate amounted to £267 10*s.* 6*d.* The surveyor's report (copy) is appended.

The Congested Districts Board on 21st November, 1905, wrote that:—"They agreed to contribute one half of the grant of the drainage, provided that such contribution does not exceed £135; that a local Committee be formed to obtain all necessary consents, and indemnifies the Board against all consequential damages, undertakes to do the work to the satisfaction of the Board's engineer, etc., full names and addresses of members of Committee to be supplied."

On 27th November, 1905, the parties affected by the drainage formed themselves into a local Committee, agreed to and executed an agreement binding themselves to indemnify the Board against consequential and other damages arising from the operations, as required by the Board's stipulation. In answer to the local Committee Secretary's petition for the consents of the landlords whose properties adjoin the Black River's tributaries, the said landlords gave freely their consents, except John Madden, Esq., D.L., Hilton Park, Clones, County Monaghan, who stated on two occasions that negotiations for the sale of his Leitrim estate were proceeding, and that when the sale was completed, the consents of his tenants would suffice without any reference to him. Some of his tenants refused to sign for the purchase, as he refused to give his consent to the drainage. Though the estate is now sold, these refuse still to sign or agree to the purchase terms, as they think he treated the Committee badly, not to give his consent to the carrying out of a work which would remove a great grievance. It seems as if he used his consent as a lever to raise the purchase price of his land, though he was told it was a free grant of £135, and that the local Committee agreed to indemnify him against all losses from the work. Even if he did not sell his property his estate would be the gainer by this drainage.

Anxious to go on with the work, the local Committee wrote that they were prepared to go on even with the risk of damages to Mr. Madden. On 20th February, 1906, the Board wrote that "They are not prepared to take any further action in the matter of the Aughavas drainage until the local Committee are in a position to state that all necessary consents for the execution of the work have been obtained." Finally on 26th February, 1906, they wrote:—"As there is a Royal Commission sitting inquiring into the laws relating to the drainage of land, it may be no loss of time if the local Committee await the result of their inquiry."

The Congested Districts Board began and continued well but ended badly. The Drainage Commission has issued its report, but I saw from a statement in Parliament that there is no hope for a long time of any action being taken on their report. Like other reports it may be the last heard of it. In the meantime the people suffer. I appeal to the Board, through this Commission, not to be awaiting Parliamentary action, but to complete the good work they encouraged so long. They are not lazy people, or people unwilling to help themselves, who undertake to carry out half of so important a work at their own expense.

In the parish of Mohill a great deal of damage is done to crops of every kind owing to overflooding caused by a river flowing between the Cavan and Gorvagh districts. Local representatives, having a better knowledge of this district, will refer to it more in detail.

In the parish of Cloone a stream about a quarter of a mile long, flowing through the townlands of Lisduff, Killaveaghy, and Drumlegga, causes great injury.

The attention of the Board is directed to something being done in these cases. The people affected will be too willing to co-operate. The sooner it is done the better, as every year brings its losses to a greater or less extent.

Roads. The people suffer greatly from want of good road accommodation to their houses. It would be impossible to describe the hardships and loss they sustain from this cause. Their houses are situated on the sides of long lanes or boreens. Some are even on old passes branching off these lanes. The priest and doctor encounter great risks when called out on duty to these places. No repairs, or very trifling ones, are executed. They are long and expensive for private enterprise, so that no proper repairs take place. As they are too narrow and lead, as it is said, nowhere—*cul-de-sac*—the District Council cannot touch them. These lanes were, years ago, the public passes of the country. None, or hardly any of the gentry, who formed the old grand juries, resided in these districts, and the opening up of new roads was consequently neglected. When something was done it was with a view to connect town with town, and not to bring the people near the main road. The consequence is the people are doomed to remain in this wretched state till some plan is devised to meet the difficulty. It is true the Congested Districts Board gives some help to do some improvement on these lanes and passes, but it is almost

worthless except for repairing very short lengths. It allows only one-sixth of the possible expense. If you have a lane a quarter of a mile long and only a few living on its sides, what use is such a proportion? The consequence is, as I know, as Chairman of our Parish Committee, that the concession is not availed of; and where it has been, it is the result of great persuasion; and often the work was thrown up, it became so expensive. Some better means should be employed to benefit these people. They pay rates, and reasonably expect some help to meet such difficulties. In these cases the Board should make their proportion more elastic. They should give one-third, or, in some cases, one-half of the expense, or the District Council should be empowered to get such work done, especially when many reside on the sides of these lanes. I may add, even the public roads in these districts are not any great credit, if not a positive disgrace, to the authorities who are in charge of them.

An example of bad road accommodation has been brought under my notice by the Parish Priest of Cloone with a view to placing it before the Congested Districts Board through the Commission. This road leads from Cloone to Carrigallen, with a branch from Drumlohan National School to Gubb's cross-roads. It has three very steep hills, probably a gradient of one in five, and is more than a mile long. Over a hundred families live along it. They have the greatest difficulty in getting to the main roads, and only half loads can be carried. Its improvement is too big a work for the County Council, as it is only a bye-road. If the Congested Districts Board gave assistance to the Council a great deal would be done to effect an improvement.

Parish Committees.

The rules framed for Parish Committees do not suit all districts equally well. The works contemplated by the Board are supposed to be carried out in winter-time or thereabouts, owing to the people then having more leisure. But unfortunately this part of the country is very wet from want of drainage. The passes, as alluded to elsewhere, are wretched, and so hilly that even in the best weather it is difficult for a beast to pull its load. Material for building is scarce, and often has to be brought a long distance, so that leisure is greatly counterbalanced by natural difficulties. The proportion—one-fifth—given by the Board is nearly useless in such circumstances. It might do well in other localities, but not here. Our Committee is now three years in existence, but if some changes in the rules are not made I fear it will not survive another year. It required my greatest efforts as Chairman of our Parish Committee to keep it working so long. Some felt greatly the burdens it placed on them. It got a fair chance of success. I have met a girl of fourteen years leading a donkey loaded with big stones from a quarry distant three miles, where her only brother raised them, and the load was taken down by her father, an old infirm man, and his equally helpless wife. They got only one-fifth of the total amount to put up a cattle shed. What I suggest is that in these difficulties a proportion of one-third at least should be granted, and a whole year for the execution of the work. I suggest further that the valuation of under £7 be extended to £10 inclusive. Farmers of £10 valuation are as much in need of help as those of £7. If these changes were made much greater good would be done by Parish Committees.

Technical Instruction.

The County Agricultural and Technical Committee has not been a success in this part of Leitrim. One lecture on poultry, and one on cattle, and a course of dairy instruction in two schools are all that was attempted in my parish. I regret to say there is a great prejudice against such instruction. The farmers think they know everything themselves, and that what they don't know is not worth knowing. There is plenty of occasion for an instructress in domestic economy. Such instruction should not be given in classes. The teacher should go into the houses and show how things are to be done. Notice of her coming to a parish should be sufficient. She should pay visits to the houses at time of meals, show how their materials for cookinig could be used to best advantage, how to clean up a house, and suggest the best methods of making their homes pleasing and comfortable. Classes of manual instruction for boys would be a great advantage.

Though a member of the Technical Committee I am not able to attend its meetings in Carrick-on-Shannon, as the distance—eighteen miles—is too great. Still I try, by frequent conversation, to persuade the people of the advantages of agricultural and technical education, but all in vain. The answer is:—"It is nothing but piling on more rates." The tax levied for the Cavan and Leitrim Light Railway has completely warped their minds against any improvement paid for by taxation.

Emigration.

There is constant emigration. The boys and girls leave very young—from sixteen upwards. They do very well in America, many of them returning within ten years having earned sufficient money to purchase farms or marry comfortably. Their success is drawing away many others. Their fathers cry out about a scarcity of labourers, and yet they let them go. There is no tillage except what supplies the wants of the house. Most of the holdings are small. I am inclined to think some would volunteer to take a place in a scheme of migration. This steady emigration has a most serious effect on Primary education in this county. It is destroying the school attendance. The young people, as a rule, emigrate in April. This month is the busy time of spring operations, being so late from the wet nature of the land. The school-children are now kept at home to meet the pressure of work. Even those from five to seven years are kept to mind the house, or the still younger children to set free, the mother to give a helping hand. The manure has to be carted out, the potatoes planted, the oats sown; then comes the turf-cutting and turf-rearing; then the new hay, harvest, and bringing home of turf; so that for half a year, there is a wretched school attendance, the school averages during these quarters, calling for the Board of Education to warn managers about the probable loss of teachers' salaries. The consequence is that the County Leitrim has the unenviable notoriety of being one of the worst for school attendance in Ireland. The Bishop of this diocese, the Right Rev. Dr. Hoare, had to refer to this state of things in his last Lenten Pastoral. Here are his words: "Besides guarding religious teaching, there is one thing more we must do in the interest of our children, we must send them to school. What is the use of having the school if you refuse to avail of it? What is the state of things I learn from the Blue Book? That the worst rural districts in all Ireland in this respect are Mayo, Sligo, Leitrim, and Longford. Here we have, at least up to the present, a practically satisfactory system of Primary education, and the people, through their own fault, won't educate their children. Let us try and understand the character we deserve by such conduct. The percentage of average daily attendance at school in rural Leitrim—and there are no urban districts in the county—to the average on rolls is 59·6. And the percentage of average daily attendance at school in the rural districts of Longford—that is, leaving out the towns of Longford and Granard—to the average number on rolls is 59·8, or in other words, out of every hundred children in Leitrim forty-one are not educated; and out of every 100 children in rural Longford, about the same number, forty-one are not educated. This is a shame and a disgrace, and calls for an immediate remedy. Take another test. You are aware that in 1892, a law was passed requiring all children over six years and under fourteen, to attend school seventy-five days in each half-year, or 150 days during the year. The Councils got power under pains and penalties to enforce these attendances. Tried by this test, how many of our children are educated? The answer is very humiliating. In Longford 37 per cent.; in Leitrim, 38. That is to say, in Longford sixty-three out of every 100; and in Leitrim sixty-two out of every 100 are not educated.

School Attendance.

With all our excuses of poverty and stress of weather, and bad clothing and bad food, and every other reason that can be alleged, this is a state of things that must be remedied. It is very much better that we should cure ourselves, and form the conviction that it is scandalous, than that we should wait for the rod of coercion. It is a state of things that is appalling; and I now appeal to priests and people, for the love of their religion, and country, to educate the children by sending them to school."

Evicted.

There are some evicted tenants, but they are all likely to be restored. There is one peculiar case. The tenant was evicted in the old Land League days. A hovel was put up on a kind neighbour's holding, adjoining the evicted farm, to shelter the evicted family. There it resides still. The bailiff works the farm.

APPENDIX VIII.

After the passing of the Land Act, 1903, the tenants on the estate, of which I am one, agreed to give the landlord the terms of purchase, viz., twenty-four and a half years' purchase of second term rents, and thirty-one and a half of first term, which he himself demanded, but on the condition that this one family should be restored. Otherwise they would not have given so much. He absolutely refused. His tenants still hold out. This landlord ornaments the House of Lords. There is need here of compulsion.

Extension of Congested Area.

The whole of the parishes of Aughavas, Mohill, and Cloone should be scheduled in the congested districts. The same circumstances exist throughout. There is no reason why the remainder should be deprived of any advantages that are to be had. This is the unanimous wish of all parties concerned.

Farmers' Residences

The labourers are now being provided with decent and sanitary dwellings. But what of the farmers' own dwellings? No wonder they talk of the fine slated houses of the labourers for which they have to pay, and of their own oftentimes wretched and unsanitary houses. Great efforts are now being made to promote sanitation, and especially to combat tuberculosis, that obtains so much in this country. We hear a great deal of the necessity of sanatoria for the cure or improvement of those affected by this disease. Why not go to the root of things? The sanatorium is to deal with the disease when contracted. Better improve the homes and make them sanitary, and thus stamp out disease effectually. Prevention is better than cure. Something should be done to provide the farmer, who himself has not the means, with a suitable and sanitary dwelling. It is true he may obtain a loan, but under great difficulties.

As the law stands at present, the occupiers of farms can obtain loans for the improvement of their holdings or the building of houses: (1.) if they be owners in fee; (2.) if they be yearly tenants. In the former case they can borrow a substantial sum at 5 per cent., repayable in thirty-five years; in the latter they can borrow three times the amount of the valuation of their holdings, repayable in twenty-two years at £6 10*s.* per cent. In both cases the moneys can be borrowed from the Board of Works. The repayment is secured by a charge or mortgage upon the holding of the borrower. The works to be done must be set out either on a map or plan to be approved of by the Board and the borrower must satisfy the Board of Works that he has a good title to the premises which he proposes to give as security for the loan. This, no doubt, seems perfectly right and simple, but unfortunately to make good legal title to the majority of holdings in the country is a matter of great difficulty, as anyone having experience of the country will understand. Nobody ever makes a will except he cannot help it, and it is then in the majority of cases, imperfectly drawn. The owner of a farm invariably dies intestate with a family of various ages. He happens to be possessed of a farm of land which was left by his father in precisely the same way, and which he came into more by accident than by arrangement, so that to trace the legal ownership of a farm for the purpose of giving a good charge is a matter of the greatest difficulty. It entails considerable expense and possibly exposes very frequently a family to litigation, which eventually ruins them. Apart from this difficulty there is the fact that this arrangement does not meet the great demand which now exists for the improvement of farmers' dwellings. Under the present arrangement, it depends on a man having good title and personal initiative to propose such a thing as a new house. It is not an infrequent experience to find that a farmer has borrowed money from the Board of Works and out of it erected fine stables for his horses, fine sheds for his hay, fine outhouses for his cattle; and to continue to live in a residence which has the recommendation of connection with bygone ages alone to commend it, but which is inferior to the very pigstye or poultry-house he has erected out of the Board of Works' loan.

The present position of the Public Health Acts is not sufficient to meet the situation. It should be in the power of the County Council or the sanitary authority or some other body that could act independently to make periodical inspections of the farmers' houses and to say which should be in a particular order replaced by houses more in accordance with modern ideas and in situations as far as possible from the present ones. It should be open to farmers who have their houses so condemned, or who, without their house being condemned, are anxious to improve their surroundings, to apply to the County Council for money to erect substantial houses. The situation of the houses should be fixed by the officials of the County Council; the building of them should be carried out by competent contractors, the occupiers of the land being enabled to contribute towards the expense of the houses by rough labour or materials. The County Council ought to be in a position, when money is so advanced, and when it is certified that it has been expended on the buildings erected on a farm, to charge that farm irrespective of the owner or occupier with the sum so advanced and the repayment of it as an annuity sufficient in (say) sixty-eight years to repay it. If possible arrangements should be made for the provision of money for such loans on as good terms as money advanced for labourers' cottages. At any rate an annuity of £3 10*s.* per cent. or £3 12*s.* 6*d.* per cent. ought to be sufficient to provide principal and interest. The County Council ought to be in a position to raise such money by the issue of bonds or stock.

Care of Labourers' Cottages.

The existing labourers' cottages are not sufficiently looked after from a sanitary point of view. There should be frequent periodical visitation by the sanitary authority, and reports demanded. I have seen the boarded floor of a room covered with dirt, and apparently never washed from the day it was laid down.

The street, as it is called, is often given over to the labourer in its natural clay, with no stoning. The entrance to his house is thus, in wet or dry weather, a continuous eyesore. All the surroundings should be given up in a neat condition, and the labourer then be made to keep them in proper trim.

B.—DRAINAGE OF BLACK RIVER.

SHORT REPORT on Rivers in the Electoral Division of Aughavas, Union of Mohill, County of Leitrim.

1. The river from the bridge on the county road from Mohill to Carrigallen, and lying between the townlands of Carrickavoher and Drumshambo, and running thence to its junction with the (Cloone River) Rynn and Black River drainage district is in a wretched state, with shoals formed in the bed of it, and in many places the banks slipped in and covered with bushes, etc. The total length of this river is 454 perches, and would cost at least 2*s.* 6*d.* per perch to clean it, and leave it in a proper state for the free discharge of the water; river coloured blue on O. S., 29 & 33.

2. Stream from junction with last river between the townlands of Carrickavoher and Corroneary, and extending to the mearing of the townlands of Aughavas and Drumgunnea for a length of 830 perches is in a similar state to river No. 1, except that the greater part of it is in worse order, but it is not quite so broad. This river would require an expenditure of 2*s.* 3*d.* per perch to leave it in fair order like No. 1. Its course is very level, and it injures all the meadowland along it with about twelve or fourteen hours' rain. River coloured as above.

3. Stream from junction with No. 1, between the townlands of Corroneary and Aughnalough to the townland of Killameen, total length about 874 perches; is very much in the same condition as rivers Nos. 1 and 2, and would cost 2*s.* per perch to leave it in fair repair. The catchment basin of the foregoing rivers is very large, and it would be a great boon to the people living in the locality, and whose meadows are flooded by them several times a year, if the works can be carried out.

NOTE.—A portion of the Cloone River, and lying between the stream at Murphy's Mill (coloured red) and the stepping-stones at the new bridge, Aughanaglace and Drumshambo, and coloured blue on sheet 29, County Leitrim, marked A. to B, is within the Rynn Black River drainage district, but was not left to be maintained by the Trustees. This portion of the river was not finished at all. In the bed of this river is a limestone rock, and there are three steps in it, which, if removed, would lower the water in the three foregoing rivers, but particularly in No. 1, in which it would lower it at least two feet six inches. If this work is carried out it would cost about £30.

JOSEPH IRWIN,
Assistant County Surveyor,
Derren Lodge, Dromod.

SUMMARY.

			£	*s.*	*d.*
No. 1.	454 perches, at	2/6, ...	56	15	0
,, 2.	830 ,,	2/3, ...	93	7	6
,, 3.	874 ,,	2/, ...	87	8	0
,, 4.	Rock Sinking,	... ...	30	0	0
			£267	10	0

APPENDIX IX.

APPENDIX IX.—STATISTICAL ABSTRACT—CO. SLIGO.

A.—PREFATORY NOTE.

Special statistics relating to County Sligo have been prepared for the Commission by the Commissioner of Valuation (see pp. 277–8), the Registrar-General (see pp. 280–7), and the Department of Agriculture and Technical Instruction (see pp. 288–291, and 311), and certain returns have been furnished at the request of the Commission by the Local Government Board and the Congested Districts Board. Other information about County Sligo is available in different publications, *e.g.*, the Census Returns, the Annual Agricultural Statistics, the Annual Reports of the Irish Land Commission, the Estates Commissioners, the Congested Districts Board, &c.

All this statistical information has been brought together in the following pages, added to, and collated; and explanatory notes have been added, where required (*e.g.*, pp. 277, 279, 295, 306 and 312) with a view of forming a compact Statistical Abstract of the chief points of interest in County Sligo which may prove of assistance to the Commissioners during their sittings in County Sligo, and subsequently be helpful to readers of the evidence.

WALTER CALLAN,
Secretary.

4th April, 1907.

B.—GENERAL STATISTICAL INFORMATION, TAKEN FROM THE CENSUS REPORT, 1901, COUNTY SLIGO BOOK [CD. 1059–IV., 1902, pp. vii. and viii.]

The County of Sligo covers an area of 452,356 statute acres, or 2·2 per cent. of the total area of the country.

The number of persons in the County of Sligo, according to the Census was—in 1881, 107,479; in 1891, 94,416; and according to the recent Census, 84,083 (41,849 Males and 42,234 Females), or 10·9 per cent. less than in 1891.

The number of distinct Families in the County at the time of the late enumeration was 17,167, the average number of persons in a family being thus 4·8; and the number of Inhabited Houses was 17,049, showing an average of 4·8 persons to each house. In calculating these averages, the Special Inmates of Public Institutions have been omitted.

The following Statement shows, by County Districts, as constituted under the Local Government (Ireland) Act, 1898, the number of persons in 1891 and 1901: and the increase or decrease during the decade:—

COUNTY DISTRICTS.	Population.		Increase or Decrease between 1891 and 1901.		
	1891.	1901.	Increase.	Decrease.	Rate per cent.
Sligo Urban, . . .	10,774	10,870	596	.	5·8
Boyle No. 2 Rural, . .	16,033	13,757	.	2,276	14·2
Dromore West Rural. . .	15,019	13,034	.	1,985	13·2
Sligo Rural, . . .	30,880	27,218	.	3,662	11·9
Tobercurry Rural, . .	22,210	19,204	.	3,066	13·5
Total, . .	94,416	84,083	.	10,333	10·9

From the foregoing Statement it will be observed that there was an increase of 596 persons in Sligo Urban, and a decrease in each of the other County Districts. The highest percentage of decrease took place in Boyle No. 2 Rural, viz., 14·2; and the lowest in Sligo Rural, viz., 11·9.

Towns having, in 1901, a population of 2,000 and upwards are classified as Civic Areas.

The County contains one such Area, viz., Sligo. In 1891 the population of this Area amounted to 10,274; in 1901 it was 10,870, showing an increase of 596 persons, or 5·8 per cent.; in the rural portions of the County the decrease was 13·0 per cent.

The following Statement shows the Educational status of the Inhabitants of the County of Sligo in 1891 and 1901, in so far as relates to the degrees of elementary education relative to which inquiry was made on the Census Forms :—

Degrees of Elementary Education.	Rate per cent. of Total Population.	
	1891.	1901.
Read and Write,	60·3	69·6
Read only,	9·6	6·5
Illiterate,	30·1	23·9
Total,	100·0	100·0

From the above it will be seen that whereas, according to the Returns of 1891, only 60·3 per cent. of the Inhabitants, at all ages, could "read and write," in 1901, 69·6 per cent. could do so; that the percentage of the population who could "read only" in 1891 was 9·6, and in 1901, 6·5; and that the percentage of the "illiterate" fell from 30·1 in 1891 to 23·9 in 1901.

In 1891 22·4 per cent. of the Inhabitants aged five years and upwards were illiterate (22·0 per cent. of the males, and 22·8 of the females); in 1901 the percentage was but 16·0 (16·2 of the males, and 15·7 of the females.

The number of children attending school in the County of Sligo, according to the Census of 1891 (week ending 30th May), was 15,365, or 41·3 per cent. of persons aged 5 years and under 20 in the County as then constituted; in 1891 the number returned (for week ending 11th May), was 11,592, or 41·7 per cent. of the persons aged 5 and under 20.

In 1891 the number of persons in the County of Sligo (as then constituted) returned as Sick, on the night of the Census, was 600, or one in every 163 of the population; in 1901 the number so returned was 641, or one in every 131 of the population; of the latter number 361 were at their own homes, and 280 were in hospital.

The number of persons returned in 1891 as receiving relief under the Poor Law System was 1,734, or one in every 56 of the population; of this number 446 were inmates of Workhouses, and 1,288 were in receipt of outdoor relief; in 1901 the number returned was 1,672, or one in every 50 of the population; 558 of these being in the Workhouses, and 1,114 on outdoor relief.

According to the returns of the Registrar-General, the number of marriages registered in the County of Sligo during the ten years ending 31st March, 1901, was 3,238, equal to an average annual rate of 3·6 per 1,000 of the population. The number registered in the whole of Ireland during the same period affords an annual average rate of 4·8 per 1,000.

The number of Births registered in the County during the ten years was 18,074, affording an average annual rate of 20·3 per 1,000 of the population, the average yearly rate for the whole of Ireland during the same period being 23·0 per 1,000.

The Deaths registered during the decennium amounted to 13,002, being equal to an average annual rate of 14·6 per 1,000; the corresponding rate for the whole of Ireland was 18·2 per 1,000.

The number of Emigrants during the ten years ending 31st March, 1901, who stated that they were from the County of Sligo, amounted to 14,065 (6,057 males, and 8,008 females); the number for the decade ending 31st March, 1891, was 23,594; for that ending 31st March, 1881, 11,708; for that ending with March, 1871, 12,049; and for that ending with March, 1861, 13,328, making a total of 74,744 for the fifty years.

APPENDIX IX

C.—RETURN showing the Population, Area, Valuation, and Average Valuation per Head of Population in each Poor Law Union in County Sligo containing Congested Districts.

Supplied by the Congested Districts Board.

COUNTY.	UNION.	Population.			Area.			Valuation.			Average Valuation per Head of Population according to Census of 1901.		
		Congested portion of Union.	Non-congested portion of Union.	Total.	Congested portion of Union.	Non-congested portion of Union.	Total.	Congested portion of Union.	Non-congested portion of Union.	Total.	In Entire Union.	In Congested Districts.	In Non-congested Districts.
								£	£	£	£ s. d.	£ s. d.	£ s. d.
Sligo, .	Sligo, . .	5,899	32,189	38,088	18,134	125,674	143,808	8 605	94,709	103,314	2 14 3	1 9 2	2 18 10
„ .	Dromore West,	2,959	10,075	13,034	34,659	62 404	97,063	4,628	32,238	36,366	2 16 7	1 11 3	3 3 11
.	Tobercurry, .	12,582	6,622	19,204	72,289	53,520	125,809	18,385	23,057	41,442	2 3 2	1 9 2	3 9 7
„ .	Boyle, . .	4,601	9,156	13.757	17,811	57,714	75 525	6 611	24.434	31,045	2 5 2	1 8 9	2 13 4

D.—LIST OF ELECTORAL DIVISIONS Scheduled as "Congested" in the County of Sligo, showing Ratio of Population to Valuation in respect of the years 1891 and 1901, also Poor Rates for the year ended 31st March, 1901.*

**** *Where the average valuation per head was, in* 1901, *not less than* 30*s. the name of the Electoral Division is printed in italics.*

Union and Electoral Division.	Population, 1891.	Valuation, 1891.	Amount of Valuation per head of Population, 1891.	Population, 1901.	Valuation, 1901.	Amount of Valuation per head of Population, 1901.	Poor Rates for year ended 31st March, 1901.	
							On Agricultural Land.	On Other Hereditaments.
UNION OF SLIGO.		£	£ s. d.		£	£ s. d.	In the £ s. d.	In the £ s. d.
Cliffoney North, ...	1,783	2,062	1 3 2	1 537	2,050	1 6 8	2 6	4 4
Cliffoney South, ...	1,317	1,705	1 5 11	1,119	1,706	1 10 5		
Lissadill North,† ...	1,868	2,621	1 10 0	1,556	2,628	1 13 9		
Lissadill West, ...	1,830	2,229	1 4 4	1,687	2,221	1 6 3		
Totals, ...	6,798	8,617	1 5 4	5,899	8,605	1 9 2		
UNION OF DROMORE WEST.								
Buncrowey, ...	928	1,236	1 6 8	814	1,254	1 10 8	2 0	3 8
Castleconor East,† ...	760	1,176	1 10 11	657	1,177	1 15 8		
Mullagheruse,† ...	206	317	1 10 9	186	317	1 14 1		
Rathmacurkey, ...	1,490	1,872	1 5 1	1,302	1,880	1 8 10		
Totals, ...	3,384	4,601	1 7 2	2,959	4,628	1 11 3		
UNION OF TOBERCURRY.								
Achonry East, ...	1,669	1,713	1 0 6	1,557	1,833	1 3 6	2 0	3 8
Achonry West, ..	2,750	2,345	0 17 0	2,532	2,356	0 18 7		
Aclare, ...	1,119	1,339	1 3 11	946	1,342	1 8 4		
Banada, ...	2,349	3,155	1 6 10	2,022	3,172	1 11 4		
Breencorragh,† ...	763	1,282	1 13 7	627	1,283	2 0 11		
Cloonacool,† ...	686	1,193	1 14 9	574	1,197	2 1 8		
Glendarragh, ...	847	1,226	1 8 11	693	1,227	1 15 4		
Kilmacteige, ...	995	1,403	1 8 2	887	1,409	1 11 9		
Tobercurry, ...	3,226	4,350	1 6 10	2,744	4,566	1 13 3		
Totals, ...	14,404	17,986	1 4 11	12,582	18,385	1 9 2		
UNION OF BOYLE.								
Coolavin, ...	2,135	2,350	1 2 0	1,815	2,441	1 6 10	2 0	3 8
Cuilmore, ...	1,920	2,695	1 8 0	1,630	2,829	1 14 8		
Kilfree, ...	1,361	1,303	0 19 2	1,156	1,341	1 3 2		
Totals, ...	5,416	6,346	1 3 5	4,601	6,611	1 8 8		
Total in respect of the Congested Districts in Co. Sligo.	30,002	37,550	1 5 0	26,041	38,229	1 9 4		

* This Return is taken from a similar Return for all Counties containing Congested Districts, which was prepared by the Congested Districts Board, and published in the Appendices to the First Report of the Commission, pp. 289 *et seq.*

† Included by order of the Lord Lieutenant.

E.—RETURN SHOWING THE RATIO OF POPULATION TO VALUATION IN CERTAIN ELECTORAL DIVISIONS IN CO. SLIGO, AND OTHER PARTICULARS.†

Specially prepared for the Commission.

EXPLANATORY NOTE.

This return (prepared by the Commissioner of Valuation) shows the total rateable valuation (1906), the population (1901), and the average valuation per head of population in each Electoral Division in Co. Sligo.

(1.) Where that average is under 30*s.*

(2.) Where that average is between 30*s.* and 50*s.*, but is brought below 30*s.* by the exclusion from the dividend (*i.e*, the total rateable valuation of the electoral division) of all ratings valued at over £50. In these cases the acreage and valuation of each excluded area is given.

(3.) Where the electoral division, though scheduled as congested, does not come within either of the above classes.

The total number of electoral divisions in Sligo is 82, of which 79 are rural and 3 urban. The total number of electoral divisions comprised in this return is 21, all rural; of these only one (Templevanny) is not scheduled as congested, and is distinguished by an asterisk.

The total number of divisions in Co. Sligo scheduled in 1891 as congested was 20, of which 5 were then not below 30*s.* in point of average valuation per head of population. Between 1891 and 1901 the average valuation rose about 17 per cent. (owing mainly to the decrease in population), and of the 20 divisions, 12 are not now below 30*s.* Of these 12 divisions, 3 are not below 30*s.* normally, but are when the total valuation of all ratings above £50 is excluded, and 9 are above 30*s.* even after these exclusions. The names of these 9 divisions are printed in italics.

RURAL DISTRICT OF BOYLE No. 2.

Electoral Division.	Total Rateable Valuation, 1906.	Population (Census 1901).	Average Valuation per head of Population.	Average Valuation per head of Population in cases normally between 30*s.* and 50*s.* when all Valuations over £50 are excluded.	Area and Valuation of Excluded Holdings.		Remarks.
					Area.	Valuation.	
	£ *s.* *d.*		£ *s.* *d.*	£ *s.* *d.*	A. R. P.	£ *s.* *d.*	
Coolavin,	2,385 17 0	1,815	1 6 3	—	—	—	
Killree,	1,343 16 0	1,156	1 3 3	—	—	—	
*Templevanny,	1,950 7 0	895	2 3 7	1 9 2	426 3 34 114 3 17 341 1 17 282 2 18 80 0 26 125 3 17 302 3 6 219 2 16	138 15 0 68 0 0 75 15 0 78 0 0 56 10 0 80 10 0 89 10 0 60 0 0	
Cuilmore,	2,839 4 0	1,630	1 14 10	—	—	—	
Total of all other Electoral Divisions.	22,560 13 0	8,261	2 14 7				
Total of Rural District,	31,079 17 0	13,757	2 5 2				

† This return is taken from a similar return for the whole of Ireland, which was published in the Appendices to the First Report of the Commission, pp. 356 *et seq.*

APPENDIX IX.

RURAL DISTRICT OF DROMORE WEST.

Electoral Division.	Total Rateable Valuation, 1906.	Population. (Census, 1901).	Average Valuation per head of Population.	Average Valuation per head of Population in cases normally between 30s. and 50s. when all Valuations over £50 are excluded.	Area and Valuation of Excluded Holdings.		Remarks.
					Area.	Valuation.	
	£ s. d.		£ s. d.	£ s. d.	A. R. P.	£ s. d.	
Rathmacurky, . .	1,900 8 0	1,302	1 9 2	—	—	—	
Buncrowey, . .	1,272 3 0	814	1 11 3	1 6 8	165 0 6 67 2 14 317 3 20	61 10 0 72 0 0 52 10 0	
Castleconor East, . .	*1,193 10 0*	*657*	*1 16 4*	—	—	—	
Mullaghereuse, . . .	*317 5 0*	*186*	*1 14 1*	—	—	—	
Total of all other Electoral Divisions.	32,717 19 0	10,075	3 4 11				
Total of Rural District,	37,401 5 0	13,034	2 17 5				

RURAL DISTRICT OF SLIGO.

Cliffony North, . .	2,123 0 0	1,537	1 7 8	—	—	—	
Lissadill West, . .	2,247 11 0	1,687	1 6 8	—	—	—	
Cliffony South, . .	1,706 15 0	1,119	1 10 6	1 7 10	160 1 14	148 0 0	
Lissadill North, . .	*2,651 7 0*	*1,556*	*1 14 1*	—	—	—	
Total of all other Electoral Divisions.	73,163 15 0	21,319	3 8 8				
Total of Rural District,	81,892 8 0	27,218	3 0 2				

RURAL DISTRICT OF TOBERCURRY.

Achonry East, . .	1,834 19 0	1,557	1 3 7	—	—	—	
Achonry West, . .	2,368 12 0	2,532	0 18 9	—	—	—	
Aclare, . . .	1,351 16 0	946	1 8 7	—	—	—	
Kilmacteige, . .	1,414 11 0	887	1 11 11	1 9 11	80 3 8	86 10 0	
Banada, . . .	*3,191 11 0*	*2,022*	*1 10 7*	—	—	—	
Breencorragh, . .	*1,284 15 0*	*627*	*2 1 0*	—	—	—	
Cloonacool, . . .	*1,195 1 0*	*574*	*2 1 8*	—	—	—	
Glendarragh, . .	*1,227 1 0*	*693*	*1 15 5*	—	—	—	
Tobercurry, . . .	*4,592 19 0*	*2,744*	*1 13 6*	—	—	—	
Total of all other Electoral Divisions.	23,057 10 0	6,622	3 9 8				
Total of Rural District,	41,518 15 0	19,204	2 3 3				
Total of Rural Districts in County.	191,892 5 0	73,213	2 12 5				

F. STATISTICS RELATING TO THE NUMBER, ACREAGE, VALUATION AND POPULATION OF VARIOUS CLASSES OF HOLDINGS, AND TO THE CHIEF DIVISIONS OF THE LAND IN COUNTY SLIGO.

Specially prepared for the Commission.

EXPLANATORY NOTE.

The information contained in the Tables I.-IV. has been specially prepared for the Commission by the Registrar-General from the office summaries of the Census of 1901. The importance of the figures and their interpretation were touched upon in a memorandum submitted by the Secretary to the Commission, and printed in the Appendices to the First Report of the Commission, pp. 351 *et seq.* It will suffice to remark here that, though nominally these tables are returns of "holdings," they are really returns of landholders, for, if one man has half-a-dozen farms in the same county, he is returned as having a single holding of their combined valuation. It is obvious that, so far as counties are concerned, these returns, being actually though not nominally returns of landholders, show more clearly the size of the problem requiring treatment than a return of holdings would—*e.g.*, a man has in County Sligo six holdings valued at £2, £4, £6, £10, £20, and £40. A return of holdings would in this case apparently suggest that there were at least three holdings needing enlargement; whilst the present returns more clearly indicate the situation by showing only one holding of £82 valuation. As regards the size of the remedial material that might be made available for relieving congestion, these returns might, however, mislead—*e.g.*, in the case taken above the returns would suggest that there was in County Sligo one holding of £82 valuation that possibly might be secured for the enlargement of small holdings; whilst in point of fact there are six holdings of varying size scattered over the county.

The interpretation of the figures becomes more complicated when they are examined not for the whole of a county, but for the comparatively small area of an electoral division—the present unit of congestion. In these returns where one man has several holdings in County Sligo, but in different electoral divisions, or has one holding which runs into two electoral divisions, the entire is allocated to the division containing the holding or the part of the holding of highest valuation; hence the figures in these returns do not represent the actual state of things in each electoral division, as they may include in such division land situate in other electoral divisions (of County Sligo), and may exclude land geographically belonging to the division itself. Thus the area, population, or valuation shown for an electoral division might be larger or smaller than the actual area, population, or valuation of that division. Adjustments could have been made rectifying this, but they would have immensely complicated matters. Moreover, the returns would then have been based in part on holdings rather than on landholders, and this would, for the reason shown above, have exaggerated the size of the problem. Consequently the Commission, having considered the relative advantages of adjusted and unadjusted returns of holdings and landholders, decided that as regards most areas the unadjusted returns of landholders by electoral divisions would be the most useful.

The information contained in Tables V. and VI. has been specially prepared for the Commission by the Department of Agriculture and Technical Instruction for Ireland from the office summaries of the Agricultural Statistics of 1906. Their importance and interpretation were touched upon in the memorandum to which reference has been already made, and it will suffice to remark here that the difference between the number of holdings given in Table V. and the number given in Table I. is accounted for by the following causes:—

(1) Table V. is a return of holdings, and Table I. a return of landholders;

(2) Table I. refers to agricultural holdings only, and Table V. includes labourers' cottage holdings and gardens; and

(3) Differences of classification and adjustment.

ENDIX IX.

I.—Table showing Total Number of Holdings and Number of each of Eleven Classes, arranged according to Valuation, in the County of Sligo.

Unions and Electoral Divisions.	Total Number of Holdings.	Classification of Holdings, and Number in each Class.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
Boyle.												
Aghanagh,	144	22	75	28	7	5	—	1	5	—	—	1
Ballynashee,	174	44	93	18	6	7	2	1	—	1	1	1
*Coolavin,	342	160	151	16	8	1	3	—	1	2	—	—
*Cuilmore,	344	124	151	37	17	5	6	2	2	—	—	—
Drumrat,	194	39	73	25	17	16	5	5	10	4	—	—
*Kilfree,	224	88	114	13	4	3	1	—	1	—	—	—
Killadoon,	186	24	82	45	18	10	2	2	3	—	—	—
Killaraght,	283	115	110	21	9	14	2	1	4	4	1	2
Kilmactranny,	190	14	81	36	22	18	8	6	4	1	—	—
Kilshalvy,	203	48	72	39	17	10	6	4	6	1	—	—
Shancough,	89	21	46	11	1	5	2	2	1	—	—	—
Templevanny,	176	47	84	29	4	6	1	—	2	2	—	1
Toomour,	121	14	58	27	13	5	1	—	3	—	—	—
Total of Congested Electoral Divisions.	910	372	416	66	29	9	10	2	4	2	—	—
Total of Non-Congested Electoral Divisions.	1,760	388	774	279	114	96	29	22	38	13	2	5
Total of Electoral Divisions,	2,670	760	1,190	345	143	105	39	24	42	15	2	5
Dromore West.												
Aughris,	101	7	45	21	9	10	3	1	4	1	—	—
*Buncrowey,	144	74	31	17	10	7	2	—	2	1	—	—
*Castleconor, East,	120	25	59	14	10	9	—	2	1	—	—	—
Castleconor, West,	208	31	82	39	11	14	9	8	6	5	2	1
Dromard, East,	81	13	25	14	8	5	5	3	6	1	1	—
Dromard, West,	86	5	34	22	10	11	2	—	1	—	1	—
Dromore,	141	33	68	16	10	3	3	4	1	3	—	—
Easky, East,	162	50	61	17	9	6	3	3	10	2	—	1
Easky, West,	308	55	137	52	19	17	13	3	5	5	2	—
Kilglass,	158	10	58	38	14	9	5	4	15	3	2	—
*Mullagharuse,	35	17	9	1	3	3	2	—	—	—	—	—
*Rathmacurkey,	235	123	76	22	4	2	5	—	1	1	1	—
Skreen,	95	11	37	15	8	11	8	1	2	1	1	—
Templeboy, North,	109	18	40	21	7	11	4	1	3	3	—	1
Templeboy, South,	92	23	43	10	4	3	2	2	3	1	1	—
Toberpatrick, East,	89	8	20	16	16	15	5	2	4	3	—	—
Toberpatrick, West,	111	14	31	17	18	12	8	4	4	2	1	—
Total of Congested Electoral Divisions.	534	239	175	54	27	21	9	2	4	2	1	—
Total of Non-Congested Electoral Divisions.	1,741	278	681	298	143	127	70	36	64	30	11	3
Total of Electoral Divisions,	2,275	517	856	352	170	148	79	38	68	32	12	3
Sligo.												
Ballintogher, East,	135	50	47	11	6	13	3	—	2	3	—	—
Ballintogher, West,	171	57	72	19	7	7	2	2	2	2	1	—
Ballymote,	185	27	67	30	23	15	4	3	8	5	2	1
Ballynakill,	171	23	73	25	12	16	7	4	7	4	—	—
Ballysadare, East,	107	9	43	17	10	14	—	3	6	3	2	—
Ballysadare, West,	128	29	46	25	12	6	3	2	5	—	—	—
Bricklieve,	96	21	16	19	9	12	5	4	7	2	1	—
Calry,	248	41	99	40	18	17	8	7	10	4	3	1
Carney,	143	6	72	20	26	11	4	3	2	2	—	—
Carrickbanagher,	235	67	115	21	13	9	2	3	2	2	1	—
*Cliffony, North,	299	165	112	13	3	1	2	—	1	1	1	—

*Scheduled as Congested.

I.—TABLE showing Total Number of Holdings and Number of each of Eleven Classes, arranged according to Valuation, in the County of Sligo—*continued.*

UNIONS AND ELECTORAL DIVISIONS.	Total Number of Holdings.	CLASSIFICATION OF HOLDINGS, AND NUMBER IN EACH CLASS.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
SLIGO—*continued.*												
Cliffony, South, ...	223	82	113	14	4	5	2	1	—	2	—	—
Collooney, ...	170	45	43	27	15	10	7	7	14	2	—	—
Drumcliff, East, ...	97	6	16	17	9	18	11	6	11	2	1	—
Drumcliff, West, ...	160	13	67	27	14	11	7	5	12	3	—	1
Drumcolumb, ...	207	80	72	29	10	9	2	2	1	—	2	—
Drumfin, ...	119	18	47	22	14	11	2	—	1	2	1	1
Glencar, ...	63	1	14	17	9	14	4	2	1	1	—	—
Kilmacowen, ...	287	33	121	64	27	16	3	9	9	3	2	—
Knockaree, ...	199	26	77	31	23	13	7	4	13	4	—	1
Lakeview, ...	129	22	37	23	14	9	7	7	7	3	—	—
Lisconny, ...	112	24	36	17	8	10	2	3	10	1	1	—
Lissadill, East, ...	133	12	55	34	6	12	3	5	3	2	—	1
Lissadill, North, ...	296	61	189	22	12	4	1	3	3	1	—	—
Lissadill, West, ...	298	154	104	23	4	4	2	2	2	3	—	—
Riverstown, ...	138	22	44	38	6	11	6	4	3	2	—	2
Rosinver, East, ...	148	17	84	17	16	6	3	1	2	2	—	—
Rosinver, West, ...	137	34	65	22	10	4	1	—	—	1	—	—
Sligo Urban, ...	159	28	47	24	17	14	9	6	9	4	—	1
Total of Congested Electoral Divisions.	1,116	462	518	72	23	14	7	6	6	7	1	—
Total of Non-Congested Electoral Divisions.	3,880	711	1,475	636	334	288	112	92	147	59	17	9
Total of Electoral Divisions,	4,996	1,173	1,993	708	357	302	119	98	153	66	18	9
TOBERCURRY.												
Achonry, East, ...	286	125	133	15	6	3	2	—	1	1	—	—
Achonry, West, ...	439	240	174	15	3	4	2	1	—	—	—	—
Aclare, ...	178	50	98	16	6	5	1	1	1	—	—	—
Annagh, ...	95	10	34	20	11	12	1	4	1	—	—	2
Banada, ...	404	104	229	45	12	5	4	1	3	1	—	—
Branchfield, ...	49	18	13	9	2	3	1	—	2	1	—	—
Brencorragh, ...	125	52	55	2	6	4	2	—	1	3	—	—
Carrownaskeagh, ...	82	17	39	16	4	2	2	—	—	2	—	—
Cartron, ...	101	9	23	24	18	12	3	2	4	6	—	—
Cloonacool, ...	108	29	46	15	8	5	—	—	4	1	—	—
Cloonoghill, ...	113	15	23	25	25	10	4	—	7	4	—	—
Coolaney, ...	150	27	70	17	8	16	4	—	5	3	—	—
Glendarragh, ...	136	27	81	13	5	5	2	1	2	—	—	—
Kilmacteige, ...	182	64	101	8	4	1	1	1	1	1	—	—
Kilturra, ...	128	29	36	20	17	13	1	2	7	2	1	—
Leitrim, ...	217	46	105	35	8	12	2	3	2	1	1	2
Loughil, ...	42	6	22	9	2	3	—	—	—	—	—	—
Owenmore, ...	105	33	33	18	9	5	2	1	4	—	—	—
Streamstown, ...	143	11	56	33	12	10	8	3	7	3	—	—
Temple, ...	84	19	31	9	7	8	5	1	1	2	—	1
Tobercurry, ...	385	130	165	43	17	11	5	2	5	2	—	—
Total of Congested Electoral Divisions.	2,243	821	1,082	177	67	43	19	7	18	9	—	—
Total of Non-Congested Electoral Divisions.	1,309	240	485	235	123	106	33	16	40	24	2	5
Total of Electoral Divisions,	3,552	1,061	1,567	412	190	149	52	23	58	33	2	5
Total of Congested Electoral Divisions in County.	4,803	1,894	2,191	369	146	87	45	17	32	20	2	—
Total of Non-Congested Electoral Divisions in County.	8,690	1,617	3,415	1,448*	714	617	244	166	289	126	32	22
Total of County, ...	13,493	3,511	5,606	1,817	860	704	289	183	321	146	34	22

* Scheduled as Congested.

APPENDIX IX.

II.—Table showing Total Area occupied by each Class of Holdings in the County of Sligo.

Unions and Electoral Divisions.	Total Acreage occupied by Agricultural Holdings.	Classification of Holdings according to Rateable Valuation, with the Area under each Class.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value
Boyle.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres
Aghanagh,	5,657	216	1,885	785	292	312	—	186	1,200	—	—	781
Ballynashee,	5,994	552	2,039	629	259	364	132	86	—	226	443	1,264
*Coolavin,	6,415	1,700	2,974	388	361	41	168	—	120	663	—	—
*Cuilmore,	6,013	1,007	2,463	984	579	177	342	305	156	—	—	—
Drumrat,	5,310	192	1,020	541	573	706	246	299	1,092	641	—	—
*Kilfree,	3,858	1,038	2,056	327	124	131	64	—	118	—	—	—
Killadoon,	4,744	158	1,514	1,288	712	414	161	116	381	—	—	—
Killaraght,	8,271	1,415	2,414	625	315	680	96	70	350	803	297	1,206
Kilmactranny,	5,691	100	1,374	956	737	884	486	493	537	124	—	—
Kilshalvy,	4,872	248	967	899	490	360	362	373	837	336	—	—
Shancough,	3,383	367	1,449	750	40	267	150	240	120	—	—	—
Templevanny,	5,732	689	1,639	917	152	262	158	—	293	891	—	731
Toomour,	3,846	272	1,389	797	344	405	70	—	569	—	—	—
Total of Congested Electoral Divisions.	16,286	3,745	7,493	1,699	1,064	349	574	305	394	663	—	—
Total of Non-Congested Electoral Divisions.	53,500	4,209	15,690	8,187	3,914	4,654	1,861	1,863	5,379	3,021	740	3,983
Total of Electoral Divisions,	69,786	7,954	23,183	9,886	4,978	5,003	2,435	2,168	5,773	3,684	740	3,983
Dromore West.												
Aughris,	2,261	48	548	439	220	305	150	66	342	143	—	—
*Bunerowey,	4,650	1,013	787	1,433	417	403	169	—	320	108	—	—
*Castleconor, East,	4,517	500	1,666	580	767	608	—	259	137	—	—	—
Castleconor, West,	8,439	302	1,445	1,038	369	597	901	632	873	931	705	645
Dromard, East,	3,461	71	392	329	226	238	377	410	912	228	278	—
Dromard, West,	2,258	29	639	333	273	350	254	—	120	—	260	—
Dromore,	2,970	235	908	269	301	83	140	199	71	714	—	—
Easky, East,	4,417	404	843	373	275	254	128	205	827	318	—	790
Easky, West,	7,415	402	1,642	1,144	560	607	826	143	541	931	619	—
Kilglass,	5,443	51	659	655	393	350	286	285	1,584	440	740	—
*Mullagharuse,	11,626	818	1,460	744	1,418	4,844	2,342	—	—	—	—	—
*Rathmacurkey,	5,976	1,852	1,526	614	160	131	508	—	251	321	613	—
Skreen,	6,727	95	681	395	263	1,771	2,092	90	632	237	471	—
Templeboy, North,	2,949	82	453	403	241	422	223	77	235	534	—	27
Templeboy, South,	5,364	343	1,253	2,342	147	112	132	145	413	163	314	—
Toberpatrick, East,	2,350	27	186	262	338	506	208	162	269	392	—	—
Toberpatrick, West,	3,219	38	353	311	446	434	410	254	394	315	264	—
Total of Congested Electoral Divisions.	26,769	4,183	5,439	3,371	2,762	5,986	3,019	259	708	429	613	—
Total of Non-Congested Electoral Divisions.	57,273	2,127	10,002	8,293	4,102	6,029	6,127	2,668	7,213	5,346	3,651	1,71
Total of Electoral Divisions,	84,042	6,310	15,441	11,664	6,864	12,015	9,146	2,927	7,921	5,775	4,264	1,71
Sligo.												
Ballintogher, East,	3,399	408	792	526	172	826	142	—	108	725	—	—
Ballintogher, West,	3,147	357	912	377	238	237	116	123	175	320	292	—
Ballymote,	5,873	101	932	632	566	552	200	160	843	972	577	33
Ballynakill,	4,653	134	1,063	549	372	592	392	247	592	712	—	—
Ballysadare, East,	3,408	40	583	381	285	437	—	181	1,029	356	116	—
Ballysadare, West,	3,458	226	641	693	539	273	122	170	794	—	—	—
Bricklieve,	3,469	173	249	386	227	447	286	223	815	345	318	—
Calry,	9,063	393	1,602	1,042	570	957	428	449	958	750	1,006	90
Carney,	4,748	31	1,066	522	1,393	378	204	213	620	321	—	—
Carrickbanagher,	4,629	485	1,619	450	425	384	129	250	198	358	331	—
*Cliffony, North,	3,878	808	1,396	246	86	53	54	—	46	315	874	—

*Scheduled as Congested.

II.—Table showing Total Area occupied by each Class of Holdings in the County of Sligo—*continued.*

Unions and Electoral Divisions.	Total Acreage occupied by Agricultural Holdings.	Classification of Holdings according to Rateable Valuation, with the Area under each Class.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
Sligo—*continued.*	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
iffony, South, ...	3,774	508	1,832	366	192	246	194	106	—	330	—	—
llooney, ...	6,756	140	471	522	377	362	446	394	1,212	2,832	—	—
rumcliff, East, ...	3,455	29	159	286	373	543	452	354	794	283	182	—
rumcliff, West, ...	3,767	36	559	439	245	272	230	149	949	375	—	513
rumcolumb, ...	5,254	881	1,571	897	355	394	165	156	103	—	732	—
rumfin, ...	3,951	99	645	453	473	460	135	—	123	298	321	944
encar, ...	3,189	6	348	955	276	975	300	103	91	135	—	—
ilmacowen, ...	5,931	119	1,318	1,126	658	533	118	450	569	445	595	—
nockaree, ...	5,809	99	801	501	491	376	274	209	1,263	770	—	1,025
ukeview, ...	4,103	73	546	533	440	337	401	451	845	477	—	—
sconny, ...	3,512	104	419	345	252	415	118	198	1,142	253	266	—
ssadill, East, ...	4,249	26	553	664	180	425	143	276	243	304	—	1,435
ssadill, North, ...	4,348	332	2,379	480	341	188	74	101	210	243	—	—
ssadill, West, ...	3,889	492	1,102	401	104	146	60	124	779	681	—	—
verstown, ...	4,369	53	587	836	175	425	334	275	260	485	—	939
ssinver, East, ...	7,612	142	2,671	986	1,284	853	348	165	195	968	—	—
ssinver, West, ...	3,154	375	1,081	852	374	236	114	—	—	122	—	—
igo, Urban, ...	2,537	65	268	218	236	257	209	189	477	342	—	276
Total of Congested Electoral Divisions.	15,889	2,140	6,709	1,493	723	633	382	331	1,035	1,569	874	—
Total of Non-Congested Electoral Divisions.	113,495	4,595	21,456	14,871	10,976	11,946	5,806	5,385	14,398	12,948	4,736	6,378
Total of Electoral Divisions,	129,384	6,735	28,165	16,364	11,699	12,579	6,188	5,716	15,433	14,517	5,610	6,378
Tobercurry.												
*honry, East, ...	4,309	1,032	2,062	382	247	120	191	—	85	190	—	—
*honry, West, ...	6,502	2,464	2,965	440	224	181	107	121	—	—	—	—
*lare, ...	4,520	784	2,184	679	164	283	91	40	295	—	—	—
magh, ...	3,407	28	477	441	368	463	69	320	141	—	—	1,100
*nada, ...	7,333	873	3,514	1,181	373	255	194	390	382	171	—	—
anchfield, ...	1,645	202	345	272	107	139	49	—	243	288	—	—
*eencorragh, ...	8,803	1,523	2,344	105	480	919	130	—	93	3,209	—	—
rrownaskeagh, ...	3,706	202	1,278	416	169	142	143	—	—	1,356	—	—
rtron, ...	3,923	66	329	511	546	488	154	120	371	1,338	—	—
*onacool, ...	4,404	259	1,306	362	790	445	—	—	865	377	—	—
onoghill, ...	3,774	48	264	528	717	362	168	—	853	834	—	—
olaney, ...	5,465	261	1,454	796	289	1,232	205	—	469	759	—	—
endarragh, ...	6,589	305	4,118	718	500	361	267	120	200	—	—	—
*lmacteige, ...	6,872	1,168	2,908	229	146	16	170	67	1,952	216	—	—
lturra, ...	3,942	132	502	438	547	554	52	119	636	470	492	—
itrim, ...	6,828	198	1,779	1,233	295	629	125	280	187	140	340	1,622
ughil, ...	1,003	39	330	365	91	178	—	—	—	—	—	—
venmore, ...	2,962	220	678	527	292	201	215	38	791	—	—	—
reamstown, ...	4,681	143	828	831	461	384	446	242	759	587	—	—
mple, ...	3,158	63	421	202	213	320	378	60	134	461	—	906
*bercurry, ...	8,329	1,097	2,885	1,192	619	618	289	295	844	490	—	—
Total of Congested Electoral Divisions.	57,661	9,505	24,286	5,288	3,543	3,198	1,439	1,033	4,716	4,653	—	—
Total of Non-Congested Electoral Divisions.	44,494	1,602	8,685	6,560	4,095	5,092	2,004	1,179	4,584	6,233	832	3,628
Total of Electoral Divisions,	102,155	11,107	32,971	11,848	7,638	8,290	3,443	2,212	9,300	10,886	832	3,628
Total of Congested Electoral Divisions in County.	116,605	19,573	43,927	11,851	8,092	10,166	5,414	1,928	6,853	7,314	1,487	—
Total of Non-Congested Electoral Divisions in County.	268,762	12,533	55,833	37,911	23,087	27,721	15,798	11,095	31,574	27,548	9,959	15,703
Total of County, ..	385,367	32,106	99,760	49,762	31,179	37,887	21,212	13,023	38,427	34,862	11,446	15,703

* Scheduled as Congested.

APPENDIX IX.

III.—Table showing Total Valuation of each Class of Holdings in the County of Sligo.

Unions and Electoral Divisions.	Total Valuation.	Classification of Holdings and Total Rateable Valuation of those in each Class.										
		Not exceeding £4	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in valu
Boyle.	£	£	£	£	£	£	£	£	£	£	£	£
Aghanagn,	2,136	47	536	351	122	120	—	46	373	—	—	54
Ballynashee,	2,441	131	608	224	103	183	69	41	—	177	261	64
*Coolavin,	2,064	396	901	195	136	24	106	—	56	250	—	—
*Cuilmore,	2,512	275	976	451	288	110	207	85	120	—	—	—
Drumrat,	3,297	76	534	313	292	406	172	229	766	509	—	—
*Kilfree,	1,341	229	717	151	66	80	32	—	66	—	—	—
Killadoon,	2,134	56	569	552	328	242	78	83	226	—	—	—
Killaraght,	4,045	320	662	266	167	342	67	45	266	742	208	96
Kilmactranny,	2,939	36	666	445	383	453	282	277	296	101	—	—
Kilshalvy,	2,630	86	510	482	303	229	212	179	459	170	—	—
Shancough,	849	53	314	136	18	116	65	86	61	—	—	—
Templevanny,	2,140	124	581	352	69	144	32	—	126	314	—	39
Toomour,	1,371	46	403	335	215	133	36	—	203	—	—	—
Total of Congested Electoral Divisions.	5,917	900	2,594	797	490	214	345	85	242	250	—	—
Total of Non-Congested Electoral Divisions.	23,982	975	5,383	3,456	2,000	2,368	1,013	986	2,776	2,013	469	2,54
Total of Electoral Divisions,	29,899	1,875	7,977	4,253	2,490	2,582	1,358	1,071	3,018	2,263	469	2,54
Dromore West.												
Aughris,	1,521	21	315	272	152	246	109	45	254	107	—	—
*Buncrowey,	1,180	135	203	219	179	150	74	—	115	105	—	—
*Castleconor East,	1,156	68	387	172	176	218	—	81	54	—	—	—
Castleconor, West,	4,453	82	561	496	193	344	312	344	458	733	451	47
Dromard, East,	1,777	23	172	175	141	123	180	137	418	156	252	—
Dromard, West,	1,284	11	238	274	183	228	70	—	59	—	221	—
Dromore,	1,784	92	446	188	172	65	108	182	65	466	—	—
Easky, East,	2,817	115	383	214	157	154	100	133	683	319	—	53
Easky, West,	4,544	136	949	640	324	416	458	136	314	740	431	—
Kilglass,	3,662	26	449	463	238	220	174	182	1 063	314	533	—
*Mullagharuse,	318	45	64	11	58	78	62	—	-	—	—	—
*Rathmacurkey,	1,781	272	493	262	66	45	174	—	89	161	219	—
Skreen,	1,823	33	256	185	137	270	282	49	148	188	275	—
Templeboy, North,	2,020	48	264	260	125	273	138	42	190	332	—	3
Templeboy, South,	1,364	65	278	127	67	74	74	89	257	126	207	—
Toberpatrick, East,	1,868	19	153	212	288	358	171	86	232	349	-	—
Toberpatrick, West,	2,366	37	233	223	322	303	284	187	309	256	212	—
Total of Congested Electoral Divisions.	4,435	520	1,147	664	479	491	310	81	258	266	219	—
Total of Non-Congested Electoral Divisions.	31,283	708	4,697	3,729	2,499	3,074	2,460	1,612	4,450	4,086	2,582	1,3
Total of Electoral Divisions,	35,718	1,228	5,844	4,393	2,978	3,565	2,770	1,693	4,708	4'352	2,801	1,3
Sligo.												
Ballintogher, East,	1,743	118	316	135	105	336	90	—	143	500	—	—
Ballintogher, West,	1,978	125	463	242	128	163	72	91	166	314	214	—
Ballymote,	4,075	51	501	391	393	381	144	138	580	745	426	3
Ballynakill,	2,976	56	547	301	234	418	227	176	438	579	—	—
Ballysadare, East,	2,446	21	290	197	167	352	—	130	415	359	515	—
Ballysadare, West,	1,554	75	312	313	210	153	96	82	313	—	—	—
Bricklieve,	2,190	48	114	241	150	289	180	168	484	266	250	—
Calry,	5,353	126	679	532	310	444	264	329	536	521	739	8
Carney,	2,148	19	542	233	446	259	143	130	143	233	—	—
Carrickbanagher,	2,411	145	776	243	221	233	67	139	121	244	222	—
*Cliffony, North,	1,876	429	693	157	52	29	64	—	56	195	201	—

*Scheduled as Congested.

III.—TABLE showing Total Valuation of each Class of Holdings in the County of Sligo—*continued.*

UNIONS AND ELECTORAL DIVISIONS.	Total Valuation.	CLASSIFICATION OF HOLDINGS AND TOTAL RATEABLE VALUATION OF THOSE IN EACH CLASS.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
SLIGO—*continued.*	£	£	£	£	£	£	£	£	£	£	£	£
*Cliffony, South, ...	1,656	196	736	169	68	118	70	50	—	249	—	—
Collooney, ...	3,152	96	291	341	264	245	251	313	1,062	289	—	—
Drumcliff, East, ...	2,769	16	116	200	153	459	390	262	700	264	209	—
Drumcliff, West, ...	3,339	39	468	344	224	267	241	219	753	373	—	411
Drumcolumb, ...	2,042	150	502	364	172	212	72	86	59	—	425	—
Drumfin, ...	2,336	46	322	254	254	270	72	—	52	278	202	586
Glencar, ...	1,205	4	115	206	151	344	140	84	55	106	—	—
Kilmacowen, ...	4,767	77	884	851	470	413	106	424	568	417	557	—
Knockaree, ...	4,024	63	543	378	397	313	245	176	904	508	—	497
Lakeview, ...	2,439	48	270	277	247	214	251	322	522	338	—	—
Lisconny, ...	2,246	49	245	213	140	259	69	134	772	130	235	—
Lissadill, East, ...	3,495	24	348	434	106	301	108	237	176	286	—	1,475
*Lissadill, North, ...	2,467	163	1,223	267	199	91	36	134	201	153	—	—
*Lissadill, West, ...	2,191	290	700	288	74	89	67	93	155	435	—	—
Riverstown, ...	2,932	37	321	515	108	281	219	180	229	297	—	745
Rossinver, East, ...	1,803	42	574	206	276	147	100	48	105	305	—	—
Rossinver, West, ...	1,206	98	425	274	164	103	31	—	—	111	—	—
Sligo Urban, ...	3,411	73	323	301	295	348	304	271	635	494	—	367
Total of Congested Electoral Divisions.	8,190	1,078	3,352	881	393	327	237	277	412	1,032	201	—
Total of Non-Congested Electoral Divisions.	68,090	1,646	10,287	7,986	5,785	7,204	3,882	4,139	9,931	7,957	3,994	5,279
Total of Electoral Divisions,	76,280	2,724	13,639	8,867	6,178	7,531	4,119	4,416	10,343	8,989	4,195	5,279
TOBERCURRY.												
*Achonry, East, ...	1,784	328	840	183	108	73	73	—	57	122	—	—
*Achonry, West, ...	2,067	598	1,020	181	53	95	73	47	—	—	—	—
*Aclare, ...	1,316	144	618	190	105	125	36	43	55	—	—	—
Annagh, ...	2,249	26	235	279	198	285	32	187	99	—	—	908
*Banada, ...	3,087	249	1,437	559	204	122	139	47	207	123	—	—
Branchfield, ...	653	48	85	108	35	70	34	—	147	126	—	—
*Breencorragh, ...	1,248	132	318	24	110	97	76	—	53	438	—	—
Carrownaskeagh, ...	949	43	282	192	70	48	76	—	—	238	—	—
Cartron, ...	2,413	31	171	301	313	291	101	84	243	878	—	—
*Cloonacool, ...	1,230	82	293	188	144	127	—	—	278	118	—	—
Cloonoghill, ...	2,289	30	160	320	435	240	139	—	448	517	—	—
Coolaney, ...	2,275	63	493	217	141	415	132	—	397	417	—	—
*Glendarragh, ...	1,214	65	554	166	86	118	68	44	113	—	—	—
*Kilmacteige, ...	1,347	205	625	97	68	23	38	43	71	177	—	—
Kilturra, ...	2,256	49	253	250	293	315	38	90	473	244	251	—
Leitrim, ...	3,174	117	661	444	140	315	78	130	137	157	239	756
Loughil, ...	398	15	158	109	37	79	—	—	—	—	—	—
Owenmore, ...	1,223	46	276	226	159	123	72	48	273	—	—	—
Streamstown, ...	2,517	30	406	439	209	248	265	131	406	383	—	—
Temple, ...	1,989	30	254	116	125	197	182	50	60	302	—	673
*Tobercurry, ...	3,553	318	1,157	596	290	277	182	98	384	251	—	—
Total of Congested Electoral Divisions.	16,846	2,121	6,862	2,184	1,168	1,057	685	322	1,218	1,229	—	—
Total of Non-Congested Electoral Divisions.	22,385	528	3,434	3,001	2,155	2,626	1,149	720	2,683	3,262	490	2,337
Total of Electoral Divisions,	39,231	2,649	10,296	5,185	3,323	3,683	1,834	1,042	3,901	4,491	490	2,337
Total of Congested Electoral Divisions in County.	35,388	4,619	13,955	4,526	2,530	2,089	1,577	765	2,130	2,777	420	—
Total of Non-Congested Electoral Divisions in County.	145,740	3,857	23,801	18,172	12,439	15,272	8,504	7,457	19,840	17,318	7,535	11,545
Total of County, ..	181,128	8,476	37,756	22,698	14,969	17,361	10,081	8,222	21,970	20,095	7,955	11,545

* Scheduled as Congested.

PPENDIX IX.

IV.—Table showing the Population on each Class of Holdings in the County of Sligo.

Unions and Electoral Divisions.	Total Population on Agricultural Holdings.	Classification of Holdings according to Rateable Valuation, and Population in each Class.										
		Not exceeding £4	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
Boyle.												
Aghanagh,	789	98	380	149	35	33	—	10	43	—	—	41
Ballynashee,	932	205	449	91	28	44	15	3	—	8	28	61
*Coolavin,	1,791	733	818	84	46	10	29	—	19	52	—	—
*Cuilmore,	1,617	475	767	199	77	26	35	25	13	—	—	—
Drumrat,	1,086	162	395	148	108	98	25	30	77	43	—	—
*Kilfree,	1,151	433	591	62	22	20	4	—	19	—	—	—
Killadoon,	929	53	430	222	110	66	15	11	22	—	—	—
Killaraght,	1,398	483	539	127	57	67	6	4	19	39	11	46
Kilmactranny,	976	57	357	207	126	105	39	49	31	5	—	—
Kilshalvy,	913	142	333	180	100	54	31	31	34	8	—	—
Shancough,	507	87	273	64	9	37	9	15	13	—	—	—
Templevanny,	912	207	385	145	31	49	4	—	16	37	—	38
Toomour,	619	52	283	148	81	41	4	—	10	—	—	—
Total of Congested Electoral Divisions.	4,559	1,641	2,176	345	145	56	68	25	51	52	—	—
Total of Non-Congested Electoral Divisions.	9,061	1,546	3,824	1,481	685	594	148	153	265	140	39	186
Total of Electoral Divisions,	13,620	3,187	6,000	1,826	830	650	216	178	316	192	39	186
Dromore West.												
Aughris,	567	28	239	135	37	63	13	14	30	8	—	—
*Buncrowey,	734	346	166	85	53	35	13	—	18	18	—	—
*Castleconor, East,	656	109	317	87	74	49	—	13	7	—	—	—
Castleconor, West,	1,163	149	429	240	51	80	50	46	28	60	14	16
Dromard, East,	393	34	95	72	38	35	30	14	58	5	12	—
Dromard, West,	425	25	136	93	53	64	26	—	3	—	25	—
Dromore,	777	160	329	96	80	11	11	34	2	54	—	—
Easky, East,	870	228	304	94	51	33	5	14	71	12	—	58
Easky, West,	1,954	210	775	328	116	134	197	31	56	70	37	—
Kilglass,	897	27	303	190	72	87	20	41	98	30	29	—
*Mullagharuse,	189	91	35	4	25	24	10	—	—	—	—	—
*Rathmacurkey,	1,307	618	464	123	23	19	29	—	17	7	7	—
Skreen,	458	34	163	71	32	61	45	13	20	7	12	—
Templeboy, North,	614	69	187	106	43	71	28	8	35	56	—	11
Templeboy, South,	501	112	209	52	24	4	6	31	31	4	28	—
Toberpatrick, East,	381	32	86	63	59	81	21	9	16	14	—	—
Toberpatrick, West,	601	59	140	78	89	54	43	29	54	42	13	—
Total of Congested Electoral Divisions.	2,886	1,164	982	299	175	127	52	13	42	25	7	—
Total of Non-Congested Electoral Divisions.	9,601	1,167	3,395	1,618	745	778	495	284	502	362	170	85
Total of Electoral Divisions,	12,487	2,331	4,377	1,917	920	905	547	297	544	387	177	85
Sligo.												
Ballintogher East,	662	189	220	39	35	54	10	—	75	40	—	—
Ballintogher, West,	791	259	305	94	42	29	17	—	20	8	17	—
Ballymote,	959	80	300	142	114	89	30	8	56	50	51	39
Ballynakill,	891	91	331	131	78	114	38	26	42	40	—	—
Ballysadare, East,	552	25	185	85	53	51	—	32	39	33	49	—
Ballysadare, West,	673	112	241	140	61	24	27	26	42	—	—	—
Bricklieve,	497	107	79	71	47	60	27	21	40	24	21	—
Calry,	1,329	132	473	203	98	61	36	30	82	53	47	114
Carney,	697	28	282	90	138	70	38	20	8	23	—	—
Carrickbanagher,	1,171	291	569	99	74	43	16	31	16	12	20	—
*Cliffony, North,	1,445	762	550	64	16	4	4	—	12	15	18	—

* Scheduled as Congested.

IV.—Table showing the Population on each Class of Holdings in the County of Sligo—*continued.*

Unions and Electoral Divisions.	Total Population on Agricultural Holdings.	Classification of Holdings according to Rateable Valuation, and Population in each Class.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
Sligo—*continued.*												
*Cliffony, South, ...	1,089	370	553	91	23	20	14	2	—	16	—	—
Collooney, ...	808	139	128	86	71	58	36	37	109	144	—	—
Drumcliff, East, ...	418	3	45	69	25	71	56	36	90	11	12	—
Drumcliff, West, ...	859	34	339	133	55	79	22	48	82	33	—	34
Drumcolumb, ...	1,154	418	356	168	67	69	21	11	14	—	30	—
Drumfin, ...	784	101	246	150	73	66	31	—	8	20	32	57
Glencar, ...	330	3	59	65	46	95	25	9	2	26	—	—
Kilmacowen, ...	1,362	98	547	321	126	81	25	37	74	34	19	—
Knockaree, ...	959	85	308	162	103	79	36	29	97	37	—	23
Lakeview, ...	786	90	187	150	78	63	55	25	66	72	—	—
Lisconny, ...	583	100	172	97	39	59	8	15	71	4	18	—
Lissadill, East, ...	674	59	251	155	25	63	18	34	29	12	—	28
*Lissadill, North, ...	1,395	226	907	138	64	25	6	18	7	4	—	—
*Lissadill, West, ...	1,591	746	546	136	34	33	14	17	15	50	—	—
Riverstown, ...	651	70	180	179	32	50	32	30	21	23	—	34
Rossinver, East, ...	668	36	371	91	85	32	30	6	7	10	—	—
Rossinver, West, ...	658	154	268	130	65	21	5	—	—	15	—	—
Sligo, Urban, ...	1,446	75	140	103	76	190	392	273	83	82	—	32
Total of Congested Electoral Divisions.	5,520	2,104	2,556	429	137	82	38	37	34	85	18	—
Total of Non-Congested Electoral Divisions.	20,362	2,779	6,582	3,153	1,706	1,671	1,031	784	1,173	806	316	361
Total of Electoral Divisions,	25,882	4,883	9,138	3,582	1,843	1,753	1,069	821	1,207	891	334	361
Tobercurry.												
*Achonry, East, ...	1,453	556	695	104	32	26	18	—	6	16	—	—
*Achonry, West, ...	2,292	1,090	1,033	89	22	33	15	0	—	—	—	—
*Aclare, ...	957	219	530	95	44	40	—	5	24	—	—	—
Annagh, ...	480	27	138	100	58	75	—	29	17	—	—	36
*Banada, ...	2,022	415	1,154	248	55	31	21	2	9	87	—	—
Branchfield, ...	198	62	55	43	5	12	6	—	14	1	—	—
*Breencorragh, ...	620	230	299	13	16	29	10	—	5	18	—	—
Carrownaskeagh, ...	390	92	171	94	23	5	3	—	—	2	—	—
Cartron, ...	476	25	80	110	68	79	13	13	14	74	—	—
*Cloonacool, ...	528	109	225	93	47	19	—	—	35	—	—	—
Cloonoghill, ...	481	33	73	104	114	68	7	—	52	30	—	—
Coolaney, ...	683	92	294	91	32	84	16	—	23	51	—	—
*Glendarragh, ...	682	117	404	70	36	35	9	—	11	—	—	—
*Kilmacteige, ...	870	242	528	55	24	7	3	—	7	4	—	—
Kilturra, ...	645	105	173	98	96	76	5	7	57	27	1	—
Leitrim, ...	1,071	164	467	194	52	78	—	43	5	13	19	36
Loughil, ...	188	9	104	45	7	23	—	—	—	—	—	—
Owenmore	523	153	170	84	56	34	7	3	16	—	—	—
Streamstown, ...	689	41	255	151	50	50	37	17	67	21	—	—
Temple, ...	443	49	164	53	42	30	23	7	5	16	—	54
*Tobercurry, ...	1,771	490	810	229	97	53	25	5	50	12	—	—
Total of Congested Electoral Divisions.	11,195	3,468	5,678	996	373	273	101	22	147	137	—	—
Total of Non-Congested Electoral Divisions.	6,267	852	2,144	1,167	603	614	117	119	270	235	20	126
Total of Electoral Divisions,	17,462	4,320	7,822	2,163	976	887	218	141	417	372	20	126
Total of Congested Electoral Divisions in County.	24,160	8,377	11,392	2,069	830	538	259	97	274	299	25	—
Total of Non-Congested Electoral Divisions in County.	45,291	6,344	15,945	7,419	3,739	3,657	1,791	1,340	2,210	1,543	545	758
Total of County, ...	69,451	14,721	27,337	9,488	4,569	4,195	2,050	1,437	2,484	1,842	570	758

* Scheduled as Congested.

APPENDIX IX.

V.—Return showing the Total Number of Holdings and the Number of various sized Holdings in the County of Sligo in 1906.

Compiled from the Agricultural Statistics, 1906.

Unions and Electoral Divisions.	Number of Holdings in each Electoral Division.									
	Not exceeding 1 Acre.	Above 1 and not exceeding 5 Acres.	Above 5 and not exceeding 15 Acres	Above 15 and not exceeding 30 Acres.	Above 30 and not exceeding 50 Acres.	Above 50 and not exceeding 100 Acres.	Above 100 and not exceeding 200 Acres.	Above 200 and not exceeding 500 Acres.	Above 500 Acres.	Total Number of Holdings.
Boyle Union.										
Aghanagh, ...	6	10	40	60	21	21	7	1	1	167
Ballynashee, ...	—	11	53	83	35	10	4	—	—	196
*Coolavin, ...	7	37	163	123	20	8	3	1	—	362
*Cuilmore, ...	2	22	130	143	21	9	2	—	—	329
Drumrat, ...	5	12	69	66	24	19	5	2	—	202
Kiladoon, ...	4	7	59	90	36	7	3	—	—	206
*Kilfree, ...	2	12	99	97	17	2	1	1	—	231
Killaraght, ...	7	19	96	118	46	11	3	3	1	304
Kilmactranny, ...	1	9	64	96	33	19	3	—	—	225
Kilshalwy, ...	4	33	80	59	29	8	6	1	—	220
Shancough, ...	1	5	22	30	19	13	3	3	—	96
Templevanny, ...	7	7	53	84	21	4	5	4	—	185
Toomour, ...	—	1	24	58	30	8	1	2	—	124
Total of Congested Electoral Divisions.	11	71	392	363	58	19	6	2	—	922
Total of Non-Congested Electoral Divisions.	35	114	560	744	294	120	40	16	2	1,925
Total of Union, ...	46	185	952	1,107	352	139	46	18	2	2,847
Dromore West Union.										
Aughris, ...	3	8	55	47	9	2	1	—	—	125
*Buncrowey, ...	5	7	53	51	19	12	3	—	1	151
*Castleconor, East, ...	—	8	27	39	27	21	6	1	—	129
Castleconor, West, ...	8	6	51	106	26	19	9	6	1	232
Dromad, East, ...	7	7	24	24	13	7	2	4	—	88
Dromad, West, ...	—	3	46	31	7	2	4	1	—	94
Dromore, ...	7	21	69	41	10	4	4	—	—	156
Easkey, East, ...	11	21	70	61	17	8	5	2	—	195
Easkey, West, ...	24	27	145	88	28	17	8	1	—	338
Kilglass, ...	17	8	78	43	20	13	13	2	—	194
*Mullagheruse, ...	—	—	8	3	12	—	3	6	7	39
*Rathmacurkey, ...	—	10	102	94	17	8	8	1	—	240
Skreen, ...	2	3	30	31	20	9	3	1	3	102
Templeboy, North, ...	4	11	53	32	13	13	2	1	—	129
Templeboy, South, ...	—	15	34	26	11	4	5	2	3	100
Toberpatrick, East, ...	4	8	35	29	14	9	3	—	—	102
Toberpatrick, West, ...	8	13	45	51	19	7	2	—	—	145
Total of Congested Electoral Divisions.	5	25	190	187	75	41	20	8	8	559
Total of Non-Congested Electoral Divisions.	95	151	735	610	207	114	61	20	7	2,000
Total of Union, ...	100	176	925	797	282	155	81	28	15	2,559
Sligo Union.										
Ballintogher, East, ...	11	20	61	32	22	4	3	1	—	154
Ballintogher, West, ...	7	25	84	47	10	4	2	—	1	180
Ballymote, ...	40	22	80	66	21	15	9	—	—	253
Ballynakill, ...	7	7	66	65	21	14	6	1	—	187
Ballysodare, East, ...	3	14	44	23	21	9	3	1	—	118
Ballysodare, West, ...	1	20	58	36	17	10	3	1	—	146
Bricklieve, ...	1	9	25	35	17	9	5	2	—	103
Calry, ...	21	24	81	89	37	25	4	5	1	287
Carney, ...	—	8	67	69	13	6	3	1	1	168

*Scheduled as Congested.

TABLE V.—Return showing the Total Number of Holdings and the Number of various sized Holdings in the County of Sligo in 1906—*continued.*

UNIONS AND ELECTORAL DIVISIONS.	NUMBER OF HOLDINGS IN EACH ELECTORAL DIVISION.									
	Not exceeding 1 Acre.	Above 1 and not exceeding 5 Acres.	Above 5 and not exceeding 15 Acres.	Above 15 and not exceeding 30 Acres.	Above 30 and not exceeding 50 Acres.	Above 50 and not exceeding 100 Acres.	Above 100 and not exceeding 200 Acres.	Above 200 and not exceeding 500 Acres.	Above 500 Acres.	Total Number of Holdings.
SLIGO UNION—*continued.*										
Carneybanagher,	2	44	108	67	12	7	2	2	—	244
*Cliffony, North,	31	105	127	44	4	1	—	1	1	314
*Cliffony, South,	3	67	89	54	14	7	4	—	—	238
Collooney,	67	39	55	37	25	18	4	2	2	249
Drumcliff, East,	1	8	28	34	22	10	3	1	—	107
Drumcliff, West,	24	31	75	37	14	5	5	1	—	192
Drumcolumb,	1	11	56	90	45	12	1	1	—	217
Drumfin,	9	8	40	41	18	5	4	5	—	130
Glencar,	—	2	11	17	22	14	2	—	—	68
Kilmacowran,	6	29	162	95	22	9	3	1	—	327
Knockaree,	34	37	77	61	15	15	5	4	—	248
Lakeview,	14	11	31	45	18	12	8	1	—	140
Lisconny,	6	8	42	34	18	14	3	3	—	128
Lissadill, East,	4	10	68	32	17	7	2	—	2	142
*Lissadill, North,	8	40	174	73	7	7	—	1	—	310
*Lissadill, West,	30	100	126	29	9	2	3	3	—	302
Riverstown,	45	16	40	54	21	11	4	2	—	193
Rossinvor, East,	10	7	47	55	27	20	16	3	1	186
Rossinvor, West,	—	25	46	50	19	6	2	—	—	148
Sligo,	253	60	64	24	12	8	—	1	—	422
Total of Congested Electoral Divisions.	72	312	516	200	34	17	7	5	1	1,164
Total of Non-Congested Electoral Divisions.	567	495	1,516	1,235	506	269	102	39	8	4,737
Total of Union,	639	807	2,032	1,435	540	286	109	44	9	5,901
TOBERCURRY UNION.										
*Achonry, East,	2	34	163	75	14	7	2	—	—	297
*Achonry, West,	5	36	291	78	15	6	4	—	—	435
*Aclare,	1	4	69	62	29	11	3	—	—	179
Annagh,	3	5	21	32	22	6	2	1	1	93
*Banada,	6	23	225	119	31	7	4	1	—	416
Branchfield,	1	3	19	13	5	3	—	1	1	46
*Breencorragh,	—	3	34	28	38	21	3	6	3	136
Carrownaskeagh,	—	7	36	30	3	5	1	1	1	84
Cartron,	—	7	30	46	14	13	6	1	—	117
*Cloonacool,	3	7	44	38	14	6	4	3	—	119
Cloonaghill,	7	6	30	52	13	6	8	2	—	124
Cooloney,	25	8	68	48	18	12	3	2	—	184
*Glendarragh,	3	9	31	40	20	14	5	7	—	129
*Kilmacteige,	5	17	73	68	25	7	3	2	2	202
Kilturra,	7	14	35	37	28	12	—	2	—	135
Leitrim,	4	15	92	76	28	17	2	1	1	236
Loughil,	—	—	14	16	7	5	1	—	—	43
Owenmore,	3	24	23	25	29	7	4	2	1	118
Streamstown,	1	14	45	53	33	14	3	1	—	164
Temple,	2	14	31	25	14	3	5	1	—	95
*Tobercurry,	50	59	157	155	34	15	5	2	—	479
Total of Congested Electoral Divisions.	75	192	1,089	603	220	94	33	21	5	2,392
Total of Non-Congested Electoral Divisions.	53	117	444	453	214	103	35	15	5	1,439
Total of Union,	128	309	1,533	1,116	434	197	68	36	10	3,831
Total of Congested Electoral Divisions in County.	163	600	2,187	1,413	387	171	66	36	14	5,037
Total of Non-Congested Electoral Divisions in County.	750	877	3,255	3,042	1,221	606	238	90	22	10,101
Total of County of Sligo,	913	1,477	5,442	4,455	1,608	777	304	126	36	15,138

* Scheduled as Congested.

APPENDIX IX.

TABLE VI.—Return showing the Total Area and the Chief Divisions of Land in each of the Electoral Divisions of the County of Sligo in the year 1906.

Compiled from the Agricultural Statistics, 1906.

ELECTORAL DIVISIONS AND POOR LAW UNIONS IN WHICH SITUATED.	EXTENT IN STATUTE ACRES UNDER :—										
	Total Area of Electoral Divisions.	Crops, including Hay.	Grass.	Fruit.	Fallow.	Woods and Plantations.	Turf Bog.	Marsh.	Mountain Land.		Water, Roads, Fences, &
									Grazed.	Barren.	
BOYLE UNION.											
Aghanagh, ...	6,001	798	3,341	1	—	247	148	46	952	270	198
Ballynashee, ...	6,845	1,012	3,686	—	—	25	48	—	1,475	270	329
*Coolavin, ...	6,902	1,549	3,513	—	—	40	562	57	465	473	243
*Cuilmore, ...	6,622	1,731	3,140	—	—	—	828	135	440	275	73
Drumrat, ...	5,529	1,396	3,501	1	—	15	155	30	144	15	272
Kiladoon, ...	5,064	1,121	3,333	3	—	53	255	2	30	4	263
*Kilfree, ...	4,286	885	2,655	—	—	2	551	40	—	—	153
Killaraght, ...	8,003	2,032	4,280	1	—	55	285	134	522	375	319
Kilmactranny, ...	6,135	1,217	4,394	—	—	13	121	22	23	5	340
Kilshalvy, ...	5,417	1,169	3,530	—	—	—	391	44	73	59	151
Shancough, ...	4,848	415	3,274	—	—	—	83	6	568	302	200
Templevanny, ...	5,793	928	3,472	2	—	5	121	8	725	232	300
Toomour, ...	4,080	682	2,250	—	—	—	273	29	478	114	254
Total of Congested Electoral Divisions.	17,810	4,165	9,308	—	—	42	1,941	232	905	748	469
Total of Non-Congested Electoral Divisions.	57,715	10,770	35,061	8	—	413	1,880	321	4,990	1,646	2,626
Total of Union, ..	75,525	14,935	44,369	8	—	455	3,821	553	5,895	2,394	3,095
DROMORE WEST UNION.											
Aughris, ...	2,299	439	1,747	—	—	—	—	—	—	—	113
*Buncrowey, ...	6,400	834	1,988	—	—	22	258	892	1,324	363	719
*Castleconnor, East, ..	7,122	840	2,072	—	—	—	631	742	2,004	277	556
Castleconnor, West, ..	9,030	2,016	5,774	1	—	158	184	346	130	12	409
Dromard, East, ..	3,157	379	2034	3	—	87	28	47	292	232	55
Dromard, West, ..	3,712	398	1,597	1	—	58	142	59	790	562	105
Dromore, ...	3,007	831	2,005	—	—	7	113	3	22	—	26
Easkey, East, ...	4,831	974	3,273	7	—	108	10	268	—	—	191
Easkey, West, ...	6,919	2,005	4,611	2	—	9	—	—	—	—	292
Kilglass, ...	5,795	1,471	3,932	1	—	55	—	—	—	—	336
*Mullagheruse, ...	13,282	231	1,633	—	—	6	112	591	4,738	5,721	250
*Rathmacarkey, ..	7,855	1,796	2,892	—	—	19	330	362	376	471	1,609
Skreen, ...	7,507	313	2,756	1	—	4	—	9	4,321	—	103
Templeboy, North, ..	3,196	647	2,346	—	—	12	10	—	95	—	86
Templeboy, South, ..	7,177	467	2,353	—	—	6	913	107	3,024	—	307
Toberpatrick, East, ..	2,616	403	2,110	—	—	1	—	20	—	—	82
Toberpatrick, West, ..	3,158	545	2,533	4	—	2	—	—	—	—	74
Total of Congested Electoral Divisions.	34,659	3,701	8,585	—	—	47	1,331	2,587	8,442	6,832	3,134
Total of Non-Congested Electoral Divisions.	62,404	10,888	37,071	20	—	507	1,400	859	8,674	806	2,179
Total of Union, ..	97,063	14,589	45,656	20	—	554	2,731	3,446	17,116	7,638	5,313
SLIGO UNION.											
Ballintogher, East, ..	5,367	719	2,065	—	—	435	100	11	20	1,766	251
Ballintogher, West, ..	5,535	825	2,103	7	—	467	—	—	1	1,933	199
Ballymote, ...	6,217	1,122	4,428	—	—	31	272	—	—	—	364
Ballynakill, ...	4,965	1,088	3,494	—	—	24	44	27	74	10	204
Ballysodare, East, ..	3,725	712	2,553	2	—	16	4	10	489	241	198
Ballysodare, West, ..	4,478	696	2,550	1	—	38	104	228	432	238	141
Bricklieve, ...	3,704	663	2,690	—	2	—	32	6	80	36	195
Calry, ...	9,357	1,775	5,909	7	—	609	15	—	655	154	233
Carney, ...	5,606	1,146	2,597	1	—	189	72	244	717	408	231

* Scheduled as Congested.

TABLE VI.—Return showing the Total Area and the Chief Divisions of Land in each of the Electoral Divisions of the County of Sligo in the year 1906—*continued.*

ELECTORAL DIVISIONS AND POOR LAW UNIONS IN WHICH SITUATED.	Extent in Statute Acres under:— Total Area of Electoral Divisions.	Crops, including Hay.	Grass.	Fruit.	Fallow.	Woods and Plantations.	Turf Bog.	Marsh.	Mountain Land. Grazed.	Mountain Land. Barren.	Water, Roads, Fences, &c.
SLIGO UNION—*continued.*											
Carnybanagher, ..	4,697	1,160	3,201	2	—	16	5	1	—	—	312
Cliffony, North, ..	4,732	1,210	2,318	—	—	554	426	5	10	—	209
Cliffony, South, ..	4,663	1,100	2,216	1	—	129	712	2	266	81	156
Collooney, ...	6,608	1,287	3,211	3	—	1,342	17	—	19	414	315
Drumcliff, East, ..	3,419	967	2,218	—	—	4	—	2	138	—	90
Drumcliff, West, ..	3,438	931	2,371	2	—	8	—	8	23	—	95
Drumcolumb, ...	5,903	1,219	3,866	—	—	117	111	48	139	215	188
Drumfin, ...	4,517	663	3,384	—	—	7	89	181	—	1	192
Glencar, ...	3,472	501	1,916	—	—	1	—	201	439	201	213
Kilmacowran, ...	5,879	1,815	3,872	3	—	23	—	6	10	—	150
Knockaree, ...	5,834	1,397	3,755	12	—	81	—	75	245	104	165
Lakeview, ...	4,167	1,095	2,729	—	—	13	49	18	—	—	263
Lisconny, ...	3,921	962	2,756	6	—	13	9	13	—	—	162
Lissadill, East, ..	4,271	1,058	1,787	4	—	1,232	3	6	35	22	124
*Lissadill, North, ..	4,695	1,526	2,692	1	2	8	201	18	15	9	223
*Lissadill, West, ..	4,043	1,164	2,436	—	—	1	77	22	—	143	200
Riverstown, ...	4,605	1,072	3,176	1	—	66	95	58	—	—	137
Rossinvor, East, ..	8,372	936	3,780	—	—	30	750	184	1,851	594	247
Rossinvor, West, ..	4,702	616	2,082	—	—	130	441	—	580	756	97
Sligo, ...	2,916	792	1,607	19	6	130	—	—	—	—	362
Total of Congested Electoral Divisions.	18,133	5,000	9,662	2	2	692	1,416	47	291	233	788
Total of Non-Congested Electoral Divisions.	125,675	25,217	73,600	70	8	5,022	2,212	1,327	5,997	7,093	5,129
Total of Union, ..	143,808	30,217	83,262	72	10	5,714	3,628	1,374	6,288	7,326	5,917
TOBERCURRY UNION.											
*Achonry, East, ..	6,245	1,118	2,909	—	—	—	1,891	89	—	—	238
*Achonry, West, ..	7,805	1,926	3,733	—	—	2	1,648	64	—	—	432
*Aclare, ...	6,107	862	2,966	3	—	46	323	183	173	1,256	265
Annagh, ..	3,358	669	2,307	—	—	211	42	9	—	—	120
*Banada, ...	9,202	1,792	5,203	—	—	8	1,939	18	—	—	242
Branchfield, ...	3,869	348	1,102	—	—	107	16	23	2,173	—	100
*Breencorragh, ...	9,188	728	1,324	—	—	6	855	61	5,222	881	111
Carrownaskeagh, ..	5,314	434	1,374	—	—	11	905	422	1,752	292	124
Cartron, ...	4,166	600	3,329	—	—	11	30	10	—	—	186
*Cloonacool, ...	7,588	541	2,088	—	—	48	263	16	3,863	525	244
Cloonaghill, ...	4,041	736	2,905	—	—	7	244	25	—	—	124
Cooloney, ...	5,845	714	3,081	—	—	30	577	179	835	280	149
*Glendarragh, ...	9,174	606	2,413	—	—	299	904	100	3,686	631	535
*Kilmacteige, ...	7,631	832	2,261	1	—	11	757	282	2,178	512	797
Kilturra, ...	4,000	716	2,923	—	—	24	187	30	—	—	120
Leitrim, ...	6,374	1,191	4,569	3	—	115	271	30	103	—	92
Loughil, ...	4,724	226	795	—	—	41	66	26	3,510	—	60
Owenmore, ..	3,715	652	2,091	—	—	29	822	6	—	—	115
Streamstown, ...	4,804	761	3,593	—	—	23	239	39	—	6	143
Temple, ...	3,311	470	2,153	—	—	259	332	25	—	—	72
*Tobercurry, ...	9,348	1,812	6,115	—	—	2	1,052	37	—	—	330
Total of Congested Electoral Divisions.	72,288	10,217	29,012	4	—	422	9,632	850	15,122	3,835	3,194
Total of Non-Congested Electoral Divisions.	53,521	7,517	30,222	3	—	868	3,731	824	8,373	578	1,405
Total of Union, ..	125,809	17,734	59,234	7	—	1,290	13,363	1,674	23,495	4,413	4,599
Total of Congested Electoral Divisions in County.	142,890	23,083	56,567	6	2	1,203	14,320	3,716	24,760	11,648	7,585
Total of Non-Congested Electoral Divisions in County.	299,315	54,392	175,954	101	8	6,810	9,223	3,331	25,034	10,123	11,339
Total County Sligo, ..	442,205	77,475	232,521	107	10	8,013	23,543	7,047	52,794	21,771	18,924

* Scheduled as Congested.

APPENDIX IX.

G.—TABLES SHOWING THE WORKING OF THE LAND ACTS IN CO. SLIGO.

1. TABLE showing the Number of Cases in Co. Sligo in which *Judicial Rents have been fixed by all th Methods* provided by the Land Law Acts, for First and Second Statutory Terms, *from the commencement of Proceedings to* 31*st March*, 1906; and also a Summary of the Acreages, Rents of Holdings prior to the creation of First Statutory Terms, Rents of Holdings for a First Statutory Term, and Rents of Holdings for a Second Statutory Term. (Arranged from the Report of the Irish Land Commissioners for the year ending 31st March, 1906, pp. 72 and 74.)

First or Second Statutory Term.	Number of Cases in which Judicial Rents have been fixed.	Acreage. Statute Measure.	Rents of Holdings prior to creation of First Statutory Term.	Judicial Rents fixed for a First Statutory Term.	Percentage of Reduction.	Judicial Rents fixed for a Second Statutory Term.	Percentage of Reduction of Rents fixed for a Second Statutory Term on Rents fixed for a First Statutory Term
		A. R. P.	£ s. d.	£ s. d.		£ s. d.	
First Term, .	11,755	275,367 1 6⅝	152,836 9 2	121,994 2 10½	20·2	—	—
Second Term, .	3,593	87,408 3 3½	53,667 8 2	44,127 13 10	17·7	35,910 5 8	18·6

2. TABLE showing the Number of Loans issued in Co. Sligo under the Purchase of Land (Ireland) Act, 1885 (Advances in Cash), the Number of Estates, and the Total Acreage and Rental of the Holdings in respect of which the Loans have been issued; also the Total Purchase-money and the Amount of Loans obtained from Land Commission, and the Number of Years' Purchase of Rent, during the Period from 22nd August, 1885, to 31st March, 1902.

During the four years ended the 31*st March*, 1906, *there were no further proceedings towards purchase taken under this Act.*

Taken from the Report of the Irish Land Commissioners for the year ended 31st March, 1906, p. 94.

Number of Loans.	Number of Estates.	Area in Statute Measure.	Net Rent (*a.*)	Purchase-money agreed upon.	Amount of Loans.	Number of Years' Purchase of Rent.
		A. R. P.	£ s. d.	£	£	
325	14	7,633 3 10	3,456 18 2	62,551	61,188	18·0

(*a.*) The Rents stated in this Return are the Rents payable by the Tenants previous to the sale, except in a few cases where the Tenants agreed to purchase subject to a Head Rent, Crown Rent, Tithe Rent, or Drainage Charge or other outgoing previously payable by the Landlord, and in such cases the outgoing has been deducted from the Rent previously payable by the Tenant.

3. TABLE showing the Number of Loans issued in Co. Sligo under the Purchase of Land (Ireland) Acts, 1891, 1896 (Advances in Guaranteed Land Stock), and the Total Acreage and Rental of the Holdings in respect of which the Loans have been issued; the Total Purchase-money and the Amount of Loans obtained from the Land Commission, and the Number of Years' Purchase of Rent, during the Period ended 31st March, 1906.

Taken from the Report of the Irish Land Commissioners for the year ended 31st March, 1906, p. 116.

Number of Loans.	Area in Statute Measure.	Rent.	Purchase-money.	Amount of Loans.	Number of Years' Purchase of Rent.
	A. R. P.	£ s. d.	£	£	
777	17,870 3 5	7,910 10 0	138,125	135,234	17·4

4. TABLE showing the Number of Loans issued in Co. Sligo under the Irish Land Act, 1903 (exclusive of Estates Commissioners transactions), the Total Acreage and Rental of Holdings in respect of which the Loans have been issued; also the Total Purchase-money, and the Amount of Loans obtained from the Land Commission, and the Number of Years' Purchase of Rent, during the period ending 31st March, 1906.

Taken from the Report of the Irish Land Commissioners for the year ended 31st March, 1906, p. 139.

Number of Loans.	Area in Statute Measure.	Rent.	Purchase-money.	Amount of Loans.	Number of Years' Purchase of Rent.
	A. R. P.	£ s. d.	£	£	
61	1,228 0 29	554 17 3	12,404	12,334	22·5

5.—Summary of Advances made by Estates Commissioners in Co. Sligo during the Period from 1st November, 1903, to 31st March, 1906.

Taken from the Report of the Estates Commissioners for Year ended 31st March, 1906, pp. 82 and 83.

County.	Direct Sales.					Sections 6 & 8: Estates purchased by the Land Commission.					Section 7: Estates purchased by the Land Commission.					Sections 72 & 79.					Total.				
	Number of Estates.	Number of Purchasers.	Purchase Money.			Number of Estates.	Number of Proposed Purchasers.	Purchase Money.			Number of Estates.	Number of Proposed Purchasers.	Purchase Money.			Number of Estates.	Number of Purchasers.	Purchase Money.			Number of Estates.	Number of Purchasers.	Purchase Money.		
			Price.	Amount of Advances.	Amount of Payments in Cash.			Price.	Amount of Advances.	Amount of Proposed Payments in Cash.			Price	Amount of Advances.	Amount of Proposed Payments in Cash.			Price.	Amount of Advances.	Amount of Proposed Payments in Cash.			Price.	Amount of Advances.	Amount of Payments in Cash.
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.	19.	20.	21.	22.	23.	24.	25.	26.
			£	£	£			£	£	£			£	£	£			£	£	£			£	£	£
Sligo, Non-Congested, .	9	201	98,543	93,797	4,746	2	335	77,691	77,691	–	–	–	–	–	–	–	–	–	–	–	11	536	176,234	171,488	4,746
Do. Congested, ...	5	130	18,052	18,062	–	2	98	15,276	15,276	–	–	–	–	–	–	1	50	4,412	4,412	–	8	278	37,750	37,750	–

The following detailed information as regards direct sales is taken from the Report of the Estates Commissioners for 1906 (pp. 28–35):—

In the County Sligo (non-congested), 94 holdings, subject to judicial rents fixed or agreed to before the 14th August, 1896 (commonly called First Term Rents), amounting to £1,481 2*s*., were sold at prices which came within the zones; the average number of years' purchase being 22·5, and the average percentage of reduction in the purchase annuity as compared with the rent being 26·8.

In Sligo (non-congested), one holding, subject to a First Term Rent of £32 0*s*. 6*d*., was sold at a price outside the zones; the number of years' purchase being 25, and the reduction 18·7 per cent.—which is less than the minimum zone reduction.

In the County Sligo (congested), 84 holdings, subject to First Term Rents amounting to £506 19*s*. 8*d*., were sold at prices which came within the zones; the average number of years' purchase being 22·5, and the average percentage of reduction in the purchase annuity as compared with the rent being 26·8.

As regards holdings subject to rents fixed or agreed to since the 14th August, 1896 (commonly called Second Term Rents), 49, subject to a rental of £1,221 9*s*. 6*d*., were sold in Sligo (non-congested) at a price within the zones; the average number of years' purchase being 26·3 and the percentage of reduction being 14·5.

Fifteen holdings were sold at a price outside the zones. Of these, 14, subject to a rental of £80 18*s*. 6*d*., were sold for 19·8 years' purchase; the percentage of reduction being 35·6, *i.e.*, a greater percentage than the maximum zone reduction. The other holding, subject to a rental of £11, was sold for 27·7 years' purchase; the average percentage of reduction being 9·9, *i.e.*, less than the minimum zone reduction.

In Sligo (congested), 31 holdings, subject to Second Term Rents of £160 19*s*. 7*d*., were sold, within the zones, for an average of 23·7 years' purchase, the average percentage of reduction being 22·9.

As regards non-judicial rent cases, 28 holdings in Sligo (non-congested), subject to a rental of £745 3*s*. 0*d*., were sold for an average of 22·3 years' purchase, the average percentage of reduction being 27·5. In Sligo (congested), 14 holdings, subject to £87 rent, were sold for an average of 21·5 years' purchase; the average percentage of reduction being 30·1.

In Sligo (non-congested), 13 holdings, subject to a rental of £596 8*s*. 0*d*., were sold for £13,661, of which £4,746 was paid in cash by the purchaser, and £8,915 was advanced by the Irish Land Commission. One "parcel" was sold in Sligo (non-congested) under Section 2, sub-section (1); and one demesne was sold in Sligo (congested) under Section 3.

APPENDIX IX.

H.—STATEMENT SHOWING, BY UNIONS AND ELECTORAL DIVISIONS, THE ESTATES PURCHASED BY THE CONGESTED DISTRICTS BOARD IN COUNTY SLIGO.

Supplied by the Congested Districts Board.

UNION.	Electoral Division.	Estate.	AREA.					Poor Law Valuation.	Rental.	Purchase Money.
			Congested.	Non-Congested.	Tenanted.	Untenanted.	Total.			
								£	£	£
Tobercurry	Tobercurry	M. Fitzgerald (Tullycusheenmore).	430	—	240	190	430	187	107	4,524
,,	Leitrim	Capt. Armstrong	—	4,159	2,846	1,313	4,159	1,980	1,097	39,864
,,	Banada	A. Margison	746	—	531	215	746	234	172	4,412
,,	Achonry E., Glendarragh.	E. F. Phibbs	1,879	—	1,442	437	1,879	450	387	7,967
Sligo	Lissadill W.	Col. Gethin	1,717	—	954	763	1,717	602	446	15,000
Dromore W.	Rathmacurkey.	P. R. Hale	687	93	588	192	780	225	166	5,000
Boyle	Castleconor W. Cuilmore	Lord De Freyne	4,057	—	3,690	367	4,057	1,516	1,253	28,345
,,	Kilshalvey	H. P. Baker	—	99	—	99	99	75	—	1,650
	Total for Co. Sligo		9,516	4,351	10,291	3,576	13,867	5,269	3,628	106,762

I.—LIST OF PARISH COMMITTEE GRANTS AND EXPENDITURE IN COUNTY SLIGO.

Taken from the 15th Report of the Congested Districts Board, pp. 105–6.

Parish.	Poor Law Union.	Net amount of Grants made to 31st March, 1905.	Gross Grants sanctioned for 1905–6.
		£ s. d.	£ s. d.
Achonry	Tobercurry	174 0 0	30 0 0
Ahamlish	Sligo	185 1 2	150 0 0
Curry	Tobercurry	747 13 9	100 0 0
Drumcliffe	Sligo	318 4 0	70 0 0
Easky and Kilglass	Dromore West	—	50 0 0
Kilmacteige	Tobercurry	667 2 0	100 0 0
Tobercurry	Tobercurry	728 11 0	100 0 0
	Totals	2,820 11 11	600 0 0

N.B.—There are Parish Committees at work in eleven out of the twelve parishes in the Congested Districts of Sligo.

J.—STATEMENT OF PARISH COMMITTEE SCHEME AND SANITARY EXPENDITURE IN CO. SLIGO.

STATEMENT showing Total Amounts expended on Improvements (exclusive of Cost of Supervision) for the years 1897 to 1906; the Expenditure on the Erection and Improvement of Dwellinghouses and Out-offices in the years 1900–1, 1901–2, 1902–3, 1903–4, 1904–5, and 1905–6; and the average annual salaries of Sanitary Officers in the Rural Districts containing Congested Districts, together with the aggregate sums paid in 1905 for salaries to these Officers.

Supplied by the Local Government Board.

Union.	Total Expenditure on Improvements of all kinds undertaken under the Scheme for the years 1897 to 1906.	Expenditure on the Erection and Improvement of Dwellinghouses and Out-offices from 1900* to 1906.	Medical Officer of Health.			Consulting Sanitary Officer.	Executive Sanitary Officers. One in each Rural District.	Sub-Sanitary Officers.			Total Amount paid for Salaries in Rural District.
			Number in Rural District.	Total paid for Salaries.	Average rate of Salary.	Total paid for Salary.		Number in Rural District.	Total paid for Salaries.	Average rate of Salary.	
	£	£		£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.
Boyle (part of),	59	—	3	33 19 8	11 6 7	2 1 0	8 4 4	3	10 0 0	3 6 8	54 5 0
Dromore West,	48	48	3	50 0 0	16 13 4	—	15 0 0	2	10 0 0	5 0 0	75 0 0
Sligo,	645	541	7	125 0 0	17 17 2	10 0 0	25 0 0	5	77 0 0	15 8 0	237 0 0
Tobercurry,	2,940	1,670	3	60 0 0	20 0 0	20 0 0	20 0 0	3	15 0 0	5 0 0	115 0 0
Total,	3,692	2,259	16	268 19 8	16 16 3	32 1 0	68 4 4	13	112 0 0	8 12 4	481 5 0

* Details of Expenditure on Dwellinghouses and Out-offices during the years 1897 to 1900 have not been ascertained.

K.—FISHERY STATISTICS—COUNTY SLIGO.

ABSTRACT of Loans issued, Arrears now outstanding, and Amount written off.

Specially supplied by Congested Districts Board.

CLASSIFICATION.	Loans Issued.		Arrears to 1st May, 1906.		Amount Written Off.	
	No.	Amount Issued.	No.	Amount.	No.	Amount.
		£ s. d.		£ s. d.		£ s. d.
Large Boats . .	1 (boat)	85 0 0	—	—	—	—
Small Loans . .	74 (loans)	626 15 10	3 (loans)	4 7 4	4 (loans)	14 0 2
Totals . .	75 (loans)	711 15 10	3 (loans)	4 7 4	4 (loans)	14 0 2

Number of Large Boats in Collection—Nil.

L.—STATEMENT SHOWING PIERS, BRIDGES, &c., UNDERTAKEN IN COUNTY SLIGO BY THE BOARD UP TO 31ST MARCH, 1906.

Taken from 15th Report of the Congested Districts Board, pp. 84 and 90—1.

No.	Name of Work.	Description of Work.	Total Expenditure to 31st March, 1905.	Expenditure. 1905-1906.	Total Expenditure to 31st March, 1906.	Observations.
			£	£	£	
1	Ballyconnell Works . .	Clearing away stones .	141	–	141	Completed.
2	Inishmurray . . .	Landing Place . .	146	–	146	do.
3	Mullaghmore Harbour .	Improvements and Repairs	348	–	348	do.

ROADS AND OTHER INLAND WORKS.

No.	Name of Work.	Total Expenditure to 31st March, 1905.	Expenditure. 1905-1906.	Total Expenditure to 31st March, 1906.	Observations.
		£	£	£	
1	Maas Hill Road	*436	–	*436	Completed.
2	Clogher Road	60	–	60	do.
3	Tullycasheen Road	–	30	30	Contribution.
4	Treenagleeragh or Brackley Road . . .	30	–	30	Contribution to Co. Authorities.
5	Inishmurray Schoolhouse	618	–	618	Completed.
6	Raughley Pier Approach Road	–	100	100	Contribution.
7	Cully Bridge	20	–	20	do.
8	Curry (Brocka) River Bridge . . .	–	10	10	—

* This sum includes £225 refunded to the Board by the County Council.

M.—LOCAL TAXATION IN COUNTY SLIGO.

The following STATEMENTS show (1) the Poor Rates in each Electoral Division in each Union for the financial years ending in 1881 and 1891; (2) County Cess in each Barony in the County in 1891—there is no official information available as to County Cess in 1881; and (3) fuller details about the new Poor Rate for 1901 and 1905. It must, however, be pointed out that the Rates in 1881 and 1891 cannot be compared with the Rates in 1901 and 1905. Prior to the Local Government (Ireland) Act, 1898, Poor Rate was charged to Electoral Divisions and County Cess to Baronies. Now Union charges are levied over the whole Union, District charges on Rural Districts, County charges on the County, separate charges on special areas, and the whole is complicated by the charges made in the rates by the Local Government Act of 1898.

Before that Act the Poor Rate was paid by the tenant (except in the case of holdings valued at £4 and under where the landlord paid), but the tenant was entitled to deduct part of the amount paid from his rent, usually half. County Cess was paid and borne by the occupier, except in the case of holdings let after the 1st August, 1870. In these cases if the holding was valued at over £4 the tenant paid, but was entitled to deduct from his rent part of the amount paid, usually one-half. If the holding was valued at £4 or under, the County Cess was paid by the landlord.

Under the Act a Grant in Aid called the Agricultural Grant and amounting to £727,655 is made annually to the local authorities. This Grant is equal to half the combined Poor Rate and County Cess which was certified to be taken to have been raised off agricultural land in what is known as the standard financial year. The balance of the money required for purposes formerly met out of the County Cess and the Poor Rate is now provided by means of the new Poor Rate, County Cess being no longer collected *eo nomine*.

APPENDIX IX.

The Act was intended to secure the benefit of the Agricultural Grant in respect of existing tenancies to the landlord as regards the old Poor Rate, and to the tenant as regards the County Cess. In order to effect this it was provided that in the case of tenancies existing at the 1st April, 1899, the tenant should, in general, pay the new Poor Rate, but that the rent should be adjusted in such a way as to secure to landlord and tenant their respective shares of the benefit of the Agricultural Grant. In the case of tenancies created after the 1st April, 1899, the tenant must, in general, pay the Poor Rate, and has no right to deduct anything from his rent. Where a fair rent is fixed after the 1st April, 1899, special provision is made by Section 55 to ensure permanently to the occupier and the landlord their respective benefits from the Agricultural Grant.

1. STATEMENT showing the Poor Rate in the £ made in the Electoral Divisions of the Unions which are included wholly or partly in COUNTY SLIGO for the financial years ended 1881 and 1891.

Specially prepared by Local Government Board.

NAME OF UNION.	Names of Electoral Divisions.	Poor Rate. 1881.	Poor Rate. 1891.
		s. d.	s. d.
BOYLE (part of)	Aghanagh	1 4	1 3
	Ballynashee	1 2	1 0
	Coolavin	1 6	1 7
	Cuilmore	1 6	1 10
	Drumrat	1 0	0 10
	Kilfree	1 4	1 0
	Killadoon	1 8	1 3
	Killaraght	1 6	1 3
	Kilmactranny	1 6	1 3
	Kilshalvy	1 4	1 0
	Shancough	1 2	1 3
	Templevanny	1 8	1 8
	Toomour	1 6	1 6
DROMORE WEST	Aughris	1 2	1 4
	Buncrowey	1 8	0 10
	Castleconnor East	1 6	1 2
	Castleconnor West	1 3	1 1
	Dromard East	1 0	0 8
	Dromard West	1 0	0 11
	Dromore	1 8	0 10
	Easky	1 6	0 10
	Easky West	1 8	0 11
	Kilglass	1 8	0 9
	Mullagheruse	1 10	0 10
	Rathmacurkey	1 6	1 5
	Skreen	1 0	0 5
	Templeboy North	1 3	1 0
	Templeboy South	1 4	0 11
	Toberpatrick East	0 10	0 6
	Toberpatrick West	1 4	0 8
SLIGO	Ballintogher East	1 2	0 11
	Ballintogher West	1 7	0 9
	Ballymote	1 10	1 8
	Ballynakill	1 3	0 10
	Ballysadare East	1 1	1 2
	Ballysadare West	1 9	1 4
	Bricklieve	1 3	1 0
	Calry	1 7	0 10
	Carney	1 6	1 4
	Carrickbanagher	1 9	0 11
SLIGO—*continued.*	Cliffony North	2 6	1 8
	Cliffony South	1 7	0 10
	Collooney	2 2	1 1
	Drumcliff East	1 2	0 10
	Drumcliff West	1 4	0 9
	Drumcolumb	1 4	1 4
	Drumfin	1 8	1 0
	Glencar	1 5	1 0
	Kilmacowen	1 6	0 11
	Knockaree	1 8	0 10
	Lakeview	1 5	0 11
	Lisconny	1 7	1 1
	Lissadill East	1 8	1 0
	Lissadill North	1 8	0 9
	Lissadill West	2 8	1 11
	Riverstown	1 3	1 2
	Rossinver East	1 7	1 0
	Rossinver West	1 5	1 3
Sligo {	Urban portion	2 2	1 3
	Rural portion	2 2	1 9
TORERCURRY	Achonry East	2 6	3 0
	Achonry West	3 0	3 0
	Aclare	2 6	1 0
	Annagh	1 2	0 1
	Banada	2 6	3 4
	Branchfield	2 0	0 8
	Breencerragh	2 8	1 8
	Carrownaskeagh	1 11	1 0
	Cartron	1 4	0 6
	Cloonacool	2 2	1 0
	Cloonoghill	2 2	1 0
	Coolaney	2 0	0 6
	Glendarragh	1 8	0 10
	Kilmacteige	2 7	1 10
	Kilturra	1 6	1 2
	Leitrim	2 0	1 0
	Loughil	1 4	1 2
	Owenmore	2 10	1 0
	Streamstown	1 8	1 4
	Temple	1 4	0 6
	Tobercurry	3 10	2 4

2. STATEMENT showing the County Cess on each Barony of the County of Sligo for the Financial Year ended in 1891. APPENDIX IX

Specially supplied by the Local Government Board.

Name of Barony.	County Cess in 1891. s.	d.
Carbury,	2	4½
Coolavin,	2	0
Corran,	1	11½
Leyny,	2	4½
Tireragh,	2	3½
Tirerill,	2	1½

3. STATEMENT showing the POOR RATES in Rural Districts during the year ended the 31st of March, 1901, with the sums collected in respect thereof during that year, also the latest Valuation of each Rural District.

Taken from Local Taxation Returns, 1900-1, pp. 62, 3.

RURAL DISTRICTS.	POOR RATE. ON AGRICULTURAL LAND. County Charges.	Union Charges.	District Charges.	Total.	ON OTHER HEREDITAMENTS. County Charges.	Union Charges.	District Charges.	Total.	Additional item for Separate Charges.	AMOUNT OF POOR RATE COLLECTED. General Rate.	Rates for Separate Charges.	Total.	Valuation (1902).
CO. SLIGO.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	£	£	£	£
Boyle No. 2	0 7	0 5	1 0	2 0	1 1	1 1	1 6	3 8	0 1	3,251	351	3,602	31,023
Dromore West	0 7	0 10	0 7	2 0	1 1	1 6	1 1	3 8	0 1	3,526	611	4,137	37,201
Sligo	0 7	0 10	1 1	2 6	1 1	1 8	1 7	4 4	0 1	11,285	1,019	12,304	81,855
Tobercurry	0 7	0 11	0 6	2 0	1 1	1 7	1 0	3 8	0 1	4,363	1,068	5,431	41,440
										22,425	3,049	25,474	
												599	Arrears.
												26,073	

4. STATEMENT showing the POOR RATES in Rural Districts for the year ended the 31st of March, 1905, with the sums collected in respect thereof during that year, also the latest Rateable Valuation of each Rural District.

Taken from Local Taxation Returns, 1904-5, pp. 70, 1.

RURAL DISTRICTS.	POOR RATE. ON AGRICULTURAL LAND. County Charges.	Union Charges.	District Charges.	Total.	ON OTHER HEREDITAMENTS. County Charges	Union Charges.	District Charges.	Total.	Additional Item for Separate Charges.	AMOUNT OF POOR RATE COLLECTED. General Rate.	Rate for Separate Charges.	Total.	Rateable Valuation. (1906).
CO. SLIGO.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	£	£	£	£
Boyle No. 2	1 2	0 9	0 9	2 8	1 7	1 5	1 3	4 0	0 1	4,372	162	4,534	31,080
Dromore West	1 2	0 10	0 4	2 4	1 7	1 7	0 10	4 0	0 2	4,708	323	5,031	37,401
Sligo	1 2	0 10	0 9	2 9	1 7	1 8	1 4	4 7	0 1	12,257	676	12,933	81,892
Tobercurry	1 2	0 8	0 5	2 3	1 7	1 5	1 0	4 0	0 1	5,020	216	5,236	41,519
										26,357	1,377	27,734	

APPENDIX 13

5.—STATEMENT showing the Amount of Salaries Paid under the Public Health Acts in each Rural District for the Financial Year ended 31st March, 1905.

Supplied by the Local Government Board.

RURAL DISTRICTS.	Total Amount.	Amount Recouped from Local Taxation Account.
	£ s. d.	£ s. d.
Boyle No. 2	54 5 0	27 2 6
Dromore West	97 10 0	42 5 6
Sligo	257 0 0	112 19 7
Tobercurry	132 0 0	57 10 0
Total,	540 15 0	239 17 7

6.—STATEMENT as to Expenditure on Labourers' Cottages.

Taken from Parliamentary Paper No. 194 of 1906.

STATEMENT showing in respect of each Rural District (1) the Valuation. (2) Number of Labourers Cottages (*a*) built; (*b*) in course of construction. (3) Amount of Loans (*a*) sanctioned; (*b*) received. (4) Amount required to be raised annually in repayment of Loans sanctioned. (5) Amount which would be raised by the maximum rate of one shilling in the pound allowed for purposes of Acts. (6) Rate per pound required to raise amount specified in Column 4. (7) Present poundage rate levied on Rural District for Labourers Acts purposes. (8) Amount of Exchequer contribution for the year ended the 31st day of March, 1906. (9) Amount of Rent received from tenants of cottages and plots during year.

RURAL DISTRICT.	Valuation of Rural District.	Number of Labourers' Cottages.		Amount of Loan.		Amount required to be raised annually in repayment of Loans sanctioned.	Amount which would be raised by the maximum rate of one shilling in the pound allowed for purposes of Acts.	Rate per pound required to raise amount specified in column 4.	Present Poundage rate levied on Rural District for Labourers Acts purposes.	Amount of Exchequer Contribution for the year ended 31st March, 1906.	Amount of rent received from tenants of cottages and plots during year ended 31st March, 1906.
		Built.	In course of Construction.	Sanctioned.	Received.						
	1	2 (*a*)	2 (*b*)	3 (*a*)	3 (*b*)	4	5	6	7	8	9
	£			£	£ s. d.	£ s. d.	£ s. d.	*d.*	*d*	£ s. d.	£ s. d.
Boyle No. 2	31,080	5	-	1,075	1,075 0 0	-	1,554 0 0	-	-	-	16 0 0
Dromore West	37,401	23	11	3,260	3,066 0 0	68 16 6	1,870 1 0	·44	·05	-	60 18 0
Sligo	81,892	13	-	2,310	1,900 0 0	66 19 0	4,094 12 0	·2	·11	38 0 0	20 18 6
Tobercurry	41,519	-	-	-	-	-	2,075 19 0	-	-	-	-
Total	191,892	41	11	6,645	6,041 0 0	135 15 6	9,594 12 0	·17	-	38 0 0	97 16 6

7.—STATEMENT showing the RECEIPTS and PAYMENTS of each Rural District Council in Co. Sligo during the year ended the 31st of March, 1905, and the Balances of Loans due at the close of the year.

Taken from Local Taxation Return, 1904-5, pp. 42 and 43.

RURAL DISTRICTS.	RECEIPTS.					PAYMENTS.											BALANCES OF LOANS DUE.			
	Money supplied by County Council on demand of District Council.	Rents of Labourers' Cottages.	Other Receipts.	Total Receipts from Revenue.	Loans.	Salaries.	Expenses for Burial Ground purposes.	Expenses under the Labourers' Acts.	Expenses under the Small Dwellings Acquisition Act.	Expenses for Sanitary purposes.	Superannuation Allowances.	Repayment of Loans.	Other Expenses.	Total Expenditure.	Amount of total expenditure defrayed from Loans.	Poundage on valuation of the total expenditure, exclusive of expenditure defrayed from Loans,	Under the Public Health Act.	Under the Labourers' Acts.	Any Other Loans.	Total
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15	16.	17.	18.	19.	20.	21.
	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	s. d.	£	£	£	£
Boyle No. 2 . . .	236	16	20	272	—	86	15	17	—	—	—	24	58	200	—	0 1½	—	—	—	—
Dromore West . . .	230	93	44	367	185	225	8	323	—	52	57	19	179	863	201	0 4¼	130	183	—	313
Sligo	2,688	11	27	2,726	700	381	21	599	—	485	—	118	293	1,897	551	0 4	851	1,195	—	2,046
Tobercurry . . .	344	—	4	348	145	166	95	—	—	2	40	48	159	510	95	0 2½	579	—	—	579

8.—STATEMENT showing particulars of the Balances of Loans due by the Sligo County Council at the close of the Financial year ended the 31st of March, 1905, as disclosed by the Abstracts of their Accounts.

Taken from Local Taxation Return, 1904-5, page 57.

——	For Expenditure on Roads, Bridges, Piers, &c.	Guaranteed under Relief of Distress (Ireland) Amendment Act, 1880. (Contingent Liabilities.	For Gratuities paid to Retired Officers. (Sec. 115 of Local Government Act).	For Industrial Schools.	For Navigation and Drainage.	Total Amount Due at close of Year.	Total Amount Due at commencement of Year.
	1.	2.	3.	4.	5.	6.	7.
	£	£	£	£	£	£	£
Sligo . . .	99	—	—	—	—	99	164

9.—STATEMENT showing Particulars of the Receipts of the Sligo County Council during the Financial Year ended the 31st of March, 1905.

Taken from the Local Taxation Returns, 1904-5, pp. 20 and 21.

REVENUE ACCOUNT—RECEIPTS.																	LOANS ACCOUNT—RECEIPTS.				
		Moneys Received from the Local Taxation Account, &c.																Amount Received.			
Balance in Favour at Commencement of Year.	Poor Rate.	Agricultural Grant.	Grant from Estate Duties, *i.e.*, Death Duty Grant.	Grant in aid of Medical and Educational Expenditure in Unions.	Grant in aid of Sanitary Salaries in Rural Districts.	Grant in aid of Maintenance, &c., of Lunatics.	Contributions towards Guarantees for Railways and Harbours.	Grant in aid of Local Guarantees for Railway and Harbour Charges (L.G. Act, 1898, sec. 58 (4).	Exchequer Contribution (Purchase of Land Act, 1891).	Any other Grants.	From Urban Districts on Demand.	Rents Derived from County Property.	Other Receipts.	Total Receipt.	Balance Against at Close of Year.	Total.	Balance at Commencement of Year.	For Roads.	Other Purposes.	Balance at Close of Year.	Total.
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.	19.	20.	21.	22.
£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£
24,338	27,734	14,053	3,540	1 646	242	3,822	188	—	60	—	2,405	—	1,025	54,715	—	79,053	—	—	—	—	—

10.—STATEMENT showing Particulars of the Expenditure of the Sligo County Council during the Financial Year ended the 31st of March, 1905.

Taken from the Local Taxation Returns, 1904-5, pp. 22 and 23.

REVENUE ACCOUNT—EXPENDITURE																	LOANS ACCOUNT—EXPENDITURE.				
Balance Against at Commencement of Year.	Money Supplied by County Councils for			Road Expenditure.	Salaries paid to County Officers.	Infirmaries and Fever Hospitals.	Reformatories and Industrial Schools.	Franchise and Jurors Acts.	Payments in Respect of		Repayment of Loan	Guarantees for Railways, &c.	Payments to Agricultural and Technical Instruction Committees.	Other Expenses.	Total Expenditure.	Balance in Favour at Close of Year.	Total.	Balance at Commencement of Year.	Amount Expended.		Balance at Close of Year.	Total.
	Union Charges.	Rural District and Separate Charges.	Lunatic Asylum Charges.						Valuation.	Extra Constabulary.									On Roads.	Other Purposes		
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12	13.	14.	15.	16.	17.	18.	19.	20.	21.	22.	23
£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£
—	20,547	3,498	10,000	10,051	2,331	1,900	1,002	746	205	—	84	375	982	3,102	54,823	24,230	79,053	—	—	—	—	—

—TABLE showing the Number of TENEMENTS of ONE ROOM, and the Number of OCCUPANTS of such TENEMENTS in each COUNTY DISTRICT and ELECTORAL DIVISION in the County of SLIGO in 1901 (Sligo County Census Book, pp. 40–1). APPENDIX IX.

COUNTY DISTRICTS AND ELECTORAL DIVISIONS.	TENEMENTS OF ONE ROOM.												
	Total Number.	OCCUPIED BY											
		1 Person.	2 Persons.	3 Persons.	4 Persons.	5 Persons.	6 Persons.	7 Persons.	8 Persons.	9 Persons.	10 Persons.	11 Persons.	12 Persons and upwards.
SLIGO URBAN DISTRICT.													
go East, ...	30	12	4	2	5	3	1	1	—	1	—	—	1
go North, ...	11	5	1	2	2	1	—	—	—	—	—	—	—
go West, ...	27	11	9	3	1	2	—	—	—	1	—	—	—
Total, ...	68	28	14	7	8	6	1	1	—	2	—	—	1
OYLE NO. 2 RURAL DISTRICT.													
hanagh, ...	7	2	3	—	1	1	—	—	—	—	—	—	—
llynashee, ...	4	2	2	—	—	—	—	—	—	—	—	—	—
olavin, ...	40	8	13	10	5	2	1	1	—	—	—	—	—
ilmore, ...	23	10	8	1	1	1	1	1	—	—	—	—	—
umrat, ...	24	5	6	8	1	1	—	1	1	1	—	—	—
lfree, ...	17	4	6	4	—	3	—	—	—	—	—	—	—
lladoon, ...	28	6	7	4	6	1	3	1	—	—	—	—	—
llaraght, ...	12	3	6	3	—	—	—	—	—	—	—	—	—
lmactranny, ...	25	4	9	5	4	—	2	—	—	1	—	—	—
lshalvy, ...	28	12	6	4	2	1	2	1	—	—	—	—	—
lancough, ...	4	2	1	—	1	—	—	—	—	—	—	—	—
mplevanny, ...	63	9	20	18	5	7	2	1	1	—	—	—	—
omour	25	2	6	8	2	3	3	—	1	—	—	—	—
Total, ...	300	69	93	65	28	20	14	6	3	2	—	—	—
ROMORE WEST RURAL DISTRICT.													
ughris, ...	8	6	2	—	—	—	—	—	—	—	—	—	—
uncrowey, ...	18	1	5	6	1	1	3	—	—	1	—	—	—
astleconor East, ...	6	4	—	—	1	—	1	—	—	—	—	—	—
astleconor West, ...	22	3	9	5	2	3	—	—	—	—	—	—	—
romard East, ..	5	1	1	1	1	—	1	—	—	—	—	—	—
romard West, ..	4	4	—	—	—	—	—	—	—	—	—	—	—
romore, ...	12	4	1	3	—	2	1	—	1	—	—	—	—
asky East, ...	12	3	4	1	—	3	—	1	—	—	—	—	—
asky West, ...	60	13	15	15	4	3	1	3	2	2	2	—	—
ilglass, ...	25	9	6	4	4	1	—	1	—	—	—	—	—
ullagharuse, ...	2	1	—	1	—	—	—	—	—	—	—	—	—
athmacurkey, ...	22	7	3	5	2	2	1	1	1	—	—	—	—
kreen, ...	8	2	1	3	—	1	—	1	—	—	—	—	—
empleboy North, ...	4	1	1	—	—	1	—	—	1	—	—	—	—
empleboy South, ...	1	—	—	—	—	—	—	—	1	—	—	—	—
oberpatrick East, ...	6	4	1	1	—	—	—	—	—	—	—	—	—
oberpatrick West, ...	9	6	2	—	—	1	—	—	—	—	—	—	—
Total, ...	224	69	51	45	15	18	8	7	6	3	2	—	—

PPENDIX IX. TABLE showing the Number of TENEMENTS of ONE ROOM, and the Number of OCCUPANTS of such TENEMENTS in ea
COUNTY DISTRICT and ELECTORAL DIVISION in the County of SLIGO in 1901—*continued.*

COUNTY DISTRICTS AND ELECTORAL DIVISIONS.	TENEMENTS OF ONE ROOM.												
	Total Number.	OCCUPIED BY											
		1 Person.	2 Persons.	3 Persons.	4 Persons.	5 Persons.	6 Persons.	7 Persons.	8 Persons.	9 Persons.	10 Persons.	11 Persons.	12 Persons and upwards
SLIGO RURAL DISTRICT.													
Ballintogher East, ...	5	2	—	—	1	—	1	1	—	—	—	—	—
Ballintogher West, ...	9	3	4	1	1	—	—	—	—	—	—	—	—
Ballymote, ...	73	15	18	15	8	2	6	3	4	1	1	—	—
Ballynakill, ...	8	3	2	—	1	—	—	2	—	—	—	—	—
Ballysadare East, ...	11	6	3	1	—	1	—	—	—	—	—	—	—
Ballysadare West, ...	17	5	6	1	1	1	1	—	—	1	1	—	—
Bricklieve, ...	19	2	6	5	2	1	2	—	1	—	—	—	—
Calry, ...	6	5	1	—	—	—	—	—	—	—	—	—	—
Carney, ...	3	1	—	2	—	—	—	—	—	—	—	—	—
Carrickbanagher, ...	19	4	5	3	3	2	—	1	—	1	—	—	—
Cliffony North, ..	12	4	4	1	—	1	1	1	—	—	—	—	—
Cliffony South, ...	4	1	1	1	—	1	—	—	—	—	—	—	—
Collooney, ...	22	9	3	3	3	1	—	—	3	—	—	—	—
Drumcliff East, ...	—	—	—	—	—	—	—	—	—	—	—	—	—
Drumcliff West, ...	10	9	1	—	—	—	—	—	—	—	—	—	—
Drumcolumb, ...	16	4	4	2	1	1	1	1	1	—	—	1	—
Drumfin, ...	15	3	6	1	1	2	1	—	—	1	—	—	—
Glencar, ...	—	—	—	—	—	—	—	—	—	—	—	—	—
Kilmacowen, ...	7	4	1	1	—	—	1	—	—	—	—	—	—
Knockaree, ...	12	2	3	2	3	1	—	1	—	—	—	—	—
Lakeview, ...	12	4	3	1	—	1	3	—	—	—	—	—	—
Lisconny, ...	8	5	1	—	2	—	—	—	—	—	—	—	—
Lissadill East, ...	8	—	4	1	—	1	1	1	—	—	—	—	—
Lissadill North, ...	19	7	7	4	—	—	—	1	—	—	—	—	—
Lissadill West, ...	26	6	6	2	3	2	3	1	1	1	1	—	—
Riverstown, ...	12	7	2	1	1	1	—	—	—	—	—	—	—
Rossinver East, ...	5	2	2	—	—	—	—	—	1	—	—	—	—
Rossinver West, ...	8	4	2	—	1	1	—	—	—	—	—	—	—
Total, ...	366	117	95	48	32	20	21	13	11	5	3	1	—
TOBERCURRY RURAL DISTRICT.													
Achonry East, ...	72	27	17	13	7	3	—	4	—	—	1	—	—
Achonry West, ...	147	43	38	25	15	14	4	7	—	1	—	—	—
Aclare, ...	19	3	7	4	—	5	—	—	—	—	—	—	—
Annagh, ...	11	1	2	3	3	1	—	—	—	—	1	—	—
Banada, ...	38	11	12	5	3	2	3	—	1	1	—	—	—
Branchfield, ...	1	—	—	—	1	—	—	—	—	—	—	—	—
Breencorragh, ...	13	4	3	3	—	1	—	—	1	1	—	—	—
Carrownaskeagh, ...	5	1	3	—	1	—	—	—	—	—	—	—	—
Cartron, ...	7	2	2	—	—	2	—	—	—	1	—	—	—
Cloonacool, ...	5	2	2	1	—	—	—	—	—	—	—	—	—
Cloonoghill, ...	21	8	4	6	1	2	—	—	—	—	—	—	—
Coolaney, ...	13	7	4	—	—	—	2	—	—	—	—	—	—
Glendarragh, ...	9	2	2	2	—	1	1	—	—	—	1	—	—
Kilmacteige, ...	17	8	3	2	2	1	—	—	1	—	—	—	—
Kilturra, ...	17	6	6	1	—	2	1	—	1	—	—	—	—
Leitrim, ...	18	3	6	5	1	1	—	—	1	—	—	1	—
Loughil, ...	3	3	—	—	—	—	—	—	—	—	—	—	—
Owenmore, ...	33	7	7	10	2	2	3	—	2	—	—	—	—
Streamstown, ...	14	4	3	3	1	2	1	—	—	—	—	—	—
Temple, ...	5	2	3	—	—	—	—	—	—	—	—	—	—
Tobercurry, ...	101	27	21	23	13	7	5	3	1	1	—	—	—
Total, ...	569	171	145	106	50	46	20	14	8	5	3	1	—

THE 31st MARCH, 1901 (SLIGO CENSUS, p. 43).

County District.	Population.		Age Periods.																			
	Total Persons.	Sexes.	Under one year.	1 and under 5.	5 and under 10.	10 and under 15.	15 and under 20.	20 and under 25.	25 and under 30.	30 and under 35.	35 and under 40.	40 and under 45.	45 and under 50.	50 and under 55.	55 and under 60.	60 and under 65.	65 and under 70.	70 and under 75.	75 and under 80.	80 and under 85.	85 and under 90.	90 and under 95.	95 and under 100.	100 and upwards.
1. Ballyfarnan, No. 2, Rural.	3,344	M. 1,676	31	123	186	180	193	178	127	81	79	78	68	79	64	96	34	44	19	16	—	—	—	—
		F. 1,668	25	122	169	213	224	142	131	85	86	74	61	95	60	67	44	34	17	12	2	3	2	—
2. Boyle, No. 2, Rural,	3,097	M. 1,549	27	110	135	164	175	162	106	103	65	78	76	69	40	86	51	50	26	16	6	3	—	1
		F. 1,548	25	98	153	162	171	148	142	81	77	77	70	79	60	94	31	39	12	22	6	—	—	1
3. Gurteen Rural, ..	7,316	M. 3,595	57	262	348	442	416	294	255	217	166	162	146	192	135	224	96	84	48	39	8	3	1	—
		F. 3,721	45	280	347	426	442	332	277	217	158	198	158	235	131	207	74	97	40	47	4	6	—	—
4. Castleconor Rural, ..	3,068	M. 1,520	36	133	163	153	178	145	114	101	76	74	63	61	44	74	45	32	14	9	2	2	1	—
		F. 1,548	30	135	149	163	198	160	108	96	59	73	49	81	58	90	34	31	11	18	3	1	1	—
5. Easky Rural, ..	5,949	M. 3,011	56	243	362	351	335	273	228	167	142	121	95	150	103	142	99	74	24	31	8	5	—	2
		F. 2,938	57	270	325	336	356	254	174	151	126	148	104	165	95	182	66	61	26	27	9	3	3	—
6. Skreen Rural, ..	4,017	M. 2,020	31	134	185	214	223	215	170	110	91	95	78	109	78	107	62	58	30	18	4	4	1	3
		F. 1,997	26	125	192	240	246	159	119	116	88	106	101	135	73	105	51	55	24	28	4	3	1	—
7. Ballymote Rural, ..	4,496	M. 2,236	39	188	234	268	243	200	161	147	107	105	83	138	63	123	39	58	19	13	5	3	—	—
		F. 2,260	38	177	250	253	279	227	163	135	105	104	98	120	77	99	41	42	27	18	3	2	2	—
8. Carney, No. 1, Rural,	5,040	M. 2,561	59	193	273	282	271	254	175	157	115	143	81	150	81	125	59	64	30	36	8	3	2	—
		F. 2,479	43	198	244	256	278	232	183	158	103	124	106	168	76	139	43	63	27	27	7	3	1	—
9. Carney, No. 2, Rural,	3,982	M. 2,063	26	153	234	210	238	197	143	138	94	86	85	106	81	107	41	52	37	19	13	3	—	—
		F. 1,919	44	165	180	186	202	190	137	121	98	103	65	124	67	99	33	49	19	25	6	4	1	1
10. Collooney Rural, ..	4,159	M. 2,090	34	154	224	223	208	220	149	123	109	122	91	91	61	107	65	44	28	27	7	2	1	—
		F. 2,069	50	172	232	232	226	173	147	128	116	105	79	113	71	98	37	47	21	16	2	2	1	1
11. Riverstown Rural, ..	4,359	M. 2,205	34	160	220	254	247	239	195	129	99	102	86	116	72	113	43	60	14	14	3	2	2	1
		F. 2,154	33	171	222	255	269	226	164	121	83	116	78	114	68	105	40	51	18	18	1	1	—	—
12. Sligo, No. 1, Rural, ..	5,803	M. 2,825	37	203	241	268	253	242	229	174	202	180	161	168	99	148	77	63	35	30	12	1	2	—
		F. 2,978	43	182	270	287	266	270	272	201	202	185	153	168	94	151	70	61	42	36	10	9	3	3
13. Sligo, No. 2, Rural, ..	10,249	M. 4,942	103	427	540	579	567	492	417	329	272	259	207	219	150	154	80	71	42	26	7	1	—	—
		F. 5,307	100	408	534	592	674	590	425	367	284	309	209	262	134	189	71	83	39	23	6	6	1	1
14. Adare Rural, ..	8,571	M. 4,168	79	375	485	532	476	367	272	218	171	207	123	202	108	230	91	106	46	54	15	7	3	1
		F. 4,403	87	359	510	583	576	312	250	228	188	232	156	237	148	224	103	102	45	49	8	6	—	—
15. Coolaney Rural, ..	3,605	M. 1,810	32	127	175	186	192	168	127	116	84	95	77	100	74	105	52	46	29	12	9	4	—	—
		F. 1,795	33	112	181	187	225	145	129	114	97	103	74	116	67	99	37	36	20	14	5	—	1	—
16. Tobercurry Rural, ..	7,028	M. 3,578	52	263	377	402	428	369	248	214	165	179	121	169	108	203	115	83	41	27	6	7	—	1
		F. 3,450	58	243	331	351	435	314	239	198	143	219	152	219	135	213	66	77	22	27	6	2	—	—

P.—OCCUPATIONS OF THE PEOPLE.

There is a large amount of detailed information concerning the Occupations of the People given in the Co. Sligo Census B
(pp. 49–54), from which the following particulars are extracted :—

Occupations.	Males. Total.	Ages. Under 15 years.	15 and under 20.	20 and under 25.	25 and under 45.	45 and under 65.	65 and upwards.
PERSONS ENGAGED IN AGRICULTURE.							
1. In Fields and Pastures.							
Farmer, Grazier, ...	10,151	3	101	225	2,933	4,768	2,121
Farmer's, Grazier's—Son, Grandson, Nephew, Brother.	6,747	–	1,984	1,986	2,515	247	15
Farm Bailiff, ...	21	–	–	1	8	9	3
Agricultural Labourer, Cottager,	1,997	27	290	336	679	481	184
Shepherd, ...	153	1	8	13	44	54	33
Farm Servant (in-door), ..	1,449	102	399	328	425	148	47
Agricultural Machine—Proprietor, Attendant.	1	–	–	–	1	–	–
Agricultural—Student, Pupil,	2	–	–	2	–	–	–
Others engaged in, or connected with, Agriculture.	52	–	1	6	15	18	12
2. In Woods.							
Woodman, ...	1	–	–	–	–	–	1
3. In Gardens.							
Gardener (not Domestic), ..	51	–	4	2	20	23	2
PERSONS ENGAGED ABOUT ANIMALS.							
About Animals.							
Horse — Proprietor, Breeder, Dealer.	1	–	–	–	1	–	–
Groom, Horse Keeper, Horse Breaker.	18	–	2	7	7	2	–
Veterinary Surgeon, Farrier,	5	–	1	1	3	–	–
Cattle, Sheep, Pig—Dealer, Salesman.	68	–	2	10	37	13	6
Drover, ...	1	–	–	–	–	1	–
Gamekeeper, ...	31	–	1	3	13	8	6
Fisherman, ...	167	3	31	34	61	28	10
PERSONS WORKING AND DEALING IN TEXTILE FABRICS.							
1. Wool and Worsted.							
Woollen Cloth Manufactu e,	12	–	1	2	4	3	2
2. Cotton and Flax							
Lace—Manufacturer, Dealer,	1	–	1	–	–	–	–
3. Hemp and other Fibrous Materials.							
Rope, Twine, Cord—Maker, Dealer.	1	–	–	–	–	–	1
4. Mixed or unspecified Materials.							
Weaver (undefined), ..	2	–	–	–	1	–	1
Dyer, Printer, Scourer, Bleacher, Calenderer (undefined).	2	–	–	2	–	–	–
Draper, Linen Draper, Mercer,	116	–	42	34	33	6	1
Others, ...	1	–	–	–	1	–	–
GENERAL LABOURER (*a*),	1,233	22	163	170	459	291	128

Occupations.	Females. Total.	Ages. Under 15 years.	15 and under 20.	20 and under 25.	25 and under 45.	45 and under 65.	g u w.
PERSONS ENGAGED IN AGRICULTURE.							
1. In Fields and Pastures.							
Farmer, Grazier, ...	2,428	2	19	33	436	1,314	
Agricultural Labourer, Cottager.	121	1	3	6	18	53	
Shepherdess, ...	14	–	1	–	5	6	
Farm Servant (in-door), ..	142	10	45	26	41	16	
Others engaged in, or connected with, Agriculture.	21	–	–	–	4	11	
2. In Gardens.							
Nurserywoman, Florist, ..	1	–	–	–	–	1	
PERSONS ENGAGED ABOUT ANIMALS.							
Fisherwoman, ...	17	1	3	1	4	6	
PERSONS WORKING AND DEALING IN TEXTILE FABRICS.							
1. Wool and Worsted.							
Woollen Cloth Manufacture,	29	–	3	5	8	8	
2. Cotton and Flax.							
Lace—Manufacturer, Dealer,	36	7	16	10	2	–	
3. Mixed or Unspecified Materials.							
Weaver (undefined), ..	1	–	–	1	–	–	
Draper, Linen Draper, Mercer,	34	–	9	7	15	3	
Fancy Goods (Textile)—Manufacturer, Worker, Dealer.	12	–	3	4	2	2	
Embroiderer, ...	4	–	2	1	1	–	
Others, ...	29	–	2	5	12	7	
GENERAL LABOURER (*a*)	4	–	1	–	2	–	

(*a*) The majority of these "General Labourers" may be assumed to be *Agricultural* Labourers, although not having returned themselves as such.

Q.—Occupiers of Land engaged in other pursuits besides Farming in the County of Sligo (p. 64).

Trade, Profession, &c., besides Farming.	No. of Persons.	Trade, Profession, &c., besides Farming.	No. of Persons.	Trade, Profession, &c., besides Farming.	No. of Persons.	Trade, Profession, &c., besides Farming.	No. of Persons.
Total number of Occupiers of Land who returned themselves as engaged in other Pursuits besides Farming,	373	Clerk of Union, ...	1	Land Proprietor, ...	2	Railway Platelayer, ..	3
		Colporteur, ...	1	Land Steward, ...	1	Railway Servant, ..	2
		Cooper, ...	10	Land Surveyor, ...	1	Rate Collector, ..	5
		Corn Merchant, ...	1	Magistrate, ...	12	Registrar of Births, &c., ..	1
		Draper, ...	2	Mason, ...	10	Relieving Officer, ..	3
Accountant, ...	1	Engine Driver, ...	1	Merchant, ...	4	Road Contractor, ..	4
Artizan, ...	1	Farm Labourer, ...	2	Miller, ...	3	Seamstress, ...	1
Auctioneer, ...	2	Fisherman, ...	37	Municipal Officer, ..	1	Shepherd, ...	3
Bailiff, ...	1	Fishmonger, ...	2	Pensioner (Army), ..	5	Shoemaker, ...	12
Blacksmith, ...	23	Forester, ...	1	Pensioner (Navy), ..	1	Shopkeeper, ...	59
Boarding-house Keeper, ..	1	Gamekeeper, ...	2	Pensioner (R.I.C.), ..	16	Stonecutter, ...	2
Boatman, ...	1	Gardener, ...	1	Petty Sessions Clerk, ..	2	Summons Server, ..	1
Bricklayer, ...	1	Grocer, ...	6	Pilot, ...	2	Surveyor, ...	4
Builder, ...	1	Harbour Employe, ..	1	Plasterer, ...	1	Tailor, ...	3
Butcher, ...	2	Herd, ...	8	Postmaster, ...	8	Teacher, ...	1
Carman, ...	1	Hotel-keeper, ...	1	Postmistress, ...	2	Tinsmith, ...	1
Carpenter, ...	18	Kelp Merchant, ...	1	Provision Dealer, ..	3	Weaver, ...	7
Carter, ...	1	Labourer, ...	15	Publican, ...	33	Weaver (Wool), ...	1
Civil Bill Officer, ...	3	Land Agent, ...	2	Railway Ganger, ...	1		

R.—Emigration from the County of Sligo during each year, from the 1st of May, 1851, to the 31st of December, 1906. Compiled from the Returns of the Registrar-General.

Years.	Males.	Females.	Persons.	Years.	Males.	Females.	Persons.	Years.	Males.	Females.	Persons.
1851 (from 1st May) (a)	806	898	1,704	1871 (from 1st April)	468	419	887	1891 ((from 1st April)	668	807	1,475
1852, ...	1,128	1,344	2,472	1872, ...	688	656	1,344	1892, ...	767	727	1,494
1853, ...	912	1,050	1,962	1873, ...	1,134	1,076	2,210	1893, ...	717	895	1,612
1854, ...	821	791	1,612	1874, ...	437	526	963	1894, ...	388	606	994
1855, ...	547	614	1,161	1875, ...	231	322	553	1895, ...	566	846	1,412
1856, ...	442	439	881	1876, ...	159	157	316	1896, ...	632	819	1,451
1857, ...	584	570	1,154	1877, ...	93	170	263	1897, ...	467	740	1,207
1858, ...	274	328	602	1878, ...	199	274	473	1898, ...	545	774	1,319
1859, ...	295	350	645	1879, ...	313	393	706	1899, ...	617	854	1,471
1860, ...	458	476	934	1880, ...	1,787	1,940	3,727	1900, ...	638	906	1,544
1861 (to 31st March),	100	101	201	1881 (to 31st March)	153	113	266	1901 (to 31st March)	52	34	86
Total, ..	6,367	6,961	13,328	Total, ..	5,662	6,046	11,708	Total, ..	6,057	8,008	14,065
1861 (from 1st April)	229	268	497	1881 (from 1st April)	1,089	1,210	2,299				
1862, ...	307	431	738	1882, ...	1,248	1,163	2,411				
1863, ...	694	822	1,516	1883, ...	2,048	2,185	4,233				
1864, ...	804	810	1,614	1884, ...	1,026	1,229	2,255	1901 (from 1st April),	406	615	1,021
1865, ...	494	491	985	1885, ...	856	1,149	2,005	1902, ...	454	622	1,076
1866, ...	932	774	1,706	1886, ...	790	894	1,684	1903, ...	495	610	1,105
1867, ...	930	831	1,761	1887, ...	1,467	1,471	2,938	1904, ...	470	621	1,091
1868, ...	446	459	905	1888, ...	1,039	1,086	2,125	1905, ...	357	435	792
1869, ...	465	485	950	1889, ...	843	903	1,746	1906 (to 31st December). (b)	505	427	932
1870, ...	589	524	1,113	1890, ...	788	892	1,680				
1871 (to 31st March)	157	107	264	1891 (to 31st March)	138	80	218	Total, ..	2,687	3,330	6,017
Total, ..	6,047	6,002	12,049	Total, ..	11,332	12,262	23,594	General Total,	38,152	42,609	80,761

(a) The Enumeration of Emigrants from Irish Ports did not commence till the 1st of May, 1851.
(b) The nearest date to the time of the Census for which the Emigration Returns can be made up.

APPENDIX IX.

S.—STATE-AIDED EMIGRATION.

It may be as well to explain that under 12 and 13 Vic., cap. 104, sec. 26, Boards of Guardians were empowered to apply part of the rates and to borrow money "for the purpose of defraying or assisting to defray the expenses of the emigration of poor persons."

Under the Arrears of Rent (Ireland) Act, 1882 (45 and 46 Vic., c. 47), power was given to borrow from Public Funds on easier terms for the above purposes, and the Treasury might authorise the Commissioners of Public Works to make grants to Boards of Guardians for the same purposes, the total grants not to exceed £100,000, and the sums granted not to exceed £5 for each person. The grants were confined to the nine counties, part of which are at present scheduled as congested, the Unions of Belmullet, Newport, Swinford, Clifden, and Oughterard, being specially mentioned.

Under the Tramways and Public Companies (Ireland) Act, 1883 (46 and 47 Vic., c. 43), the limit of the grant was increased to £200,000, of which one-quarter might be applied for the purpose of migrating "persons or families," and the limit of individual grants was increased to £8.

The total grants made under these sections amounted to £133,172 10*s.* 2*d.* up to 1891, when they were repealed by Section 35 of the Land Act of 1891, which established the Congested Districts Board.

The following Table shows the total number of State-aided Emigrants from Sligo in 1883 and in 1884, and the amount of grant to each Union.

Supplied by the Local Government Board.

Union.	Emigration Season, 1883.			Emigration Season, 1884.			Total.	Total Grant.
	Canada.	Australia.	United States.	Canada.	Australia.	United States.		£ s. d.
Boyle,	95	6	239	—	—	—	340	1,645 10 0
Dromore West,	33	4	245	—	—	78	360	1,546 0 0
Sligo,	255	4	129	7	34	61	490	2,571 10 0
Tubbercurry,	2	—	165	—	—	—	167	833 0 0
Total.	385	14	778	7	34	139	1,357	6,596 0 0

The following Return shows the number of consents of the Local Government Board to the expenditure of sums out of the rates to assist in defraying the expenses of the emigration of poor persons from the County of Sligo during the year ended 31st March, 1884:—

Supplied by the Local Government Board.

Union.	Sums authorised to be expended.	Number of Persons assisted.
	£ s. d.	
Boyle (part of),	121 10 0	55
Dromore West,	356 10 0	225
Sligo,	446 5 0	351
Tobercurry,	7 0 0	1
Totals,	931 5 0	632

T.—AGRICULTURAL STATISTICS.

1. Table showing, by Poor Law Unions, the Extent of Land under Crops in the Year 1905, the Valuation in 1905, and the Population in 1901.

Taken from Agricultural Statistics, 1905, pp. 34, 35, 36, and 38-44.

POOR LAW UNIONS.	EXTENT OF CROPS IN STATUTE ACRES.																					VALUATION IN 1905.			
	CORN CROPS.								GREEN CROPS.											FLAX.	EXTENT FOR HAY ONLY.		TOTAL EXTENT UNDER CROPS.			Population in 1901.	POOR LAW UNIONS.
	Wheat.	Oats	Barley.	Bere	Rye	Beans	Pease	TOTAL.	Potatoes.	Turnips.	Mangel Wurzel	Beet Root	Carrots.	Parsnips.	Cabbage.	Vetches.	Rape.	Other Green Crops.	TOTAL.		Clover, Sainfoin, and Grasses under Rotation.	Permanent Pasture or Grass *not in Rotation.*		Houses and other Hereditaments.	Lands.		
	Acres.	Acres.	Acres.	Acres	Acres	Acres	Acres	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres	Acres	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	£	£		
Boyle,* ...	5	4,185	1	—	82	—	—	4,273	5,667	492	218	1	1	3	463	—	7	73	6,925	—	1,215	22,418	34,831	12,094	63,731	30.625	Boyle.
Dromore West,	104	3,649	68	1	86	—	—	3,908	3,057	934	299	—	—	—	151	2	19	58	4,520	5	1,567	5,413	15,413	4,556	32,782	13,034	Dromore West.
Sligo, ...	102	3,599	5	—	207	—	—	3,913	4,202	755	291	—	10	2	498	2	5	268	6,033	—	1,688	17,219	28,853	33,909	70,382	38,088	Sligo.
Tobercurry, ...	3	4,011	—	—	76	—	—	4,090	3,859	351	105	3	—	—	295	—	—	38	4,651	—	1,492	7,296	17,529	4,875	36,612	19.204	Tobercurry.
Total for Co. Sligo.	209	13,501	73	1	376	—	—	14,160	13 830	2,164	751	4	10	2	1,107	4	25	398	18,295	5	5,559	39,386	77,405	46,623	167,556	84,083	Total for Co. Sligo.

2. Table showing, by Poor Law Unions, the Produce of the Crops in the Year 1905 (pp. 36, 37, 46, 48, and 53).

POOR LAW UNIONS.	PRODUCE OF THE CROPS.																		POOR LAW UNIONS.
	CORN CROPS.							GREEN CROPS.									FLAX.	HAY.		
	Wheat.	Oats.	Barley.	Bere.	Rye.	Beans.	Pease.	Potatoes.	Turnips.	Mangel Wurzel.	Beet Root.	Carrots.	Parsnips.	Cabbage.	Vetches.	Rape.		Clover, Sainfoin, and Grasses under Rotation.	Permanent Pasture or Grass *not broken up in Rotation.*	
	Cwts. of 112 lbs.	Cwts. of 112 lbs.	Cwts. of 112 lbs.	Cwts. of 112 lbs.	Cwts. of 112 lbs.	Cwts. of 112 lbs.	Cwts. of 112 lbs.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Stones of 14 lbs.	Tons.	Tons.	
Boyle,*, ...	75	65,282	14	—	1,120	—	—	43,331	10,024	4,560	15	8	21	8,257	—	55	—	2,791	64,141	Boyle.
Dromore West, ...	1,303	60,909	871	11	1,260	—	—	20,620	15,235	5,065	—	—	—	2,027	16	107	150	3,241	15,430	Dromore West.
Sligo, ...	1,724	61,170	56	—	3,044	—	—	23,248	16,238	6,126	—	83	16	8,240	14	35	—	4,359	41,785	Sligo.
Tobercurry, ...	54	56,087	—	—	1,012	—	—	25,507	4,709	1,259	45	—	—	3,712	—	—	—	2,875	18,268	Tobercurry.
Total for Co. Sligo. ...	3,081	210.686	927	11	5,404	—	—	94,329	38,394	13,421	60	83	16	16,849	30	149	150	12,017	98,982	Total for Sligo.

3. Table showing the Number of Stockholders and the Quantity of Live Stock in each Poor Law Union of Ireland in 1905 (pp. 86–97).

POOR LAW UNIONS.	No. of Stock-holders in each Union.	HORSES (including Ponies).						MULES AND ASSES.		CATTLE.					SHEEP.					PIGS.						POULTRY.					POOR LAW UNION.
		Two years old and upwards used for			Unbroken Horses.		Total Number of Horses	Number of Mules	Number of Asses	Milch Cows including Heifers in Calf.	Other Cattle.			Total Number of Cattle	One year old and upwards.			Under one year.	Total Number of Sheep.	Pigs kept for breeding purposes.		Other Pigs.		Total Number of Pigs.	Number of Goats.	Turkeys.	Geese.	Ducks.	Ordinary Fowl.	Total.	
		Agricultural purposes.	Traffic and Manufactures.	Amusement or Recreation.	One year old and above.	Under one year.					Two years old and upwards.	One year old and under two years.	Under one year.		Ewes kept for breeding purposes.	Other Ewes.	Tups and Wethers.			Sows.	Boars.	One year old and upwards.	Under one year.							
Boyle,*	6,161	1,384	44	55	335	252	2,070	363	4,030	13,077	7,720	9,427	10,402	41,226	3,565	690	1,313	4,252	9,850	1,125	10	301	10,994	12,430	4,956	5,480	17,110	28,169	101,631	152,390	Boyle.
Dromore West, ...	2.557	1,768	13	49	505	474	2,809	75	1,181	4,716	5,720	6,542	4,157	21,135	10,389	1,721	3,473	13,044	28.627	592	12	191	5,437	6.235	699	4.261	12,277	18,284	50,163	84,985	Dromore West.
Sligo, ...	6,015	1,759	334	253	564	253	3,163	165	3,218	12,419	6,433	9,203	10,276	38,336	6,736	939	1,503	7,849	17,027	698	10	94	6,934	7,736	2,173	7,028	16,057	29,217	97,032	149,334	Sligo.
Tobercurry, ...	3 915	856	19	79	384	201	1,542	197	3,059	8,567	4,058	5,447	6.351	24,423	5,947	1,282	2,397	6,460	16,086	724	8	122	6.127	6,931	1,751	2,901	11,544	23,039	89,359	126,843	Tobercurry.
Total for Co. Sligo,	15,338	4,950	374	392	1,583	999	8,298	559	9,514	32,676	19,137	24,654	25,908	102,375	24,922	4,395	7,839	29,464	66,620	2,488	36	480	23,302	26,306	6,537	16,301	47,395	82 900	281.291	427,887	Total for Sligo.

* This union is situate partly in Co. Sligo and partly in Co. Roscommon, hence the totals for the four unions are greater than the totals for Co. Sligo.

4.—Table showing the Quantity of Live Stock for the County of Sligo in each Year from 1896–1905.

Taken from Agricultural Statistics, 1905, pp. 108-9.

—	Years.	Number of Horses.			Mules and Asses.		Number of Cattle.			Number of Sheep.		Number of Pigs.		No. of Goats.	N (Pou
		Two years old and upwards.	One year old and under two.	Under one year.	No. of Mules.	No. of Asses.	Two years old and upwards.	One year old and under two.	Under one year.	One year old and upwards.	Under one year.	One year old and upwards.	Under one year.		
Sligo :	1896	6,330	1,641	1,089	578	9,287	49,078	22 871	22,811	44,960	34,179	2,976	28,026	6,166	408
Area—	1897	6,341	1,347	902	557	9,299	49,524	21,631	24,032	45,433	35,556	3,141	26,520	6,373	435
Years 1896-98—	1898	6,276	1,168	832	531	9,170	49,587	22,697	24,717	45,279	35,081	2,719	24,207	6,277	443
451,815 Acres.	1899	5,770	1,093	874	554	9,201	48,187	22,202	23,559	37,284	31,270	2,822	26,313	6,069	416,
	1900	5,578	861	771	510	9,727	48,887	22,505	24,959	39,473	33,099	2,985	26,057	6,785	434,
Years 1899-1905—	1901	5,105	1,175	973	497	9,394	50,441	24,102	26,431	41,977	32,270	3,448	26,200	7,987	449,
442,205 Acres.	1902	5,102	1,307	993	507	9,552	53,236	25,065	26,750	39,498	30,332	3,800	26,018	7,463	451,
	1903	5,420	1,720	1,056	638	9,511	51,230	24,878	25,911	37,059	28,864	3,903	29,219	8,694	450,
	1904	5,534	1,657	955	614	9,390	50,267	25,484	25,995	36,555	27,943	3,542	26,879	7,387	432,
	1905	5,716	1,583	999	550	9,514	51,813	24,654	25,908	37,156	29,464	3,004	23,302	6,537	427,

5.—Table showing the Number of Holdings exceeding One Acre, and Extent of Land under Crops, in the County of Si each Year from 1896–1905.

Taken from Agricultural Statistics, 1905, pp. 64-5.

—	Years.	No. of Holdings exceeding 1 Acre.	Extent under crops in statute acres in each year from 1896 to 1905.														To ext un Cr
			Corn, Beans, and Pease.							Other Crops.							
			Wheat.	Oats.	Barley.	Bere.	Rye.	Beans and Pease.	Total.	Potatoes.	Turnips.	Mangel Wurzel and Beet Root.	Other Green Crops.	Total Green Crops.	Flax.	Meadow and Clover.	
			Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Ac
Sligo :	1896	14,657	232	17,169	433	3	345	1	18,183	16,339	3,047	672	1,759	21,817	35	39,280	79
Area—	1897	14,615	210	16,719	307	2	348	–	17,586	15,616	3,098	763	1,586	21,063	24	38,085	76
Years 1896-98—	1898	14,633	218	16,170	319	1	480	–	17,188	15,401	2,844	699	1,903	20,847	27	38,593	76
451,815 Acres.	1899	14,220	212	14,763	390	8	439	–	15,812	14,637	2,611	745	1,698	19,691	29	37,739	73
	1900	14,147	288	14,388	320	–	377	–	15,373	14,658	2,492	866	1,962	19,978	31	37,982	73
Years1899-1905—	1901	14,168	257	13,698	261	5	509	4	14,734	14,146	2,262	1,073	1,804	19,285	20	40,469	74
442,205 Acres.	1902	14,179	214	13,397	205	2	400	–	14,218	13,739	2,490	1,008	1,870	19,107	27	40,135	73
	1903	14,192	294	13,887	192	–	522	–	14,895	14,397	2,108	921	1,883	19,309	15	41,233	75
	1904	14,207	136	13,490	200	–	370	6	14,202	13,871	2,181	827	1,545	18,424	14	42,460	75
	1905	14,227	209	13,501	73	1	376	–	14,160	13,830	2,164	755	1,546	18,295	5	44,945	77

6.—Table showing the Average Rates of Produce of Crops to the Statute Acre in the County of Sligo in each Year fr 1896–1905.

Taken from Agricultural Statistics, 1905, pp. 80-81.

—	Years.	Wheat.	Oats.	Barley.	Bere.	Rye.	Beans.	Pease.	Potatoes.	Turnips.	Mangel Wurzel.	Beet Root.	Cabbage	Flax.	Ha
		Cwts., 112 lbs.	Cwts., 112 lbs.	Cwts., 112 lbs.	Cwts., 112 lbs.	Cwts., 112 lbs.	Cwts., 112 lbs.	Cwts., 112 lbs.	Tons.	Tons.	Tons.	Tons.	Tons.	Stones, 14 lbs.	Ton
Sligo, ...	1896	14·7	12·2	20·2	13·0	13·5	12·0	–	2·9	14·2	15·3		20·2	30 0	2·
	1897	16·9	15·0	12·8	12·0	14·7	–	–	2·4	13·7	13·9		11·3	34·9	2·
	1898	18·1	14·9	17·8	13·0	18·9	–	–	5·2	16·7	17·4		14·1	43·9	2·
	1899	15·9	15·0	15·3	13·0	13·1	–	–	5·2	13·7	16·3		12·0	41·7	2·
	1900	17·2	15·3	24·0	–	14·0	–	–	3·0	15·8	17·2		15·9	37·7	2·
	1901	14·7	13·9	15·7	14·4	12·1	20·0	–	5·5	15·1	15·7	13·5	13·9	33·0	2·
	1902	15·7	16·6	16·2	10·0	15·5	–	–	5·3	16·6	16·8	16·0	13·4	37·3	2·
	1903	16·1	14·5	12·4	–	13·9	–	–	4·0	13·1	12·7	15·8	14·5	42·0	2·
	1904	12·7	13·8	9·4	–	14·6	16·0	–	3·7	16·5	15·6	15·0	13·6	27·6	2·
	1905	14·7	15·6	12·7	11·0	14·4	–	–	6·8	17·7	17·9	15·0	15·2	30·9	2·

7.—TABLE showing, by POOR LAW UNIONS for the COUNTY of SLIGO, the proportion per cent. under CROPS (including Meadow and Clover), Grass, Fallow, Woods and Plantations, Turf Bog, Marsh, Barren Mountain Land, and Water, Roads and Fences, &c., in 1905. APPENDIX IX.

Taken from Agricultural Statistics, 1905, pp. 30-33.

POOR LAW UNION.	PROPORTION PER CENT. UNDER							
	Crops, including Meadow and Clover.	Grass.	Fallow.	Woods and Plantations.	Turf Bog.	Marsh.	Barren Mountain Land.	Water, Roads, Fences, &c.
Boyle	21·7	59·3	—	1·7	5·8	1·0	5·6	4·9
Dromore West	15·9	49·4	—	0·6	17·3	1·4	12·4	3·0
Sligo	20·1	58·9	—	3·9	3·2	1·1	8·2	4·6
Tobercurry	13·9	47·7	—	1·0	10·5	2·0	20·4	4·5
Total of Sligo	17·5	53·7	—	1·8	8·8	1·5	12·6	4·1
TOTAL FOR IRELAND	22·9	52·1	—	1·5	5·3	2·0	11·1	5·1

8.—STATEMENT as to SIRES, BULLS, and BOARS.

Taken from Agricultural Statistics, 1905.

The number of Sires in County Sligo serving Mares in 1905 (pp. 114-5) was as follows:—

Thoroughbred,	10
Half-bred,	4
Hackney,	2
Shire,	—
Clydesdale,	3
Agriculture,	4
All others,	5
Total,	28

The number of Bulls of the principal breeds, &c., in County Sligo in 1905 (pp. 116-7) was as follows:—

Shorthorn,	179
Hereford,	3
Aberdeen Angus,	23
Norfolk and Suffolk Red Polled,	4
Kerry,	4
Dexter,	1
Guernsey, Jersey, and Alderney,	5
Cross Breed or not included in foregoing,	15
Total,	234

The number of Boars kept for breeding purposes in County Sligo in 1905 (pp. 118-9) was as follows:—

White pigs,	34
Black pigs,	1
Tawny or brown pigs,	—
Cross-bred,	1
Boars not coming under any of the foregoing heads,	—
Total,	36

9.—STATEMENT showing the Total Area under each of the principal varieties of Potatoes grown in County Sligo, and the Average Rate of Produce per statute acre in cwts. of 112 lbs.

Taken from Agricultural Statistics, 1905, pp. 120-1 and 128-9.

Variety.	Acreage.	Average Rate of Produce in cwts.	Variety.	Acreage.	Average Rate of Produce in cwts.
Champion,	10,044	136	Bruces,	—	—
Up-to-Date,	1,379	155	Champion Skerries,	—	—
Beauty of Bute,	540	113	Northern Star,	169	129
Flounders,	1,123	126	Elephants or White Elephants,	—	—
Sutton, or Sutton's Abundance,	114	164	Early Roses,	13	93
Skerry Blues,	13	117	Gawkies,	—	—
Irish Whites,	266	151	Main Crop,	—	—
British Queens,	31	122	All others,	134	—
American Roses,	34	98			

APPENDIX IX.

10.—Bee-keeping Statistics.

Table showing, for the County Sligo, the Number of Stocks in the middle of May, 1904; the Number of Swarms during 1904; the Number of Stocks at the beginning of Winter, 1904, and the Number brought through Winter, 1904–1905; with the Quantity of Honey produced, and of Wax manufactured in 1904.

Taken from Agricultural Statistics, 1905, pp. 132-3.

Number of Stocks in the middle of May, 1904.		Number of Swarms during 1904.		Number of Stocks at beginning of Winter, 1904.		Number of Stocks brought through Winter, 1904-1905.		Run Honey produced in 1904, in lbs.		Section Honey produced in 1904, in lbs.		Wax manufactured in 1904, in lbs. (Quantity of Wax refined or converted into the Bees-wax of Commerce for Household use.	
In Hives having Movable Combs.	In other Hives.	In Hives having Movable Combs.	In other Hives.	In Hives having Movable Combs.	In other Hives.	In Hives having Movable Combs.	In other Hives.	In Hives having Movable Combs.	In other Hives.	In Hives having Movable Combs.	In other Hives.	Wax from Hives having Movable Combs.	Wax from other Hives.
328	206	174	203	325	203	283	153	1,302	1,604	2,879	913	42	3

11.—Table showing, for the County Sligo, the Area Planted with Trees, and the Area Cleared during the year ended 30th June, 1905, and the Number of each description of Tree Planted or Felled.

Taken from Agricultural Statistics, 1905, pp. 136-9.

—	Average Planted or Cleared.	Total No. of Trees.	Number and Description of Trees Felled.										
			Larch.	Fir.	Spruce.	Pine.	Oak.	Ash.	Beech.	Sycamore.	Elm.	Other Trees.	Mixed Trees, No. of each kind unspecified.
Planted, ...	5	23,750	20	23,230	—	500	—	—	—	—	—	—	—
Felled, ...	25	8,630	3,000	3,450	2,000	—	100	20	—	40	20	—	—

U.—WAGES OF AGRICULTURAL LABOURERS IN COUNTY SLIGO IN 1905.

Inquiries were made as to the Wages paid per day to Agricultural Labourers in 1905, and the information received from the District Inspectors of the Royal Irish Constabulary with reference to their respective districts is shown in the following Table and the notes appended thereto.

Taken from Agricultural Statistics, 1905, pp. 164-5.

Constabulary Districts.	Summer.								Winter.							
	Men.		Boys.		Women.		Girls.		Men.		Boys.		Women.		Girls.	
	From	To	From	To	From	To	From	To	From	To	From	To	From	To	From	To
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Ballymote, (a) ...	1 9	2 0	1 1	1 3	0 10	1 0	0 6	0 8	1 3	1 6	0 9	1 0	0 9	1 0	0 6	—
Collooney, ...	1 6	2 1	1 1	1 5	0 10	1 0	0 8	0 10	1 1	1 5	0 10	1 0	0 8	0 10	0 6	0 8
Easkey, (b)	1 6	3 0	1 0	1 6	0 10	1 4	0 8	1 0	1 0	1 6	0 7	0 10	0 8	1 0	0 6	0 10
Sligo, ...	1 10	2 2	1 3	1 6	1 1	1 4	0 9	1 2	1 3	1 6	0 10	1 0	0 10	1 0	0 8	0 10
Tobercurry, (c) ...	1 6	2 0	1 3	1 6	1 0	1 3	0 10	1 0	1 3	1 6	0 10	1 0	0 10	1 0	0 6	0 8

(a.) Very little employment during the winter. Only a few women or girls employed.
(b.) Women or girls not generally employed.
(c.) Without food.

V.—INFORMATION AS TO SCHEMES OF DEPARTMENT OPERATING IN COUNTY SLIGO IN 1906.

The following information, about some of the work of the Department of Agriculture and Technical Instruction in County Sligo during the year 1906-7, may be of use:—

Schemes in Operation.	Estimated Cost.
Winter Schools,	200
Live Stock,	575
Horticulture,	190
Poultry-keeping,	135
Butter-making,	80
Subsidies to Shows,	200

There were three registered stallions (thoroughbred) stationed in the county, and one, located in County Mayo, used to attend at Easkey, County Sligo, one day in each week. One hundred nominations were issued to Sligo mares for service by registered sire, of which forty were given to residents in the congested areas.

There were two stallion asses located in the county with the following persons:—

Michael Nicholson, Corbeg, Castlegall.

Francis M'Dermott, Glencar, Sligo.

The total number of bulls located in the county was nineteen, of which fifteen were in the non-congested portion and four in the congested portion.

The number of premium bulls located in the county during the last six years was as follows:—

1901,	6
1902,	14
1903,	14
1904,	20
1905,	18
1906,	19

The following shows the location of the bulls in 1906:—

Yearlings.

A.A. 1. Patrick Brennan, Doonsheheen, Ballindoon.
A.A. 2. Patrick Ross, Rathmactiernan, Coolaney.
A.A. 3. John E. Morrison, Woodhill, Ballymote.
A.A. 4. Maurice Kivelehan, Beltra, Carrownedan, Coolaney.
S.H. 5. Michael Collery, Carrownedan, Coolaney.
S.H. 6. Thomas Hannon, Rundale Lodge, Cliffoney.

Two-Year-Olds.

S.H. 7. James Rowlette, Cregg, Sligo.
S.H. 8. Rodger Davey, Drumiskabole, Ballisodare.
S.H. 9. Francis O'Gara, Dechomade, Ballymote.
A.A. 10. Mathias Ferguson, Kilmacannon, Cloughboley.
S.H. 11. William Mitchell, Beltra, Ballisodare.

Three-Year-Olds.

S.H. 12. John J. Higgins, Farniharpy, Skreen.
S.H. 13. Michael Gallagher, Kilnamonagh, Collooney.
S.H. 14. William Barber, Sooey, Riverstown.
S.H. 15. Thomas O'Dowd, Goldfield, Chaffpool.
A.A. 16. Bernard Scanlan, Cloonmull, Drumcliffe.
A.A. 17. Cornelius Henry, Carrowmacarrick, Coolaney.
A.A. 18. John Morrison, Cloughfin, Collooney.
A.A. 19. Patrick Henry, Ross, Skreen.

There were sixteen boars placed in the county in 1906, of which eleven were in non-congested districts.

The number in the county during the last six years was as follows:—

1901,	7
1902,	9
1903,	9
1904,	13
1905,	16
1906,	16

The boars were located in 1906 as follows:—

First Year Premium Boars.

1. Owen Carr, Carn, Gurteen.
2. Peter Cunningham, Mount Edward, Breagh-wy.
3. John Furey, Riverstown.
4. Bryan Scanlon, Clonacoola, Ballymote.
5. Owen Toolen, Meelroe, Cloonlon, Boyle.
6. John Meehan, Kilshalvey, Ballymote.
7. Patrick Lynch, Annaghcur, Castlebaldwin.
8. James M'Donagh, Mahanagh, Boyle.
9. John J. Donnelly, Ardlebeg, Collooney.
10. Mathias Ferguson, Kilmacannon, Cloghboley.
11. Patrick Curley, Knockrawer, Kilavill, Ballymote.
12. Thomas Durkan, Carrownacleigh.

Second Year Premium Boars.

13. J. R. Barber, Knockbeg, Collooney.
14. Michael Devaney, Achonry, Ballymote.
15. John Kelleher, Kilturra, Bunninadden.
16. Michael Henry, Cashel North, Carrownedin.

The number of egg-distributing centres in 1906 was twelve, of which three were in congested areas. The centres were as follows:—

1. Mrs. Nicholson, Urlar, Carney.
2. Mrs. F. Cawley, Fetherneen, Ballinacanow.
3. Mrs. T. McGethrick, Porthinch, Ballymote.
4. Mrs. T. Benson, Rodestown, Bunninadden.
5. Mrs. Henry, Dromore House, Dromore.
6. The Superioress, The Convent, Banada.
7. Mrs. Brennan, Achonry, Ballymote.
8. Mrs. McMullen, Tallyho Lodge, Tully, Sligo.
9. Miss Kearns, Kilcat, Grange.
10. Mrs. Kavanagh, Farniharpy, Skreen.
11. Mrs. J. Burke, Farrellmacfarrell, Dromore West.
12. Mrs. E. Cawley, Dooneen House, Dooneen, Castleconnor.

The number of turkey-raising stations in Sligo in 1906 was seven, of which two were in congested areas. The stations were as follows:—

1. Mrs. F. Cawley, Fetherneen, Ballincarrow.
2. Mrs. F. Barber, Cashelgarron, Sligo.
3. Mrs. Thomas Benson, Roadstown, Bunninadden.
4. Miss E. Kearins, Kilcat, Grange.
5. Mrs. B. Brennan, Achonry, Ballymote.
6. Mrs. M. McGettrick, Cartoon, Ballymote.
7. Mrs. Killoran, Killashalvey, Gurteen.

APPENDIX IX

W.—NOTE ON MIGRATORY LABOURERS.

The special characteristics of the temporary migration of agricultural labourers from the congested districts, which distinguish it from apparently similar movements of labour in other counties and from the ordinary examples of the mobility of labour in other trades, have been briefly discussed in the Donegal Statistical Abstract (see Appendix to Second Report of Commission, Cd. 3319, 1907, pp. 314-5). The total number of persons (including females) who had temporarily migrated from Ireland, or who at the time of the collection of the Agricultural Statistics in 1906 had expressed their intention of subsequently migrating was 15,286. Of this number 688 were resident in County Sligo. Of these only 125 were landholders, but of the landless labourers 365 were the sons, and 5 were the daughters of landholders who worked on their parents' farm when at home. The following Table taken from the Annual Report of the Department of Agriculture on Irish Migratory Labourers for 1905 (page 45), gives further information on the subject.

Poor Law Union.	Number of Migratory Agricultural Labourers not Landholders.	Number of Migratory Agricultural Labourers having Land, and Area of their Holdings.												Total Number of Migratory Agricultural Labourers.	Where Employed.			Number of Migratory Agricultural Labourers who had not left their homes at the time of the Inquiry, included in foregoing Columns
		Not exceeding 1 acre.	Above 1 and not exceeding 2 acres.	Above 2 and not exceeding 3 acres.	Above 3 and not exceeding 4 acres.	Above 4 and not exceeding 5 acres.	Above 5 and not exceeding 10 acres.	Above 10 and not exceeding 15 acres.	Above 15 and not exceeding 20 acres	Above 20 and not exceeding 25 acres.	Above 25 and not exceeding 30 acres.	Above 30 and not exceeding 40 acres.	Above 40 acres.		In England.	In Scotland.	Elsewhere in Ireland.	
Boyle, part of,	149	–	–	–	–	2	1	8	3	–	–	–	–	163	154	9	–	15
Dromore West,	36	–	–	–	–	–	2	2	–	–	–	–	1	41	29	7	5	2
Sligo,	39	–	–	–	–	–	–	–	–	–	–	–	–	39	10	17	12	1
Tobercurry,	503	–	2	–	2	3	54	41	28	7	3	8	2	653	653	–	–	69
Total,	727	–	2	–	2	5	57	51	31	7	3	8	*3	896	846	33	17	87

* Comprising one each of 45, 48, and 209 acres.

X.—STATISTICS OF CO-OPERATIVE SOCIETIES.

1. Statement showing Statistics of Co-operative Creameries in Co. Sligo in 1905.

Taken from the Report of the Irish Agricultural Organisation Society for the year ended 30th June, 1906.

No.	Name.	Date of Establishment.	Membership.	Paid up Share Capital.	Loan Capital.	Turnover.	Observations.
				£	£	£	
1	Achonry (*a*)	1897	647	1,052	306	7,948	
2	Ballinfull (*a*)	1897	385	524	39	5,319	
3	Ballintrillick (*a*)	1897	425	781	—	6,385	
4	Ballymote	1897	703	138	998	10,321	
5	Collooney	1897	1,628	2,689	2,068	11,342	
6	Drumcliffe (*a*)	1895	134	880	—	8,581	
7	Gurteen (*a*)	1897	520	744	441	4,608	
8	Riverstown (*a*)	1897	460	786	—	7,645	
9	Seafin	1902	77	—	—	—	Auxiliary to Ballymote.
10	Sooey (*a*)	1897	530	1,065	2	9,163	
11	Tubbercurry	1902	81	243	1,649	2,639	

2. STATEMENT showing the Statistics of the Agricultural Credit Societies in Co. Sligo, 1905.

Taken from the Report of the Irish Agricultural Organisation Society for the year ended 30th June, 1906.

No.	NAME OF SOCIETY.	Date of Establishment.	Membership.	Loan Capital.	Deposits.	Total Capital.	Total Amount of Loans.	Number of Loans granted.	Expenses.	Net Profit.	Reserve Fund.
				£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.
1	Achonry .	1901	32	—	—	—	—	—	—	—	—
2	Ballinfull .	1904	98	240 3 2	25 0 0	265 3 2	484 0 0	57	4 19 9	7 4 2	7 4 2
3	Ballintrillick .	1900	62	250 0 0	95 0 0	345 0 0	527 0 0	78	3 4 0	4 3 4½	7 8 7½
4	Ballymote .	1902	30	100 0 0	—	100 0 0	22 0 0	4	0 5 0	2 9 0½	6 12 10½
5	Cliff .	1900	79	170 0 0	143 0 6	313 0 6	309 10 0	63	4 0 10	0 4 2	0 4 2
6	Cliffony .	1904	—	—	—	—	—	—	—	—	—
7	Grange .	1904	91	71 2 1	—	271 2 1	374 0 0	58	0 5 6	7 4 7½	7 4 7½

3. STATEMENT showing the Statistics of the Home Industries Societies in Co. Sligo, 1905.

Taken from the Report of the Irish Agricultural Organisation Society for the year ended 30th June, 1906.

NAME OF SOCIETY.	Date of Establishment.	Membership.	Paid up Share Capital.	Loan Capital	Turnover.
			£	£	£
Beechmount (*a*), .	1899	15	22	—	85
Skreen and Dromard,	1903	8	—	—	—

APPENDIX IX.

Y.—RETURN OF UNTENANTED LAND.

Taken from Parliamentary Paper, No. 250, of 1906.

COUNTY OF SLIGO, RURAL DISTRICT OF BOYLE No. 2.

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation.		Observations.
				Land.	Buildings.	
			A. R. P.	£ s. d.	£ s. d.	
Aghanagh	Annaghowla Island	Agnes Ffolliott	24 1 13	18 0 0	0 10 0	
,,	Aghanagh	Agnes Ffolliott	198 2 0	173 0 0	2 0 0	
,,	Ballyhealy or Hollybrook Demesne	Agnes Ffolliott	285 2 6	140 0 0	55 0 0	Mansion house.
,,	Cuilsheeghary More	Agnes Ffolliott	1 2 35	0 10 0	—	
,,	Doonaveeragh	Agnes Ffolliott	11 0 19	2 10 0	—	
,,	Knockroe	Agnes Ffolliott	69 1 13	51 0 0	—	
,,	Lillybrook	Agnes Ffolliott	2 1 35	1 0 0	1 5 0	
,,	Mullaghfarna	Agnes Ffolliott	31 0 9	9 5 0	—	
,,	,,	Agnes Ffolliott	22 0 20	16 0 0	—	
,,	Whitehill	Agnes Ffolliott	103 3 16	70 15 0	2 10 0	
,,	Corradoo West	Owen Phibbs	14 2 39	0 2 0	—	
,,	Lecarrow	Stephen W. Flanagan	33 1 16	13 12 0	10 3 0	
Ballynashee	Carrowcashel	George Keogh	96 1 20	1 0 0	—	
,,	Tullynure	George Keogh	7 0 9	2 0 0	—	
,,	,,	George Keogh	110 1 26	1 0 0	—	
,,	Ballynashee	George Keogh	94 0 15	53 3 0	22 17 0	Mansion house
,,	,,	George Keogh	23 2 5	12 8 0	—	
,,	,,	George Keogh	238 2 21	2 15 0	—	
,,	,,	George Keogh	18 2 18	11 0 0	2 10 0	
,,	,,	George Keogh	0 2 0	0 7 0	—	
,,	Derrysallagh	H. A. Hewitson	170 3 19	3 0 0	—	
,,	Foyoges	H. A. Hewitson	34 2 10	—	—	
,,	Glen	H. A. Hewitson	251 2 35	3 0 0	—	
,,	Knockroe	H. A. Hewitson	128 0 37	2 10 0	—	
,,	Straduff	George Keogh	106 3 12	85 5 0	0 15 0	
,,	,,	George Keogh	0 0 20	0 3 0	0 12 0	
,,	,,	George Keogh	128 0 0	1 9 0	—	
,,	Tap	George Keogh	51 2 19	0 12 0	—	
Coolavin	Moygarra	Reps. Mrs. E. F. King Harman	15 3 36	0 2 0	—	
,,	Clogher	The MacDermot	0 2 20	0 5 0	—	
,,	,,	The MacDermot	7 1 30	5 15 0	0 10 0	
,,	,,	The MacDermot	83 2 33	48 15 0	—	
,,	,,	The MacDermot	139 2 2	83 13 0	35 0 0	Mansion house.
Cuilmore	Knocknaskeagh	Miss Sullivan	26 0 0	1 0 0	—	
,,	Gorteen	John L. Powell	86 0 30	34 5 0	0 10 0	
Drumrat	Bearvaish	Reps. Mrs. Eleanor Jackson	56 3 23	36 5 0	0 10 0	
,,	Knockanahen	Reps. Eleanor Jackson	124 2 38	60 5 0	4 0 0	
,,	,,	Reps. Eleanor Jackson	3 1 0	2 0 0	—	
,,	Knockgrania	Henry Crichton	8 2 30	0 5 0	—	
,,	Emlagh	William Griffith Phibbs	6 1 3	0 10 0	—	
,,	Attiville	Owen Phibbs	64 1 9	39 0 0	1 10 0	
,,	Kildarganmore	Owen Phibbs	96 3 11	44 10 0	0 10 0	
Kilfree	Carrowntemple	Eleanor Costelloe and Honoria Irwin	187 2 1	1 10 0	—	
Killadoon	Ballindoon	Percy Gethin	34 2 18	19 15 0	0 15 0	
,,	Derry Beg	Percy Gethin	53 2 38	20 8 0	0 17 0	
,,	,,	Percy Gethin	22 2 30	15 5 0	2 10 0	
,,	Kingsborough	Percy Gethin	93 0 28	58 15 0	22 10 0	Mansion house.
,,	Inishmore Island	Percy Gethin	44 2 28	30 0 0	0 10 0	
,,	Annaghcarthy	Thomas Conboy	4 3 30	—	—	
,,	Cabragh	Johnston Parke	38 2 0	3 0 0	—	
,,	,,	Johnston Parke	12 2 27	1 0 0	—	
Killaraght	Cashel	Reps. Mrs. E. F. King Harman	11 2 0	0 2 0	—	
,,	Ross	John W. Flanagan	226 1 20	171 15 0	1 0 0	
Kilmactranny	Ballycullen	Thomas Plunkett	9 1 18	—	—	
,,	Carrigeenboy	Reps. Denis M. O'Conor	15 0 20	0 5 0	—	
,,	Derrynaslieve	Robert Gough	4 3 27	—	—	
,,	Andresna	Essy Thompson	95 2 22	41 5 0	5 15 0	
Kilshalvy	Ardkeeran	James P. P. Costello	13 2 7	0 5 0	—	
,,	Ardraheen Beg	Miss Hannah P. Baker	99 0 27	74 5 0	0 15 0	
,,	Riverstown	Col. E. H. Cooper	7 1 30	0 4 0	—	
,,	Derrynagraug	Col. E. H. Cooper	4 2 11	0 5 0	—	
Templevanny	Treanmac-murtagh	Reps. Mrs. E. F. King Harman	23 2 0	0 10 0	—	
,,	Derrygolagh	Reps. Mrs. E. F. King Harman	52 3 15	0 18 0	—	
Toomour	Bearlough	Owen Phibbs	202 3 33	146 8 0	1 10 0	
,,	Binganagh	William G. Phibbs	33 1 22	20 5 0	—	
,,	Cloonacaltry	Owen Phibbs	90 2 6	60 17 0	1 0 0	
,,	Daghloonagh	William G. Phibbs	42 3 14	6 7 0	—	
,,	Knockbrack	William G. Phibbs	285 3 26	165 2 0	11 10 0	
,,	Carrowreagh	William G. Phibbs	29 2 29	0 5 0	—	
,,	Toomour	William G. Phibbs	20 3 36	0 5 0	—	

Y.—RETURN OF UNTENANTED LAND—*continued.*

COUNTY OF SLIGO, RURAL DISTRICT OF DROMORE WEST.

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation. Land.	Rateable Valuation. Buildings.	Observations.
			A. R. P.	£ s. d.	£ s. d.	
Aughris ..	Corkagh More	Sir Malby Crofton, Bart. ..	41 1 2	28 5 0	—	
,,	Garryduff ..	George Beatty	80 3 0	75 10 0	0 15 0	
,,	Corkagh Beg	Sir Malby Crofton, Bart. ..	52 2 4	48 0 0	—	
,,	,,	Sir Malby Crofton Bart. ..	7 0 25	7 0 0	—	
,,	Doorflin Lower	Harriet and Ida M'Munn ..	128 2 2	79 10 0	1 0 0	
Buncrowey ..	Owney Keevan or Tawnamaddoo.	John L. Brinkley	25 3 20	5 7 0	—	
,,	,,	John L. Brinkley	714 2 2	4 10 0	—	
,,	Ballynahowna	James H. Hall	97 2 0	3 15 0	—	
,,	Lecarrow ..	Colonel Edward H. Cooper ..	19 3 33	5 0 0	—	
,,	Buncrowey ..	John L. Brinkley	90 3 13	1 10 0	—	
,,	Knockanbaun	John L. Brinkley	111 3 25	4 0 0	—	
,,	Fartannan ..	John L. Brinkley	424 2 3	7 8 0	—	
,,	Rathgoonaun	Colonel Edward H. Cooper ..	1,034 0 12	6 15 0	—	
,,	Toorboy ..	John L. Brinkley	7 3 39	—	—	
,,	Portaghbradagh	John L. Brinkley	3 1 26	—	—	
,,	Knockacullen	Thaddeus Tiernan	94 1 13	80 15 0	20 0 0	Mansion house.
,,	,,	Thomas Tiernan	7 2 20	5 5 0	—	
,,	C mcuill ..	Reps. Grace Neddrie ..	25 3 29	2 0 0	—	
,,	,,	Reps. Grace Neddrie ..	317 3 20	32 5 0	20 5 0	Mansion house.
,,	,,	Grace Neddrie ..	10 0 0	0 5 0	—	
,,	Cuskernagh ..	Grace Neddrie	8 2 0	1 0 0	0 5 0	
Castleconor East	Tullyfin or Ballyfeenaun	The Hon. George Ormsby Gore	34 0 32	0 10 0	—	
,,	Muingwore ..	Sarah J. P. Knox Gore ..	172 2 35	2 13 0	—	
,,	Cloonkeelaun	Matilda S. Knox Gore ..	36 0 0	0 10 0	—	
,,	,,	Matilda S. Knox Gore ..	1,254 3 6	6 0 0	—	
,,	Carns ..	The Hon. George Ormsby Gore	431 1 24	16 10 0	—	
Castleconor West	Scurmore ..	Reps. S. L. Lewis	197 2 19	135 0 0	37 10 0	Mansion house.
,,	,,	Reps. S. L. Lewis	0 2 15	0 10 0	—	
,,	,,	Reps. S. L. Lewis	3 3 26	2 10 0	2 0 0	
,,	Knockagower	Reps. Richard Hall	93 0 21	43 0 0	0 10 0	
,,	Ballymoghany	Reps. S. L. Lewis	72 2 31	20 10 0	—	
,,	Rinroe ..	Reps. S. L. Lewis	36 1 2	21 10 0	—	
,,	Bunnanilra ..	Reps. S. L. Lewis	9 2 3	—	—	
,,	Corbally ..	Sarah J. P. Knox Gore ..	59 3 30	0 11 0	—	
,,	Carraun ..	Reps. S. L. Lewis	1 0 15	0 5 0	—	
,,	Knockbrack ..	Reps. S. L. Lewis	81 1 11	0 10 0	—	
,,	Emlymoran ..	Matilda S. Knox Gore ..	100 3 4	1 0 0	—	
,,	Farranimish	Matilda S. Knox Gore ..	3 1 20	1 10 0	—	
,,	,,	Matilda S. Knox Gore ..	36 1 35	0 10 0	—	
Dromard East	Carrownacreevy	Richard J. Verschoyle ..	0 1 25	0 2 0	—	
,,	Tanrego West	Alexander Crichton	277 2 1	230 0 0	37 0 0	Mansion house.
,,	Tanrego East or Carrowmore	Richard J. Verschoyle ..	234 3 5	152 10 0	25 0 0	Mansion house.
,,	,,	Reps. Richard J. Verschoyle ..	29 2 10	6 0 0	—	
,,	Barnabrack ..	Richard J. Verschoyle ..	17 2 24	5 0 0	—	
,,	Lugbaun ..	Richard J. Verschoyle ..	30 3 4	5 10 0	—	
,,	Derinch Island.	Richard J. Verschoyle ..	86 0 28	40 0 0	0 10 0	
,,	Small Island	Alexander Crichton	2 0 28	1 0 0	—	
,,	Carrowkeel ..	Richard J. Verschoyle ..	11 0 0	3 10 0	—	
,,	Loughaunnacrannoge.	Peter Gilhooly	44 3 11	30 10 0	0 10 0	
Dromard West	Longford Demesne	Sir Malby Crofton, Bart. ..	201 0 38	137 0 0	30 0 0	Mansion house.
,,	Carrowbleagh East	Sir Malby Crofton, Bart. ..	56 3 16	44 3 0	2 0 0	
,,	Toorard	Sir Malby Cofton Bart. ..	8 1 38	4 10 0	1 5 0	
,,	Lavagh ..	Sir Malby Crofton, Bart. ..	200 0 10	36 5 0	0 15 0	
,,	Cloonagh ..	Sir Malby Crofton, Bart. ..	19 3 32	10 5 0	0 10 0	
,,	,,	Sir Malby Crofton, Bart ..	557 0 0	9 0 0	—	
,,	Carroward ..	Sir Malby Crofton, Bart. ..	383 2 15	12 7 0	—	
,,	,,	Sir Malby Crofton, Bart. ..	28 0 7	0 15 0	—	
Dromore ..	Dromore ..	William Browne Loughead ..	176 0 24	101 0 0	16 5 0	Mansion house
,,	Farranmacfarrell	Alexander Cuffe	4 2 34	2 5 0	—	
,,	,,	Alexander Cuffe	105 2 4	61 15 0	7 5 0	Mansion house.
,,	,,	Alexander Cuffe	5 0 30	2 0 0	0 5 0	
,,	,,	Alexander Cuffe	14 2 10	5 5 0	—	
,,	Carrowmably	Colonel J. R. S. Kirkwood ..	80 3 22	67 0 0	1 0 0	
,,	,,	Colonel J. R. S. Kirkwood ..	0 3 3	0 15 0	—	
,,	Carrowcur ..	Alexander Cuffe	22 3 0	16 5 0	—	
,,	Cloonascoppagh	Alexander Cuffe	17 3 38	13 15 0	0 10 0	
Easky ..	Bunowna ..	John L. Brinkley	141 2 21	156 0 0	7 0 0	
,,	Sraheens ..	John L. Brinkley	55 2 9	44 0 0	0 10 0	
,,	Aderavoher	John L. Brinkley	2 2 4	2 15 0	—	
,,	,,	John L. Brinkley	21 3 15	20 15 0	—	
,,	Keadews ..	John L. Brinkley	10 1 0	8 0 0	4 0 0	
,,	Cloonagleavragh Park	John L. Brinkley	24 1 14	17 15 0	—	
,,	Rathmeel ..	Reps. Richard Hale	82 1 2	58 1 0	4 10 0	

APPENDIX IX.

Y.—RETURN OF UNTENANTED LAND—*continued.*

COUNTY OF SLIGO, RURAL DISTRICT OF DROMORE WEST—*continued.*

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation. Land.	Rateable Valuation. Buildings.	Observations.
			A. R. P.	£ s. d.	£ s. d.	
Easky ..	Ballybeg ..	John L. Brinkley	19 2 30	5 10 0	—	
,,	Fortland ..	John L. Brinkley	30 2 5	28 10 0	2 5 0	
,,	,,	John L. Brinkley	274 1 7	157 0 0	39 5 0	Mansion house.
,,	,,	John L. Brinkley	32 3 9	0 16 0	—	
,,	,,	John L. Brinkley	2 1 25	0 10 0	—	
,,	Kilmacurkan	John L. Brinkley	85 3 32	32 7 0	20 3 0	
,,	Cloonagleavragh	John L. Brinkley	126 0 11	86 0 0	5 0 0	
,,	,,	John L. Brinkley	12 2 35	3 0 0	—	
,,	,,	John L. Brinkley	26 3 25	14 10 0	3 10 0	
,,	Killeenduff ..	James M'Munn, M.D.	74 1 10	75 0 0	18 0 0	Mansion house.
,,	,,	James H. Hale	27 3 0	26 0 0	32 0 0	Mansion house.
,,	,,	James H. Hale	166 3 35	166 0 0	1 10 0	
,,	,,	James H. Hale	77 3 5	35 10 0	7 0 0	
,,	,,	James L. Cuffe	147 2 20	114 0 0	2 0 0	
,,	Ballymeeny (Jones)	R. P. Worthington	8 0 26	—	—	
,,	Ballymeeny (Armstrong)	R. P. Worthington	8 2 0	0 10 0	—	
,,	Kilmacurkan ..	John L. Brinkley	167 3 18	3 5 0	—	
,,	Clooneen ..	Thomas Stenson	15 2 30	1 15 0	—	
,,	Doonaltan	Thomas J. Barstow	7 2 20	5 5 0	—	
Easky West ..	Carrownrush ..	Charles Tottenham	119 1 11	80 16 0	—	
,,	Finned ..	Charles Tottenham	27 3 18	6 5 0	—	
,,	,,	Colonel Tottenham	20 0 23	16 0 0	1 10 0	
,,	Carrownrod	Charles Tottenham	64 3 11	17 15 0	0 15 0	
,,	,,	Charles Tottenham	21 1 21	4 15 0	0 10 0	
,,	Castletown	Thomas G. Fenton, M.D. ..	107 2 25	94 15 0	11 0 0	Mansion house.
,,	,,	Thomas G. Fenton, M.D. ..	18 3 14	25 15 0	—	
,,	Cabraghkeel	William R. Fenton	29 3 10	23 10 0	—	
,,	,,	William R. Fenton	1 3 20	0 15 0	0 10 0	
Kilglass ..	Kilglass ..	Henry M'Carrick	251 1 35	174 15 0	37 0 0	Mansion house.
,,	,,	Henry M'Carrick	19 2 23	20 15 0	—	
Mullagheruse	Crowagh or Dunneill Mountain	Colonel Edward H. Cooper ..	47 3 0	2 5 0	4 0 0	
Rathmacurkey	Coogn ..	John Howley	51 0 20	8 15 0	—	
,,	,,	John Howley	364 1 39	128 0 0	26 0 0	Mansion house.
,,	Owenbeg ..	Colonel John Howley	1,211 2 21	6 15 0	—	
,,	,, ..	Colonel John Howley ..	8 0 7	1 3 0	—	
,,	Oghil ..	Robert W. Armstrong ..	163 2 1	60 15 0	17 0 0	Mansion house.
,,	Ballyogan ..	Owen Phibbs	13 3 10	0 5 0	—	
,,	,,	Owen Phibbs	56 3 15	2 0 0	—	
,,	Culleens ..	Colonel James Campbell ..	320 3 20	2 0 0	—	
,,	,,	Reps. R. Hall	136 1 36	1 5 0	—	
,,	,,	Robert Burke	25 0 38	11 0 0	1 0 0	
Skreen ..	Lecarrow ..	Anthony Guilfoyle	21 1 35	14 0 0	31 0 0	Mansion house.
,,	,,	Anthony Guilfoyle	3 0 30	1 10 0	0 10 0	
,,	Farranyharpy	William D. Webber	4 1 0	1 10 0	—	
Templeboy North	Rathglass ..	Robert G. Hillas	23 1 36	1 8 0	—	
,,	Doonycoy ..	Robert G. Hillas	75 0 24	63 15 0	1 0 0	
,,	,,	Robert G. Hillas	2 1 20	2 0 0	—	
,,	Ardkill ..	Robert G. Hillas	75 2 5	80 0 0	—	
,,	Carrowmacrory	Robert G. Hillas	132 3 31	123 10 0	33 5 0	Mansion house.
,,	Ballyeeskeen	Robert G. Hillas	1 2 0	0 15 0	—	
Templeboy South	Dunowla ..	Robert G. Hillas	598 1 25	4 6 0	—	
,,	Ballygreighan	Henry E. King	335 1 15	227 5 0	10 0 0	
Toberpatrick East	Derk Beg ..	Alexander Crichton	52 2 36	53 15 0	8 0 0	

COUNTY OF SLIGO, RURAL DISTRICT OF SLIGO.

Ballintogher East	Castleroe ..	John Mulhall, Simon Cullen and Others	303 3 16	3 10 0	—	
,,	,,	John Mulhall, Simon Cullen and Others	15 3 2	11 15 0	—	
,,	Crossboy ..	John Mulhall, Simon Cullen and Others	3 2 35	2 5 0	—	
,,	,,	John Mulhall, Simon Cullen and Others	266 3 0	3 7 0	—	
,,	Dromore ..	John Mulhall, Simon Cullen and Others	164 0 28	2 16 0	—	
,,	Gortlownan	John Mulhall and Reps. Simon Cullen	28 1 35	20 0 0	—	
	Islands in Lough Gill :					
,,	Inishfree ..	William Griffith	0 3 29	—	—	
,,	Slishwood Island	Owen Wynne	0 3 28	—	—	
,,	Killerry ..	William J. Griffith	157 0 7	6 7 0	0 5 0	
,,	,,	William J. Griffith	1,095 1 27	128 18 0	4 0 0	

Y.—RETURN OF UNTENANTED LAND—*continued.*

COUNTY OF SLIGO, RURAL DISTRICT OF SLIGO—*continued.*

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation. Land.	Rateable Valuation. Buildings.	Observations.
			A. R. P.	£ s. d.	£ s. d.	
Ballintogher East	Slishwood ..	Owen Wynne	374 3 4	25 10 0	2 10 0	
Ballintogher West	Aghamore Far	Owen Wynne	9 2 10	5 0 0	0 15 0	
,,	,,	Owen Wynne	163 2 33	12 15 0	—	
,,	Carrownagh ..	Major F. E. Cooper	12 2 35	1 15 0	—	
,,	,,	Major F. E. Cooper	2 2 0	0 5 0	—	
,,	,,	Major F. E. Cooper	602 1 23	10 5 0	—	
,,	Carrowna-muddoo	Reps. Samuel Barrett ..	147 2 31	4 0 0	—	
,,	Cartronhugh ..	Major F. E. Cooper	22 0 24	0 15 0	—	
,,	Castledargan ..	Rep. Col. Cooper	702 1 6	42 10 0	—	
,,	,,	John Hosie	194 3 20	160 15 0	14 0 0	Mansion house
,,	Correagh ..	Major F. E. Cooper	217 1 30	14 1 0	0 7 0	
,,	Killeenduff ..	Rep. Col. E. H. Cooper	49 3 39	23 0 0	—	
Ballymote ..	Ballybrennan	Sir Jocelyn C. Gore Booth, Bt.	107 2 13	0 10 0	—	
,,	Carrownanty ..	Sir Jocelyn C. Gore Booth, Bt.	52 0 23	46 15 0	—	
,,	Keenaghan ..	Sir Henry Gore Booth, Bt. ..	1 3 21	0 10 0	—	
,,	Rathdoony More	Sir Henry Gore-Booth, Bt. ..	65 0 36	1 0 0	—	
,,	Carrigeenmore	Sir Henry Gore Booth, Bt. ..	82 0 34	1 5 0	—	
,,	Bellanascarrow West	Sir Jocelyn C. Gore Booth, Bt.	10 1 0	6 10 0	—	
,,	Andrea ..	Sir Jocelyn C. Gore-Booth, Bt.	11 0 16	2 10 0	—	
,,	Cloonagashel ..	Sir Jocelyn C. Gore-Booth, Bt.	16 2 20	2 10 0	—	
Ballynakill ..	Ardleebeg ..	Capt. W. J. Griffith	0 1 15	0 8 0	—	
,,	Ballynakill ..	Hon. George Ormsby Gore ..	4 0 20	0 2 0	—	
,,	Ballysumaghan	M. F. B. Stack	200 2 0	133 13 0	30 0 0	Mansion house
,,	Carrickcoola ..	Hon. George Ormsby Gore ..	22 2 35	0 10 0	—	
,,	Cloonagh ..	Rep. Richard Green	8 0 19	0 5 0	—	
,,	Clooneally ..	Rep. E. Jackson	112 2 0	60 4 0	0 11 0	
,,	Clooshire ..	Hon. George Ormsby Gore ..	5 0 0	4 5 0	—	
,,	Drumee ..	Anne Wood Martin ..	61 2 0	0 15 0	—	
,,	Kinkillew ..	Hon. George Ormsby Gore ..	6 1 0	2 6 0	—	
,,	Lurgan ..	Alexander Sim	54 2 2	42 0 0	1 0 0	
,,	Srananagh ..	Owen Phibbs	18 0 15	0 10 0	—	
,,	Tunnagh ..	Col. W. H. Hippesley and Charlotte A. Sullivan	24 2 0	0 5 0	—	
,,	,,	Col. W. H. Hippesley and Charlotte A. Sullivan	8 1 28	—	—	
Ballysodare East	Abbeytown ..	Mrs. H. Campbell	129 0 21	108 15 0	5 0 0	
,,	,,	Reps. H. Campbell	3 2 2	2 15 0	—	
,,	,,	Mrs. H. Campbell	14 0 19	6 5 0	0 5 0	
,,	,,	Reps. H. Campbell	2 3 20	2 0 0	—	
,,	,,	Reps. H. Campbell	9 1 0	8 5 0	—	
,,	Ardcotter ..	Reps. William Phibbs ..	34 1 39	29 15 0	—	
,,	Carricknagat	Reps. William Phibbs ..	123 2 29	69 8 0	0 10 0	
,,	Knoxpark ..	Reps. William Phibbs ..	63 1 32	40 15 0	1 5 0	
Ballysodare West	Bella ..	Charles Kane O'Hara	67 1 29	35 9 0	0 10 0	
,,	Crockacullion	Charles Kane O'Hara	100 3 17	6 0 0	—	
,,	Glen ..	Charles Kane O'Hara	116 0 29	7 10 0	0 10 0	
,,	Lugnadeffa ..	Charles Kane O'Hara	64 0 12	3 0 0	1 0 0	
,,	Moymlough ..	Charles Kane O'Hara	116 1 9	39 10 0	2 0 0	
,,	Stonehall or Carrowna-geeragh	Charles Kane O'Hara	50 0 30	2 10 0	—	
,,	Streamstown ..	Alexander Sim	100 0 38	62 0 0	—	
,,	Tanrego Intake	Richard J. Verschoyle ..	3 2 2	0 10 0	—	
,,	,,	Frances M. Olpherts	74 3 38	15 0 0	—	
,,	Tullaghan ..	Charles Kane O'Hara	1 1 35	0 10 0	—	
Bricklieve ..	Ballinvoher ..	Henry Crichton	183 2 8	157 17 0	6 8 0	
,,	Bricklieve ..	Sir Henry Gore Booth, Bt. ..	3 1 20	0 5 0	—	
,,	Cletty ..	Sir Jocelyn C. Gore Booth, Bt.	120 1 34	93 5 0	2 0 0	
,,	,,	Sir Jocelyn C. Gore-Booth, Bt.	14 1 15	9 0 0	0 15 0	
,,	Coolskeagh ..	Sir Henry Gore Booth, Bt.	13 2 12	0 10 0	—	
,,	Lugacaha ..	Henry Crichton	76 1 34	64 12 0	—	
Calry ..	Barroe ..	Owen Wynne	1 0 39	0 15 0	—	
,,	Bellanurly ..	Owen Wynne	1 0 25	0 15 0	—	
,,	Carrowhistia ..	Owen Wynne	4 2 34	0 10 0	0 15 0	
,,	Cleaveragh Demesne.	Anne Wood Martin	63 0 9	51 15 0	—	
,,	Clogher Beg ..	Owen Wynne	96 0 5	54 1 0	—	
,,	Clogher More	Owen Wynne	50 0 25	28 15 0	—	
,,	Corwillick ..	Owen Wynnne	8 3 7	4 0 0	—	
,,	Doonally ..	Roger K. Parke	202 1 3	145 10 0	8 15 0	
,,	Faughts ..	Owen Wynne	1 2 17	0 15 0	—	
,,	,,	Owen Wynne	0 3 4	0 5 0	—	
,,	Formoyle ..	Owen Wynne	115 2 17	2 15 0	—	
,,	Glackbaun ..	Roger K. Parke	50 1 29	3 0 0	—	
,,	Hazelwood Demesne	Owen Wynne	814 1 33	699 15 0	120 10 0	Mansion house.
,, ..	Islands in Lough Gill	Owen Wynne	66 1 28	27 0 0	2 4 0	
,,	Kiltycahill ..	Owen Wynne	363 2 4	286 10 0	5 0 0	

APPENDIX IX.

Y.—RETURN OF UNTENANTED LAND—*continued.*

COUNTY OF SLIGO, RURAL DISTRICT OF SLIGO—*continued.*

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation.		Observations.
				Land.	Buildings.	
			A. R. P.	£ s. d.	£ s. d.	
Calry	Lisduff ..	Lord Harlech	41 0 4	32 10 0	0 10 0	
,,	Magherryhan-rush or Deer-park	Owen Wynne	270 2 37	122 0 0	2 0 0	
,,	Tully ..	Owen Wynne	6 0 20	2 0 0	—	
,,	Willowbrook ..	Lord Harlech	68 3 18	60 0 0	3 0 0	
Carney ..	Ballyna-galliagh	Owen Wynne	218 0 25	13 8 0	—	
,,	Barnarobin ..	Sir Henry Gore Booth, Bt. ..	495 2 9	90 10 0	2 0 0	
,,	Cullagh Beg	Sir Henry Gore Booth, Bt. ..	13 2 18	7 0 0	—	
,,	Gortarowey ..	Sir Henry Gore Booth, Bt. ..	165 1 24	8 0 0	0 15 0	
,,	Slievemore or Kingsmountain	Trustees of Erasmus Smith's Schools	704 1 19	16 0 0	—	
,,	Urlar	Sir Henry Gore Booth, Bt. ..	0 2 10	0 10 0	—	
Carrickbanagher	Ballynaboll ..	Thomas Randle Phibbs	96 3 22	71 5 0	0 10 0	
,,	,,	Thomas Randle Phibbs ..	5 0 34	2 10 0	—	
,,	,,	Thomas Randle Phibbs ..	81 2 7	42 10 0	—	
,,	,,	Thomas Randle Phibbs ..	170 3 13	101 5 0	22 0 0	Mansion house
,,	Carrickbanagher	Edward Farrell ..	28 1 14	0 10 0	—	
,,	Knockmullin ..	The Misses Cooper ..	9 1 27	—	—	
,,	Lissaneena ..	Thomas Randle Phibbs ..	181 0 35	93 5 0	2 10 0	
,,	Carrigeen-sallagh	H. C. Tweedy	104 0 37	80 10 0	0 15 0	
Cliffony North	Ballinphuill ..	Hon. Evelyn Ashley	8 1 11	5 18 0	—	
,,	,,	Hon. Evelyn Ashley	7 0 0	5 15 0	—	
,,	,,	Hon. Evelyn Ashley	3 1 29	2 15 0	—	
,,	,,	Hon. Evelyn Ashley	25 3 37	20 15 0	—	
,,	Bunduff ..	Hon. Evelyn Ashley	176 1 30	3 15 0	—	
,,	,,	Hon. Evelyn Ashley	7 3 5	3 5 0	—	
,,	,,	Hon. Evelyn Ashley	2 3 5	0 17 0	—	
,,	,,	Hon. Evelyn Ashley	6 2 9	1 10 0	—	
,,	,,	Hon. Evelyn Ashley	10 1 10	3 12 0	—	
,,	,,	Hon. Evelyn Ashley	9 2 0	4 0 0	0 10 0	
,,	Cartronplank	Hon. Evelyn Ashley	5 0 36	0 15 0	—	
,,	,,	Hon. Evelyn Ashley	8 1 30	1 7 0	—	
,,	,,	Hon. Evelyn Ashley	72 3 23	5 7 0	—	
,,	Creevykeel ..	Hon. Evelyn Ashley	150 1 17	3 15 0	—	
,,	Creevymore ..	Hon. Evelyn Ashley	129 0 19	17 15 0	8 10 0	
,,	Grellagh ..	Hon. Evelyn Ashley	70 2 34	11 15 0	—	
,,	Kilkilloge ..	Hon. Evelyn Ashley	115 1 24	65 10 0	16 0 0	
,,	,,	Hon. Evelyn Ashley	93 0 3	10 0 0	2 5 0	
,, ..	Mullaghmore	Hon. Evelyn Ashley	16 2 37	9 5 0	4 0 0	
,,	,,	Hon. Evelyn Ashley	858 2 1	131 19 0	69 0 0	Mansion house.
,,	,,	Hon. Evelyn Ashley	5 0 5	3 0 0	1 10 0	
Cliffony South	Ballincastle ..	Hon. Evelyn Ashley	34 1 37	3 5 0	1 5 0	
,,	Castlegowan ..	Col. W. H. Hippesley and Charlotte A. Sullivan ..	182 1 34	4 18 0	—	
,,	Cloonerco ..	Col. W. H. Hippesley and Charlotte A. Sullivan	309 0 30	6 11 0	—	
,,	Cloysparra ..	Hon. Evelyn Ashley	24 2 29	1 0 0	—	
,,	Dernish Island	Hon. Evelyn Ashley	19 1 8	5 18 0	—	
,,	Drumfad ..	Hon. Evelyn Ashley	124 1 16	0 10 0	—	
,,	Edenreagh ..	Hon. Evelyn Ashley	114 0 12	5 5 0	—	
,,	Kilcat ..	Hon. Evelyn Ashley	17 0 20	1 0 0	—	
,,	Moneygold ..	Major Gerrard M. Eccles ..	160 1 14	135 0 0	13 0 0	Mansion house.
,,	,,	Hon. Evelyn Ashley	11 0 30	5 5 0	—	
,,	Mount Temple	Hon. Evelyn Ashley	1 0 27	0 10 0	—	
,,	Mullaghmore West	Hon. Evelyn Ashley	136 0 25	6 10 0	—	
,,	Rathfrask ..	Charlotte A. Sullivan and Col. W. H. Hippesley ..	84 0 6	2 15 0	—	
,,	Newtown-cliffony	Hon. Evelyn Ashley ..	26 2 16	2 15 0	0 15 0	
Collooney ..	Knockmuldoney	Col. E. H. Cooper	7 1 10	6 3 0	—	
,,	,,	Rep. Col. E. H. Cooper ..	1 1 10	1 0 0	0 10 0	
,,	Ballysadare ..	Col. E. H. Cooper	40 0 15	7 5 0	1 0 0	
,,	Glennagoolagh	Col. E. H. Cooper	173 3 11	9 0 0	—	
,,	Union ..	Col. E. H. Cooper	869 0 14	158 5 0	7 0 0	
,,	Cloonmacduff	Col. E. H. Cooper	255 3 15	166 0 0	1 0 0	
,,	Collooney ..	Col. E. H. Cooper	4 0 5	4 10 0	—	
,,	,,	Col. E. H. Cooper	35 2 4	36 15 0	—	
,,	Rathrippin ..	Col. E. H. Cooper	19 0 39	15 10 0	1 10 0	
,,	,, ..	Col. E. H. Cooper	14 1 8	9 0 0	3 0 0	
,,	Ardcurley ..	Col. E. H. Cooper	24 1 36	18 15 0	—	
,,	,,	Col. E. H. Cooper	43 2 8	36 0 0	—	
,,	,,	Col. E. H. Cooper	3 0 12	—	—	
,,	Markree Demesne	Col. E. H. Cooper	497 0 24	400 0 0	90 0 0	Mansion house.
,,	Mullaghnabreena	Col. E. H. Cooper	4 2 27	—	—	
,,	Ballydawley ..	Col. E. H. Cooper	45 3 18	17 0 0	—	
,,	,,	Col. E. H. Cooper	41 3 22	12 5 0	1 10 0	
,,	,,	Col. E. H. Cooper	1 0 10	0 10 0	0 10 0	
,,	,,	Reps. Col. E. H. Cooper ..	24 0 30	15 0 0	0 5 0	
,,	,,	Col. E. H. Cooper	0 2 13	0 5 0	—	

Y.—RETURN OF UNTENANTED LAND—*continued.*

COUNTY OF SLIGO, RURAL DISTRICT OF SLIGO—*continued.*

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation.		Observations.
				Land.	Buildings.	
			A. R. P.	£ s. d.	£ s. d.	
Collooney ..	Ballydawley ..	Col. E. H. Cooper	342 1 39	21 0 0	2 0 0	
,,	Ballygrania	Col. E. H. Cooper	55 3 11	38 12 0	1 10 0	
,,	Clooneenroe ..	Col. E. H. Cooper	99 0 33	91 10 0	40 0 0	
,,	Tullymore ..	Col. E. H. Cooper	85 2 7	80 10 0	0 15 0	
,,	Cooperhill or Gobbadagh	Col. E. H. Cooper	134 2 38	68 0 0	—	
,,	Knockrawer ..	Col. E. H. Cooper	179 0 26	119 5 0	—	
Drumcliff East	Doonally: ..	Roger K. Parke	182 2 36	165 15 0	44 0 0	Mansion house.
,,	Rahaberna	Alexander Lyons	56 3 33	50 0 0	8 0 0	
,,	Shannon Eighter	Owen Wynne ..	4 0 11	3 17 0	—	
,,	Shannon Oughter	Roger K. Parke	176 3 25	160 15 0	2 5 0	
,,	,,	Anne Wood Martin	8 2 24	9 0 0	—	
Drumcliff West	Ballincar ..	Owen Wynne	1 1 0	0 15 0	—	
,,	,,	Owen Wynne	43 0 9	48 15 0	—	
,,	Ballyweelin ..	Owen Wynne	3 3 20	1 10 0	—	
,,	,,	Owen Wynne	1 2 20	0 10 0	—	
,,	,,	Owen Wynne	13 3 20	8 15 0	—	
,,	Drumcliff Glebe	Charles G. Rogers	30 0 35	33 5 0	0 5 0	
,,	Magheragiller-neeve or Spring-field.	Owen Phibbs	116 1 4	98 10 0	3 10 0	
,,	Rosses Lower	Reps. William Middleton ..	247 0 37	49 15 0	—	
,,	Rosses Upper	Reps. William Middleton ..	0 3 20	1 0 0	—	
,,	,,	Reps. William Middleton ..	0 3 19	1 0 0	—	
,,	,,	Reps. William Middleton ..	2 2 30	0 15 0	—	
,,	,,	Reps. William Middleton ..	115 2 27	31 15 0	—	
,,	,,	Reps. William Middleton ..	12 3 0	10 15 0	18 10 0	
,,	,,	Reps. William Middleton ..	2 3 0	2 10 0	—	
Drumcolumb ..	Glen ..	Anne Wood Martin	101 3 30	1 10 0	—	
,,	Lavally (Bally-sumaghan)	Anne Wood Martin	1 1 30	1 0 0	—	
,,	Lavally (Killerry)	Col. G. Wood Martin ..	179 3 31	1 10 0	—	
,,	Mullaghmore	Col. W. G. Wood Martin ..	44 3 0	22 10 0	1 0 0	
,,	Rockbrook ..	Col. W. G. Wood Martin ..	9 3 20	4 5 0	—	
,,	Rooghan ..	Anne Wood Martin	48 2 15	1 0 0	—	
Drumfin ..	Branchfield ..	Robert A. Duke	288 2 9	195 10 0	8 10 0	
,,	Cloonlurg ..	John James Clifford ..	65 3 0	2 0 0	—	
,,	,,	Jemmet Duke	18 2 38	13 0 0	0 10 0	
,,	Deerpark ..	Arthur O'Hara	123 1 24	52 0 0	—	
,,	Doobeg ..	Alexander Duke	65 3 38	37 0 0	1 0 0	
,,	Drumfin ..	Robert Orme	57 0 39	1 5 0	—	
,,	Kilmorgan ..	Jemmet Duke	89 2 8	63 5 0	5 0 0	
,,	,,	Jemmet Duke	16 1 30	13 7 0	—	
,,	Knockmoynagh	Jemmet Duke	9 0 16	6 15 0	—	
Glencar ..	Lugatober ..	Harper Campbell	3 3 17	1 10 0	—	
,,	Lugnagall ..	Harper Campbell	1 2 0	0 15 0	—	
Kilmacowen ..	Ballydoogan ..	William G. Wood Martin ..	106 1 0	130 10 0	1 5 0	
,,	,,	Anne G. L. Popham	43 3 10	70 10 0	—	
,,	Carrowmore ..	Earl of Erne	10 0 30	0 10 0	—	
,,	Derrydarragh or Oakfield	Frank Gethin	37 0 0	46 0 0	—	
,,	Lisheenacoor-avan	Catherine Phibbs	53 3 27	51 10 0	55 0 0	Mansion house.
,,	Seafield ..	Owen Phibbs	112 3 2	78 0 0	—	
,,	Templenabree	Robert Shaw	55 3 27	45 10 0	1 0 0	
Knocknaree	Carrowdough	James Hamilton	73 2 33	54 0 0	—	
,,	Carrowbunaun	John F. Walker	18 0 37	5 15 0	0 15 0	
,,	Cartron (Honoria Duff)	John F. Walker	7 2 15	5 17 0	—	
,,	Cummeen ..	Charles T. G. Ormsby ..	9 3 0	7 0 0	—	
,,	,,	Charles T. G. Ormsby ..	20 1 25	11 10 0	—	
,,	Drinaghan ..	John F. Walker	80 1 24	58 8 0	3 15 0	
,,	Finisklin ..	Col. Wood Martin	2 1 5	2 4 0	—	
,,	,,	Col. Wood Martin	0 2 20	0 15 0	—	
,,	Grange North	Andrew Jameson	32 0 25	24 0 0	1 0 0	
,,	Grange West	Andrew Jameson	56 2 23	44 5 0	—	
,,	Inishmulclohy or Coney Island.	Dr. H. C. Tweedy	14 3 13	13 10 0	2 0 0	
,,	,,	Dr. H. C. Tweedy	52 2 32	32 0 0	1 0 0	
,,	Knappaghmore	A. S. L. Popham	103 3 0	100 0 0	1 0 0	
,,	Knocknarea North	John F. Walker	208 3 28	22 19 0	0 15 0	
,,	Lecarrow	John F. Walker	52 1 24	68 0 0	—	
,,	Primrose Grange	Capt. George Gethin ..	109 1 16	85 0 0	4 0 0	
,,	Rathcarrick ..	John F. Walker	234 2 16	141 17 0	63 0 0	Mansion house.
,,	Rathonoragh ..	Anne G. L. Popham	14 2 33	17 0 0	—	
,,	Scarden Beg	John F. Walker	103 2 36	85 15 0	1 10 0	
Lakeview ..	Carrowreagh ..	Reps. Richard G. Brinkley ..	7 2 21	2 10 0	—	
,,	Cartronroe ..	Reps. Launcelott Weir ..	11 3 25	0 10 0	—	
,,	Drumshinnogh	Reps. William Conboy ..	4 2 20	—	—	

APPENDIX IX.

Y.—RETURN OF UNTENANTED LAND—*continued.*

COUNTY OF SLIGO, RURAL DISTRICT OF SLIGO—*continued.*

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation.		Observations.
				Land.	Buildings.	
			A. R. P.	£ s. d.	£ s. d.	
Lakeview ..	Heapstown ..	Hugh McTiernan	18 2 20	11 0 0	2 10 0	
,,	,,	Hugh McTiernan	89 0 35	51 10 0	15 0 0	
,,	,,	Hugh McTiernan	2 1 0	1 5 0	—	
Lisconny ..	Cloghfin ..	Col. E. H. Cooper	14 0 20	1 0 0	—	
,,	Cloonamahan	Dr. Henry Tweedy	233 3 30	184 0 0	50 0 0	Mansion house.
,,	Coolback ..	Myles Cogan	9 0 7	0 5 0	—	
,,	Doorly ..	Kathleen E. Cooper	271 3 31	189 6 0	—	
,,	Lackagh ..	Myles Cogan	1 2 20	1 0 0	—	
,,	Lisconny	Kathleen E. Cooper	226 2 35	171 3 0	—	
,,	Lisruntagh ..	Dr. Henry Tweedy	128 3 37	83 10 0	—	
,,	Spotfield ..	Robert A. Duke	239 0 36	129 0 0	1 0 0	
Lissadill East ..	Ballinphull ..	Sir Jocelyn Gore-Booth, Bt. ..	30 1 37	0 11 0	—	
,,	Ballygilgan ..	Sir Jocelyn Gore-Booth, Bt. ..	862 2 29	670 10 0	8 10 0	
,,	Cooldrumman Upper	Sir Jocelyn Gore-Booth, Bt. ..	0 0 10	0 1 0	—	
,,	Cullagh More	Sir Jocelyn Gore-Booth, Bt. ..	156 3 23	138 2 0	5 15 0	
,,	Doonowney ..	Sir Jocelyn Gore-Booth, Bt. ..	21 3 29	13 0 0	—	
,,	,,	Sir Jocelyn Gore-Booth, Bt.	5 1 30	3 15 0	0 15 0	
,,	Finned ..	Sir Jocelyn Gore-Booth, Bt. ..	27 0 25	10 0 0	8 0 0	
,,	Lissadill ..	Sir Jocelyn Gore-Booth Bt. ..	5 3 0	3 0 0	1 0 0	
,,	,,	Sir Jocelyn Gore-Booth, Bt.	10 3 20	6 5 0	3 0 0	
,,	,,	Sir Jocelyn Gore-Booth, Bt. ..	482 2 26	418 9 0	347 1 0	Mansion house.
Lissadill North	Cloonelly ..	Sir Jocelyn Gore-Booth, Bt. ..	9 2 28	0 10 0	—	
,,	Grange ..	James Johnston	5 0 0	0 10 0	—	
,,	,,	Thomas M. Barry	7 3 5	0 10 0	—	
,,	Lislary ..	Colvill Jones	4 0 5	0 1 0	—	
,,	,,	Colvill Jones	12 3 18	0 8 0	—	
,,	Mullaghnaneane	Sir Jocelyn Gore-Booth, Bt.	68 1 2	2 9 0	—	
,,	Streedagh ..	Richard W. J. Jones	272 1 6	114 0 0	18 0 0	Mansion house.
,,	Aghagad ..	Col. W. H. Hippesley and Charlotte A. Sullivan ..	17 3 36	1 15 0	—	
Lissadill West	Cloonagh ..	Sir Jocelyn Gore-Booth, Bt. ..	10 0 0	1 5 0	—	
,,	Ballyconnell ..	John Gethin	73 1 35	5 3 0	—	
,,	Doonfore ..	Sir Jocelyn Gore-Booth, Bt. ..	11 1 11	0 10 0	—	
,,	,,	Sir Jocelyn Gore-Booth, Bt ..	185 0 20	147 10 0	4 0 0	
,,	Ballineden ..	Mrs. Huddleston	459 2 20	50 15 0	5 0 0	
,,	Ballintemple ..	Mrs. Huddleston	272 3 34	36 5 0	0 10 0	
,,	,,	John Gethin	24 2 7	4 7 0	—	
,,	Islands ..	Mrs. Huddleston	6 1 25	1 15 0	—	
Riverstown ..	Ardcumber ..	Owen Phibbs	161 2 25	100 0 0	2 0 0	
,,	Carrowcashel ..	Col. Edward H. Cooper ..	20 2 0	1 10 0	—	
,,	Fidivog ..	Reps. Richard G. Brinkley ..	9 1 10	3 0 0	—	
Rossinver East	Clogh ..	Sir Henry Gore-Booth, Bt. ..	2 1 0	0 5 0	—	
,,	,,	Sir Henry Gore-Booth, Bt. ..	10 0 0	1 15 0	—	
,,	,,	Sir Jocelyn Gore-Booth, Bt.	686 2 38	49 5 0	70 15 0	
,,	Curraghmore ..	Sir Henry Gore-Booth, Bt. ..	246 2 38	183 5 0	0 10 0	
,,	Drinaghan ..	Sir Jocelyn Gore-Booth, Bt. ..	33 0 0	1 0 0	—	
,,	,,	Sir Henry Gore-Booth, Bt. ..	11 1 0	0 5 0	—	
,,	Edencullentragh or Hollyfield.	Sir Henry Gore-Booth, Bt. ..	1 2 5	1 10 0	—	
,,	Gleniff ..	Sir Jocelyn Gore-Booth, Bt. ..	98 1 35	14 10 0	0 5 0	
,,	Gortnadrung ..	Sir Jocelyn Gore-Booth, Bt. ..	78 0 16	1 4 0	—	
,,	,,	Sir Henry Gore-Booth, Bt. ..	1 2 10	0 15 0	—	
,,	,,	Sir Jocelyn Gore-Booth, Bt. ..	8 2 31	1 5 0	—	
,,	Gortnahoula	Sir Henry Gore-Booth, Bt. ..	17 2 1	0 5 0	—	
,,	Keeloges ..	Sir Jocelyn Gore-Booth, Bt. ..	16 1 15	4 0 0	0 15 0	
,,	Moneylahan ..	Sir Henry Gore-Booth Bt. ..	19 1 4	9 0 0	—	
,,	Oughtagorey ..	Sir Jocelyn Gore-Booth, Bt. ..	190 1 37	22 0 0	—	
,,	Shancrock ..	Sir Jocelyn Gore-Booth, Bt. ..	219 1 10	6 5 0	—	
Rossinver West	Ardnaglass Upper	Hon. Evelyn Ashley	33 3 10	1 10 0	—	
,,	Barnaderg ..	Hon. Evelyn Ashley	54 0 3	0 10 0	—	
,,	Cashelgarran ..	Hon. Evelyn Ashley	33 0 35	0 5 0	—	
,,	Gortaderry ..	Hon. Evelyn Ashley	20 0 32	1 10 0	—	
,,	Gortnaleck ..	Hon. Evelyn Ashley	53 2 39	2 10 0	—	

COUNTY OF SLIGO, RURAL DISTRICT OF TOBERCURRY.

Achonry East ..	Ballincurry ..	Granville H. Knox and Others	362 3 30	2 0 0	—
,,	Carrowilkin ..	Lord Norbury	84 1 27	1 15 0	—
,,	Curry ..	Richard Phibbs	450 1 32	3 0 0	—
,,	Drumbaun ..	Owen Phibbs	27 3 39	0 9 0	—
,,	Moylough ..	George Phibbs	16 0 18	—	—
,,	,,	George Phibbs	389 2 0	2 0 0	—
Achonry West	Montiagh ..	Granville H. Knox and Others	6 3 20	0 2 0	—
,,	,,	Granville H. Knox and Others	342 3 34	2 0 0	—
,,	Curraghbonaun	Lord Harlech	251 2 32	1 10 0	—

Y.—RETURN OF UNTENANTED LAND—*continued.*

COUNTY OF SLIGO, RURAL DISTRICT OF TOBERCURRY—*continued.*

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation. Land.	Rateable Valuation. Buildings.	Observations.
			A. R. P.	£ s. d.	£ s. d.	
chonry West	Rathmagurry	Granville H. Knox and Others	6 2 7	0 3 0	—	
,,	Collrawer ..	Sir Roger W. H. Palmer, Bart.	78 3 5	1 5 0	—	
,,	Cully ..	John Kane	153 0 33	2 6 0	—	
clare ..	Belclare ..	Lord Harlech	6 2 0	0 10 0	—	
,	Letterbrone ..	Lord Harlech	34 1 30	12 10 0	—	
,,	Carns ..	Lord Harlech	43 3 15	25 10 0	18 0 0	
,,	Lislea ..	Lord Harlech	15 0 0	6 0 0	—	
,,	,,	Lord Harlech	25 2 35	13 0 0	—	
nnagh ..	Annaghmore ..	Major Charles K. O'Hara ..	285 0 8	215 10 0	2 0 0	
,,	Cloonacurra ..	Major Charles K. O'Hara ..	52 0 0	31 15 0	—	
,,	Annaghbeg ..	Major Charles K. O'Hara ..	57 3 11	57 0 0	—	
,,	,,	Major Charles K. O'Hara ..	4 0 30	2 15 0	3 5 0	
,,	Annaghmore ..	Major Charles K. O'Hara ..	556 0 34	411 0 0	68 0 0	Mansion house.
,	Arderee ..	Major Charles K. O'Hara ..	167 2 32	147 0 0	1 10 0	
,,	Ranaghan More	Major Charles K. O'Hara ..	5 2 10	4 0 0	1 0 0	
,,	,,	Major Charles K. O'Hara ..	5 3 10	1 15 0	—	
,,	Rathgran ..	Major Charles K. O'Hara ..	10 2 23	5 10 0	—	
nnada ..	Annagh ..	Captain Bridges	87 1 21	1 0 0	—	
,,	Drimina ..	Edward J. Bourns	233 3 4	2 0 0	—	
,,	Dawros ..	Lord Harlech	214 2 19	1 0 0	—	
,,	,,	Lord Harlech	45 0 34	0 5 0	—	
,,	Cloonigan ..	The MacDermot	119 1 22	—	—	
,,	Curraghboy ..	Reps. John McHugh	3 1 10	1 0 0	—	
anchfield ..	Carrowneden	Lord Harlech	65 3 11	5 10 0	—	
,	Carrownacreevy	Lord Harlech	872 3 10	10 0 0	—	
,,	,,	Lord Harlech	7 1 5	2 11 0	—	
eencorragh	Tullaghaglass	John F. H. Taaffe	4 0 10	0 15 0	3 0 0	
,,	Cloonca ..	Reps. Valentine Irwin ..	10 2 30	0 5 0	—	
rrownaskeagh	Ballinavally ..	The MacDermot	83 0 37	35 10 0	0 10 0	
,,	Carha ..	Col. Edward H. Cooper ..	493 1 37	8 5 0	—	
,,	Carrownabanny	Malby Crofton Dodwell ..	650 0 25	124 10 0	—	
,,	Carrownaskeagh	Malby Crofton Dodwell ..	706 1 38	102 15 0	11 0 0	
,,	Cabragh ..	Thomas H. Williams ..	841 3 15	14 0 0	0 5 0	
rtron ..	Carrowmore	Major Charles K. O'Hara ..	8 2 34	2 10 0	—	
,,	Carrowclooneen	Jane Lloyd, Harriet Lloyd, John Lloyd	1 3 26	1 0 0	—	
,,	Killoran North	Major Charles K. O'Hara ..	0 2 0	0 7 0	—	
,,	Carrown-loughan	William B. Lougheed ..	119 1 28	59 15 0	0 15 0	
,,	,,	William B. Lougheed ..	76 1 15	45 5 0	—	
,,	,,	William B. Lougheed ..	118 1 35	82 10 0	1 5 0	
onacool ..	Kilcummin ..	Col. Edward H. Cooper ..	42 3 0	4 6 0	—	
,,	Derreens ..	Major Francis Cooper ..	407 3 9	8 10 0	—	
,,	Ballyglass ..	Reps. Adam Mossman ..	387 1 17	117 10 0	—	
cnoghil ..	Rinnarogue ..	Alexander J. Crichton ..	180 0 23	113 6 0	1 5 0	
,,	Shancarrigeen or Oldrock	Charles J. Boyle	32 3 27	19 5 0	1 0 0	
,,	,,	Charles J. Boyle	119 0 38	82 12 0	4 18 0	
,,	,,	Charles J. Boyle	13 0 10	7 5 0	0 15 0	
,,	,,	Charles J. Boyle	7 3 35	5 0 0	0 10 0	
,,	,,	Charles J. Boyle	12 0 24	7 10 0	0 10 0	
,,	,,	Charles J. Boyle	15 1 30	10 5 0	—	
laney ..	Carrowgavneen	Major Charles K. O'Hara ..	301 0 31	5 10 0	—	
,,	,,	Major Charles K. O'Hara ..	3 1 25	1 15 0	—	
,,	Carrowna-carrick	Major Charles K. O'Hara ..	86 1 39	4 0 0	—	
,,	Carrowna-cleigha	Major Charles K. O'Hara ..	1 0 20	0 5 0	—	
,,	Carrownleam ..	Major Charles K. O'Hara ..	2 3 30	1 5 0	—	
,,	Coolaney ..	Major Charles K. O'Hara ..	5 1 24	5 15 0	—	
,,	,,	Major Charles K. O'Hara ..	11 2 14	4 13 0	—	
,,	Creevaun	Major Charles K. O'Hara ..	1 3 4	0 10 0	—	
,,	Gortakeeran ..	Major Charles K. O'Hara ..	448 2 30	8 0 0	—	
,,	Rathbarran ..	Major Charles K. O'Hara ..	8 0 15	4 0 0	—	
,,	Rathmore ..	Major Charles K. O'Hara ..	357 0 19	180 2 0	1 0 0	
,	,,	Major Charles K. O'Hara ..	4 3 32	2 5 0	—	
,,	Rathosey ..	Major Charles K. O'Hara ..	14 2 15	8 0 0	—	
,,	,,	Major Charles K. O'Hara ..	627 1 23	23 5 0	0 15 0	
,,	Seevness	Major Charles K. O'Hara ..	383 3 39	11 15 0	0 5 0	
,,	Shancough ..	Major Charles K. O'Hara ..	1 2 35	1 0 0	—	
ndarragh ..	Mullaun ..	Utred A. Knox — .	286 3 24	4 0 0	—	
,,	Tullyvellia ..	Robert Layng	110 1 33	30 10 0	4 10 0	
,,	Tullycusheen Beg	Samuel Beatty	89 1 11	1 0 0	—	
,,	,,	Samuel Beatty	2 0 0	0 2 0	—	
,,	,,	Samuel Beatty	2 1 10	0 2 0	—	
,,	Sessuegarry ..	Col. Edward H. Cooper ..	469 2 23	4 0 0	0 10 0	
,,	,,	Col. Edward H. Cooper ..	117 1 0	7 5 0	—	
,,	Sessuegilroy ..	Col. Edward H. Cooper ..	112 2 0	6 0 0	—	
macteige ..	Carrowreagh ..	Edward Perdue	637 1 35	8 10 0	—	
	Kilmacteige ..	Edward Perdue	1,126 1 0	11 0 0	—	
,,	Kincuillew ..	Lord Harlech	98 2 7	1 5 0	—	

APPENDIX IX.

Y.—RETURN OF UNTENANTED LAND—*continued.*

COUNTY OF SLIGO, RURAL DISTRICT OF TOBERCURRY—*continued.*

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation. Land.	Rateable Valuation. Buildings.	Observations.
			A. R. P.	£ s. d.	£ s. d.	
Kilmacteige ..	Cloonydineen	Catherine Lambert	4 0 20	0 5 0	—	
,,	Cloonbarry ..	Henry McCarrick	7 2 30	4 0 0	—	
,,	,,	Henry McCarrick	80 3 8	64 10 0	22 0 0	Mansion house.
,,	,,	Henry McCarrick	30 2 31	10 10 0	—	
,,	,,	Henry McCarrick	2 1 20	0 15 0	—	
,,	,,	Henry McCarrick	26 2 30	20 0 0	—	
,,	,,	Henry McCarrick	80 3 20	50 0 0	—	
,,	Glennawoo ..	Jane Perry	6 2 30	0 10 0	—	
Kilturra ..	Spurtown Duke	Alexander Sim	80 2 36	61 10 0	0 10 0	
,,	Doobeg ..	Charles Phibbs	476 2 33	217 0 0	30 0 0	Mansion house.
Loughil ..	Cloondrihara ..	Major Charles K. O'Hara ..	1,610 2 23	17 8 0	—	
,,	Loughil ..	Major Charles K. O'Hara ..	1,876 1 39	21 0 0	3 10 0	
,,	Cloonbaniff ..	Major Charles K. O'Hara ..	0 2 27	0 5 0	—	
,,	,,	Major Charles K. O'Hara ..	51 2 5	2 10 0	—	
Leitrim ..	Carrowkeel ..	Captain M. B. Armstrong ..	55 3 10	38 10 0	1 10 0	
,,	Castleloye ..	Lord Harlech	11 1 0	0 5 0	—	
,,	Chaffpool ..	Reps. Edward Armstrong ..	144 0 3	105 0 0	49 0 0	Mansion house.
,,	Mullanabreena	Captain M. B. Armstrong ..	110 2 7	70 0 0	6 10 0	
,,	Achonry ..	Captain M. B. Armstrong ..	778 3 9	363 0 0	1 5 0	
,,	,,	Captain M. B. Armstrong ..	67 0 0	41 10 0	—	
,,	,,	Captain M. B. Armstrong ..	7 2 0	5 0 0	—	
,,	,,	Captain M. B. Armstrong ..	10 1 3	2 17 0	—	
,,	Tobertelly	Lord Harlech	38 3 30	2 0 0	—	
Owenmore ..	Farranmaurice	Lord Norbury	1 2 30	—	—	
,,	Carrowreagh ..	Charles T. Boyle	2 2 30	0 7 0	—	
,,	,,	Charles T. Boyle	27 1 29	1 10 0	—	
,,	Kilbrattan ..	Reps. Alexander Percival ..	199 1 6	82 15 0	0 5 0	
Streamstown ..	Carrownaworan	Lord Harlech	3 2 25	1 5 0	—	
,,	Carrowreilly ..	Reps. Alexander Percival ..	43 1 3	0 10 0	—	
,,	Clooncunny ..	Reps. Alexander Percival ..	73 0 26	1 0 0	—	
,,	Rinbaun ..	Reps. Alexander Percival ..	1 3 0	1 5 0	—	
,,	,,	Reps. Alexander Percival ..	12 1 0	2 5 0	—	
,,	Streamstown ..	Sir Henry W. Gore Booth, Bart.	83 2 34	77 15 0	0 15 0	
Temple ..	Ballynacarrow North	Reps. Alexander Percival ..	12 3 37	6 0 0	—	
,,	Ballynacarrow South	Reps. Alexander Percival ..	30 2 39	7 0 0	—	
,,	Carrowntawy	Reps. Alexander Percival ..	2 3 32	1 7 0	1 15 0	
,,	,,	Reps. Alexander Percival ..	3 0 0	—	—	
,,	Rathbaun ..	Reps. Alexander Percival ..	447 3 33	59 10 0	—	
,,	Falnasoogaun or Ropefield	Reps. Alexander Percival ..	2 2 8	0 18 0	—	
,,	Templehouse Demesne	Reps. Alexander Percival ..	568 2 21	420 0 0	110 0 0	Mansion house.
Tobercurry ..	Doomore ..	Utred A. Knox	42 0 34	0 15 0	—	
,, ..	Tullycusheen More	Congested Districts Board for Ireland.	2 0 23	1 5 0	—	
..	Carrowreagh ..	Col. Edward H. Cooper ..	161 0 10	1 5 0	—	
,,	,,	Col. Edward H. Cooper ..	37 0 30	0 10 0	—	
..	Oghambaun	Col. Edward H. Cooper ..	151 3 28	1 10 0	—	
,	Powellsborough	James J. Powell	336 1 14	45 8 0	12 0 0	Mansion house.
,,	Rathscanlan ..	Col. Edward H. Cooper ..	18 1 32	0 5 0	—	

APPENDIX X.—STATISTICAL ABSTRACT—CO. LEITRIM.

A.—PREFATORY NOTE.

Special statistics relating to County Leitrim have been prepared for the Commission by the Commissioner of Valuation (see pp. 326-7), the Registrar-General (see pp. 329-40) and the Department of Agriculture and Technical Instruction (see pp. 341-4), and certain returns have been furnished at the request of the Commission by the Local Government Board and the Congested Districts Board. Other information about Co. Leitrim is available in different publications, *e.g.*, the Census Returns, the Annual Agricultural Statistics, the Annual Reports of the Irish Land Commission, the Estates Commissioners, the Congested Districts Board, &c.

All this statistical information has been brought together in the following pages, added to, and collated, and explanatory notes have been added, where required (*e.g.*, pp. 326, 328, 348, 358, and 364), with the view of forming a compact Statistical Abstract of the chief points of interest in Co. Leitrim, which may prove of assistance to the Commissoners during their sittings in County Leitrim, and subsequently be helpful to readers of the evidence.

WALTER CALLAN,

Secretary.

4th April, 1907.

B.—GENERAL STATISTICAL INFORMATION TAKEN FROM THE CENSUS REPORT, 1901.

COUNTY LEITRIM BOOK (Cd. 1059—1, 1902, pp. vii. and viii.)

The County of Leitrim covers an area of 392,381 statute acres, or 1·9 per cent. of the total area of the country.

The number of persons in the County of Leitrim according to the Census was—in 1881, 90,372; in 1891, 78,618; and according to the recent Census, 69,343 (35,098 Males and 34,245 Females), or 11·8 per cent. less than in 1891.

The number of distinct Families in the County at the time of the late enumeration was 14,519, the average number of persons in a family being thus 4·8; and the number of Inhabited Houses was 14,397, showing an average of 4·8 persons to each house. In calculating these averages, the Special Inmates of Public Institutions have been omitted.

The following Statement shows, by County Districts (as constituted under the Local Government (Ireland) Act, 1898), the number of persons in 1891 and 1901; and the decrease during the decade:—

COUNTY DISTRICTS.	Population.		Decrease between 1891 and 1901.	
	1891.	1901.	Number.	Rate per cent.
Ballyshannon No. 3 Rural,*	5,978	5,229	749	12·5
Bawnboy No. 2 Rural,†	10,037	8,887	1,150	11·5
Carrick-on-Shannon No. 1 Rural, ...	14,667	13,039	1,628	11·1
Manorhamilton Rural, ...	25,465	22,334	3,131	12·3
Mohill Rural, ...	22,471	19,854	2,617	11·6
Total, ...	78,618	69,343	9,275	11·8

* Now Kinlough Rural. † Now Ballinamore Rural.

From the foregoing Statement it will be observed that the highest percentage of decrease in the County Districts took place in Ballyshannon No. 3 Rural and Manorhamilton Rural, viz., 12·5 and 12·3 respectively; and the lowest in Carrick-on-Shannon No. 1 Rural and Bawnboy No. 2 Rural, viz., 11·1 and 11·5 respectively.

APPENDIX X.

The following Statement shows the Educational status of the Inhabitants of the County of Leitrim in 1891 and 1901, in so far as relates to the degrees of elementary education relative to which inquiry was made on the Census Form.

Degrees of Elementary Education.	Rate per cent. of Total Population.	
	1891.	1901.
Read and Write, ...	63·7	72·3
Read only, ...	11·2	7·1
Illiterate, ...	25·1	20·6
Total, ...	100·0	100·0

From the above it will be seen that whereas, according to the Returns of 1891, only 63·7 per cent. of the Inhabitants, at all ages, could "read and write," in 1901, 72·3 per cent. could do so; that the percentage of the population who could "read only" in 1891 was 11·2, and in 1901, 7·1; and that the percentage of the "illiterate" fell from 25·1 in 1891 to 20·6 in 1901.

In 1891, 16·4 per cent. of the inhabitants aged five years and upwards were illiterate (16·4 per cent. of the males and 16·5 of the females); in 1901 the percentage was but 12·1 (12·6 of the males, and 11·6 of the females).

The number of children attending school in the County of Leitrim, according to the Census of 1891 (week ending 30th May), was 13,637; or 45·9 per cent. of persons aged 5 years and under 20 in the County as then constituted, in 1901 the number returned (for week ending 11th May), was 10,625, or 45·5 per cent. of the persons aged 5 and under 20.

In 1891 the number of persons in the County of Leitrim (as then constituted) returned as Sick, on the night of the Census, was 471, or one in every 167 of the population; in 1901 the number so returned was 361, or one in every 192 of the population; of the latter number 222 were at their own homes, and 139 were in hospital.

The number of persons returned in 1891 as receiving relief under the Poor Law system was 1,365, or one in every 57 of the population; of this number 432 were inmates of Workhouses, and 933 were in receipt of outdoor relief; in 1901 the number returned was 1,040, or one in every 67 of the population; 330 of these being in the Workhouses, and 710 on outdoor relief.

According to the returns of the Registrar-General, the number of marriages registered in the County of Leitrim during the ten years ending 31st March, 1901, was 2,799, equal to an average annual rate of 3·8 per 1,000 of the population. The number registered in the whole of Ireland during the same period, affords an annual average rate of 4·8 per 1,000.

The number of Births registered in the County during the ten years was 15,117, affording an average annual rate of 20·4 per 1,000 of the population, the average yearly rate for the whole of Ireland during the same period being 23·0 per 1,000.

The Deaths registered during the decennium amounted to 10,608, being equal to an average annual rate of 14·3 per 1,000; the corresponding rate for the whole of Ireland was 18·2 per 1,000.

The number of Emigrants during the ten years ending 31st March, 1901, who stated that they were from the County of Leitrim, amounted to 9,830 (4,417 males, and 5,413 females); the number for the decade ending 31st March, 1891, was 21,008; for that ending 31st March, 1881, 12,683; for that ending with March, 1871, 13,980; and for that ending with March, 1861, 16,820, making a total of 74,321 for the fifty years.

C.—Return showing the Population, Area, Valuation, and Average Valuation per head of Population in each Poor Law Union in Co. Leitrim containing Congested Districts.

Supplied by the Congested Districts Board.

County.	Union.	Population.			Area.			Valuation.			Average Valuation per Head of Population according to Census of 1901.		
		Congested portion of Union	Non-congested portion of Union.	Total.	Congested portion of Union.	Non-congested portion of Union.	Total.	Congested portion of Union.	Non-congested portion of Union.	Total.	In entire Union.	In Congested Districts.	In Non-congested Districts.
					Acres.	Acres.	Acres.	£	£	£	£ s. d.	£ s. d.	£ s. d.
Leitrim,	Ballyshannon,	3,984	1,245	5 229	23,624	8,802	32,426	6,502	3,261	9,763	1 17 4	1 12 8	2 12 5
,,	Bawnboy,	4,702	4,185	8,887	22,337	20,451	42,788	6,605	10,762	17,367	1 19 1	1 8 1	2 11 5
,,	Carrick-on-Shannon.	5,549	7,490	13,039	34,590	28,894	63,484	8,538	17,942	26,480	2 0 7	1 10 9	2 7 11
,,	Manorhamilton,	7,939	14,335	22,334	53,935	90,922	144,857	11,455	33,154	44,609	1 19 11	1 8 7	2 6 3
,,	Mohill,	8721	11 133	19,854	39,519	53,437	92,956	14,113	25,653	39,766	2 0 1	1 12 4	2 6 1

D.—List of Electoral Divisions Scheduled as "Congested" in the County of Leitrim, showing ratio of Population to Valuation in respect of the years 1891 and 1901, also Poor Rates for the year ended 31st March, 1901.* APPENDIX X

**** *Where the average valuation per head was, in* 1901, *not less than* 30*s. the name of the Electoral Division is printed in italics.*

Union and Electoral Division.	Population, 1891.	Valuation, 1891.	Amount of Valuation per head of Population, 1891.	Population 1901.	Valuation, 1901.	Amount of Valuation per head of Population, 1901.	Poor Rates for year ended 31st March, 1901. On Agricultural Land.	Poor Rates for year ended 31st March, 1901. On Other Hereditaments.
		£	£ s. d.		£	£ s. d.	In the £ s. d.	In the £ s. d.
UNION OF BALLYSHANNON. (Kinlough),								
Aghalateeve, ...	397	578	1 9 1	327	579	1 15 4		
Aghanlish, ...	944	1,280	1 7 1	816	1,283	1 11 5		
Gubacreeny, ...	1,059	1,566	1 9 8	955	1,571	1 12 10	1 10	3 8
Melvin,† ...	694	1,066	1 10 9	587	1,069	1 16 5		
Tullaghan, ...	1,478	2,010	1 7 2	1,299	2,000	1 10 9		
Totals, ...	4,572	6,500	1 8 5	3,984	6,502	1 12 7		
UNION OF CARRICK-ON-SHANNON.								
Aghacashel, ...	387	483	1 5 0	312	484	1 11 0		
Barnameenagh, ...	759	1,117	1 9 5	719	1,118	1 11 1		
Drumreilly East, ...	476	436	0 18 4	426	438	1 0 6		
Drumreilly West, ...	719	907	1 5 3	572	918	1 12 1	2 0	3 6
Gortnagullion,† ...	1,184	1,781	1 10 1	1,076	1,789	1 13 2		
Kiltubbrid, ...	721	952	1 6 5	638	950	1 9 9		
Moher, ...	965	1,440	1 9 10	840	1,447	1 14 5		
Yugan, ...	1,120	1,368	1 4 5	966	1,394	1 8 10		
Totals, ...	6,331	8,484	1 6 9	5,549	8,538	1 10 9		
UNION OF MOHILL.								
Aghavas,† ...	919	1,430	1 11 1	877	1,437	1 12 9		
Beighy, ...	1,338	1,868	1 7 11	1,191	1,875	1 11 6		
Breandrum, ...	1,106	1,591	1 8 0	990	1,600	1 12 3		
Cashel, ...	573	778	1 7 2	514	781	1 10 4		
Castlefore,† ...	747	1,171	1 11 4	643	1,172	1 16 5	2 8	4 4
Cattan, ...	1,060	1,292	1 4 5	947	1,290	1 7 2		
Cloone, ...	1,389	1,910	1 7 6	1,247	1,920	1 10 9		
Corriga, ...	850	1,201	1 8 3	717	1,198	1 13 5		
Keeldra, ...	924	1,381	1 9 11	845	1,385	1 12 8		
Rowan,† ...	871	1,445	1 13 2	750	1,455	1 18 9		
Totals, ...	9,807	14,067	1 8 8	8,721	14,113	1 12 4		
UNION OF MANORHAMILTON.								
Arigna, ...	459	440	0 19 2	423	445	1 1 0		
Cloonclare, ...	946	950	1 0 1	796	1,036	1 6 0		
Garvagh, ...	1,153	1,164	1 0 2	1,093	1,171	1 1 5		
Glenaniff, ...	813	916	1 2 6	664	916	1 7 7		
Glenfarne, ...	727	1,075	1 9 7	581	1,081	1 17 2	2 4	4 2
Killarga, ...	836	1,162	1 7 10	675	1,170	1 14 8		
Kiltyclogher, ...	1,595	2,064	1 5 11	1,405	2,085	1 9 8		
Mahanagh, ...	1,937	2,415	1 4 11	1,640	2,421	1 9 6		
St. Patrick's, ...	870	1,129	1 5 11	722	1,130	1 11 3		
Totals, ...	9,336	11,315	1 4 2	7,999	11,455	1 8 7		
UNION OF BAWNBOY. (Ballinamore).								
Cloverhill, ...	1,346	1,997	1 9 8	1,218	2,012	1 13 0		
Drumreilly North, ...	707	758	1 1 5	630	765	1 4 3		
Drumreilly South, ...	645	963	1 9 10	597	961	1 12 2	2 4	3
Greaghglass, ...	1,042	1,473	1 8 3	963	1,473	1 10 7		
Oughteragh, ...	838	891	1 1 3	728	893	1 4 6		
Stralongford, ...	616	504	0 16 4	566	501	0 17 8		
Totals, ...	5,194	6,586	1 5 4	4,702	6,605	1 8 1		
Total in respect of the Congested Districts in Co. Leitrim.	35,240	46,952	1 6 7	30,955	47,213	1 10 6		

* This return is taken from a similar return for all Counties containing Congested Districts, which was prepared by the Congested Districts Board, and published in the Appendices to the First Report of the Commission, pp. 289 *et seq*

† Included by Order of the Lord Lieutenant.

APPENDIX X.

E.—RETURN SHOWING THE RATIO OF POPULATION TO VALUATION IN CERTAIN ELECTORAL DIVISIONS IN CO. LEITRIM, AND OTHER PARTICULARS.*

Specially prepared for the Commission.

EXPLANATORY NOTE.

This return (prepared by the Commissioner of Valuation) shows the total rateable valuation (1906), the population (1901), and the average valuation per head of population in each Electoral Division in Co. Leitrim.

(1.) Where that average is under 30*s*.

(2.) Where that average is between 30*s*. and 50*s*., but is brought below 30*s*. by the exclusion from the dividend (*i.e.*, the total rateable valuation of the electoral division) of all ratings valued at over £50. In these cases the acreage and valuation of each excluded area is given.

(3.) Where the electoral division though scheduled as congested does not come within either of the above classes.

The total number of electoral divisions in Leitrim is 78, all rural. The total number of electoral divisions comprised in this return is 38, all rural, and all scheduled as congested.

The total number of divisions in Co. Leitrim scheduled in 1891 as congested was 38, of which 5 were then not below 30*s*. in point of average valuation per head of population. Between 1891 and 1901 the average valuation rose about 15 per cent. (owing mainly to the decrease in population), and of the 38 divisions, 25 are not now below 30*s*. Of these 25 divisions, 4 are not below 30*s*. normally, but are when the total valuation of all ratings above £50 is excluded, and 21 are above 30*s*. even after these exclusions. The names of these 21 divisions are printed in italics.

RURAL DISTRICT OF BALLINAMORE.

Electoral Division.	Total Rateable Valuation, 1906.	Population, (Census, 1901).	Average Valuation per head of Population.	Average Valuation per head of Population in cases normally between 30*s*. and 50*s*. when all Valuations over £50 are excluded.	Area and Valuation of Excluded Holdings.		Remarks.
					Area.	Valuation.	
	£ *s*. *d*.		£ *s*. *d*.	£ *s*. *d*.	A R. P.	£ *s*. *d*.	
Drumreilly North,	762 10 0	630	1 4 2	—	—	—	
Oughteragh, . .	891 11 0	728	1 4 6	—	—	—	
Stralongford, . .	500 8 0	566	0 17 8	—	—	—	
Cloverhill, . . .	*2,018 10 0*	*1,218*	*1 13 2*	—	—	—	
Drumreilly South, . .	*959 10 0*	*597*	*1 12 2*	—	—	—	
Greaghglass, . . .	*1,472 10 0*	*963*	*1 10 7*	—	—	—	
Total of all other Electoral Divisions.	10,788 16 0	4,185	2 11 7	—	—	—	
Total of Rural District.	17,393 15 0	8,887	1 19 2	—	—	—	

RURAL DISTRICT OF CARRICK-ON-SHANNON No. 1.

Drumreilly East, . .	446 5 0	426	1 0 11	—	—	—	
Kiltubbrid, . . .	963 9 0	638	1 9 11	—	—	—	
Yugan, ...	1,394 4 0	966	1 8 10	—	—	—	
Aghacashel, . . .	483 5 0	312	1 11 0	1 4 4	204 3 39	103 19 0	
Barnameenagh, . .	1,118 12 0	719	1 11 1	1 9 9	135 3 32	50 10	
Drumreilly West, . .	*916 2 0*	*572*	*1 12 0*	—	—	—	
Gortnagullion, . .	*1,788 10 0*	*1,076*	*1 13 3*	—	—	—	
Moher, ...	*1,451 19 0*	*840*	*1 14 7*	—	—	—	
Total of all other Electoral Divisions.	18,104 16 0	7,490	2 8 4	—	—	—	
Total of Rural District,	26,657 2 0	13,039	2 0 11	—	—	—	

* This return is taken from a similar return for the whole of Ireland, which was published in the Appendices to the First Report of the Commission, pp. 356 *et seq.*

RURAL DISTRICT OF KINLOUGH.

ELECTORAL DIVISION.	Total Rateable Valuation, 1906.	Population (Census, 1901).	Average Valuation, per head of Population.	Average Valuation per head of Population in cases normally between 30s. and 50s. when all Valuations over £50 are excluded.	AREA AND VALUATION OF EXCLUDED HOLDINGS.		REMARKS.
					Area.	Valuation.	
	£ s. d.		£ s. d.	£ s. d.	A. R. P.	£ s. d.	
Aghanlish, . . .	1,280 16 0	816	1 11 5	1 9 11	60 1 20	58 15 0	
Tullaghan, . . .	2,011 4 0	1,299	1 11 0	1 7 2	42 0 0 206 3 16 —	50 10 0 143 10 0 51 0 0	Fishery and House.
Aghalatieve, . . .	*576 10 0*	*327*	*1 15 3*	—	—	—	
Gubacreeny, . . .	*1,570 17 0*	*955*	*1 12 11*	—	—	—	
Melvin, . . .	*1,066 15 0*	*587*	*1 16 4*	—	—	—	
Total of all other Electoral Divisions.	3,263 1 0	1,245	2 12 5	—	—	—	
Total of Rural District.	9,769 3 0	5,229	1 17 4	—	—	—	

RURAL DISTRICT OF MANORHAMILTON.

Arigna, . . .	444 15 0	423	1 1 0	—	—	—
Cloonclare, . . .	1,034 12 0	796	1 6 0	—	—	—
Garvagh, . . .	1,170 13 0	1,093	1 1 5	—	—	—
Glenaniff, . . .	915 5 0	664	1 7 7	—	—	—
Kiltyclogher, . .	2,089 15 0	1,405	1 9 9	—	—	—
Mahanagh, . . .	2,426 12 0	1,640	1 9 7	—	—	—
Glenfarn, . . .	*1,080 13 0*	*681*	*1 17 2*	—	—	—
Killarga, . . .	*1,169 7 0*	*675*	*1 14 8*	—	—	—
St. Patrick's, . . .	*1,123 7 0*	*722*	*1 11 1*	—	—	—
Total of all other Electoral Divisions.	33,290 5 0	14,335	2 6 5	—	—	—
Total of Rural District.	44,745 4 0	22,334	2 0 1	—	—	—

RURAL DISTRICT OF MOHILL.

Cattan, . . .	1,287 5 0	947	1 7 2	—	—	—
Aghavas, . . .	*1,440 5 0*	*877*	*1 12 10*	—	—	—
Bethy, . . .	*1,880 5 0*	*1,191*	*1 11 7*	—	—	—
Breandrum, . . .	*1,603 13 0*	*990*	*1 12 5*	—	—	—
Cashel, . . .	*780 17 0*	*514*	*1 10 5*	—	—	—
Castlefore, . . .	*1,174 3 0*	*643*	*1 16 6*	—	—	—
Cloone, . . .	*1,927 18 0*	*1,247*	*1 10 11*	—	—	—
Corriga, . . .	*1,196 5 0*	*717*	*1 13 4*	—	—	—
Keeldra, . . .	*1,382 2 0*	*845*	*1 12 9*	—	—	—
Rowan, . . .	*1,461 2 0*	*750*	*1 19 0*	—	—	—
Total of all other Electoral Divisions.	25,872 12 0	11,133	2 6 6	—	—	—
Total of Rural District.	40,006 7 0	19,854	2 0 4	—	—	—
TOTAL OF RURAL DISTRICTS IN COUNTY.	138,571 11 0	69,343	2 0 0			

APPENDIX X.

F.—STATISTICS RELATING TO THE NUMBER, ACREAGE, VALUATION AND POPULATION OF VARIOUS CLASSES OF HOLDINGS, AND TO THE CHIEF DIVISIONS OF THE LAND IN CO. LEITRIM.

Specially prepared for the Commission.

EXPLANATORY NOTE.

The information contained in the Tables I.-IV. has been specially prepared for the Commission by the Registrar-General from the office summaries of the Census of 1901. The importance of the figures and their interpretation were touched upon in a memorandum submitted by the Secretary to the Commission, and printed in the Appendices to the First Report of the Commission, pp. 351 *et seq.* It will suffice to remark here that, though nominally these tables are returns of "holdings," they are really returns of landholders, for, if one man has half-a-dozen farms in the same county, he is returned as having a single holding of their combined valuation. It is obvious that, so far as counties are concerned, these returns, being actually though not nominally returns of landholders, show more clearly the size of the problem requiring treatment than a return of holdings would—*e.g.*, a man has in County Leitrim six holdings valued at £2, £4, £6, £10, £20, and £40. A return of holdings would in this case apparently suggest that there were at least three holdings needing enlargement; whilst the present returns more clearly indicate the situation by showing only one holding of £82 valuation. As regards the size of the remedial material that might be made available for relieving congestion, these returns might, however, mislead—*e.g.*, in the case taken above the returns would suggest that there was in County Leitrim one holding of £82 valuation that possibly might be secured for the enlargement of small holdings; whilst in point of fact there are six holdings of varying size scattered over the county.

The interpretation of the figures becomes more complicated when they are examined not for the whole of a county, but for the comparatively small area of an electoral division—the present unit of congestion. In these returns where one man has several holdings in County Leitrim, but in different electoral divisions or has one holding which runs into two electoral divisions, the entire is allocated to the division containing the holding or the part of the holding of highest valuation; hence the figures in these returns do not represent the actual state of things in each electoral division, as they may include in each such division land situate in other electoral divisions (of County Leitrim), and may exclude land geographically belonging to the division itself. Thus the area, population, or valuation shown for an electoral division might be larger or smaller than the actual area, population, or valuation of that division. Adjustments could have been made rectifying this, but they would have immensely complicated matters. Moreover, the returns would then have been based in part on holdings rather than on landholders, and this would, for the reason shown above, have exaggerated the size of the problem. Consequently the Commission, having considered the relative advantages of adjusted and unadjusted returns of holdings and landholders, decided that as regards most areas the unadjusted returns of landholders by electoral divisions would be the most useful.

The information contained in Tables V. and VI. has been specially prepared for the Commission by the Department of Agriculture and Technical Instruction for Ireland from the office summaries of the Agricultural Statistics of 1906. Their importance and interpretation were touched upon in the memorandum to which reference has been already made, and it will suffice to remark here that the difference between the number of holdings given in Table V. and the number given in Table I. is accounted for by the following causes:—

(1) Table V. is a return of holdings, and Table I. a return of landholders;

(2) Table I. refers to agricultural holdings only, and Table V. includes labourers' cottage holdings and gardens; and

(3) Differences of classification, and adjustment.

I.—Table showing Total Number of Holdings and Number of each of Eleven Classes, arranged according to Valuation, in the County of Leitrim.

Unions and Electoral Divisions.	Total Number of Holdings.	Classification of Holdings and Number in each Class.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
Ballyshannon.												
*Aghalateeve,	72	17	47	5	3	—	—	—	—	—	—	—
*Aghanlish,	170	53	94	14	4	3	1	1	—	—	—	—
Aghavoghil,	64	8	26	10	7	11	1	—	—	—	1	—
*Gubacreeny,	206	72	96	21	5	4	6	2	—	—	—	—
Kinlough,	178	44	86	21	9	10	4	—	3	—	1	—
*Melvin,	133	27	77	20	8	—	1	—	—	—	—	—
*Tullaghan,	267	151	83	11	7	5	1	5	3	—	1	—
Total of Congested Electoral Divisions.	848	320	397	71	27	12	9	8	3	—	1	—
Total of Non-Congested Electoral Divisions.	242	52	112	31	16	21	5	—	3	—	2	—
Total of Electoral Divisions.	1,090	372	509	102	43	33	14	8	6	—	3	—
Bawnboy.												
Ballinamore,	161	36	48	36	14	8	9	3	6	—	1	—
*Cloverhill,	231	40	144	31	4	8	1	1	2	—	—	—
Corrala,	155	16	85	29	10	12	3	—	—	—	—	—
*Drumreilly North,	121	42	62	10	4	2	—	1	—	—	—	—
*Drumreilly South,	118	26	64	21	3	2	1	—	1	—	—	—
Garadice,	217	31	94	47	13	11	9	7	4	1	—	—
*Greaghglass,	182	35	109	27	5	3	2	1	—	—	—	—
Killygar,	90	10	38	11	11	10	1	1	6	2	—	—
Newtowngore,	108	18	38	17	11	12	5	4	2	1	—	—
*Oughteragh,	145	44	80	17	3	1	—	—	—	—	—	—
*Stralongford,	107	55	44	6	2	—	—	—	—	—	—	—
Total of Congested Electoral Divisions.	904	242	503	112	21	16	4	3	3	—	—	—
Total of Non-Congested Electoral Divisions.	731	111	303	140	59	53	27	15	18	4	1	—
Total of Electoral Divisions.	1,635	353	806	252	80	69	31	18	21	4	1	—
Carrick-on-Shannon.												
*Aghacashel,	62	32	23	3	1	1	1	—	—	1	—	—
Annaduff,	70	10	29	11	4	4	1	4	7	—	—	—
*Barnameenagh,	144	49	60	24	3	5	2	—	1	—	—	—
Carrick-on-Shannon,	217	46	69	41	20	21	6	4	6	2	2	—
*Drumreilly East,	83	26	54	2	—	—	1	—	—	—	—	—
*Drumreilly West,	126	35	66	16	5	3	—	1	—	—	—	—
Drumshanbo	160	32	80	27	5	11	2	3	—	—	—	—
Drumsna,	247	67	115	31	15	5	7	2	4	1	—	—
*Gortnagullion,	201	50	110	28	5	6	1	—	—	—	1	—
Gowel,	134	14	62	23	13	10	4	2	5	1	—	—
Keshcarrigan,	104	17	51	18	8	4	4	1	1	—	—	—
*Kiltubbrid,	133	48	70	7	2	2	2	—	2	—	—	—
Leitrim,	227	42	105	30	19	18	5	1	4	3	—	—
*Moher,	185	41	114	25	2	1	—	1	—	—	1	—
*Yugan,	227	95	104	23	3	1	1	—	—	—	—	—
Total of Congested Electoral Divisions.	1,161	376	601	128	21	19	8	2	3	1	2	—
Total of Non-Congested Electoral Divisions.	1,159	228	511	181	84	73	29	17	27	7	2	—
Total of Electoral Divisions,	2,320	604	1,112	309	105	92	37	19	30	8	4	—

*Scheduled as Congested.

APPENDIX X.

I.—TABLE showing Total Number of Holdings and Number of each of Eleven Classes, arranged according to Valuation in the County of Leitrim—*continued.*

UNIONS AND ELECTORAL DIVISIONS.	Total Number of Holdings.	CLASSIFICATION OF HOLDINGS AND NUMBER IN EACH CLASS.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
MANORHAMILTON.												
*Arigna,	84	44	30	8	2	—	—	—	—	—	—	—
Ballaghameehan,	195	30	111	28	15	7	3	1	—	—	—	—
Belhavel,	246	40	121	48	18	13	2	1	3	—	—	—
*Cloonclare,	173	50	110	8	3	2	—	—	—	—	—	—
Cloonlogher,	230	91	59	45	10	13	6	2	3	—	—	1
Drumahaire,	315	101	99	44	28	21	5	3	9	5	—	—
Drumkeeran,	263	56	121	42	19	15	4	3	3	—	—	—
*Garvagh,	203	93	93	8	6	1	1	—	—	1	—	—
Glenade,	129	26	62	22	7	7	2	2	1	—	—	—
*Glenaniff,	154	64	75	10	2	2	1	—	—	—	—	—
Glenboy,	153	37	72	17	11	9	3	2	—	2	—	—
Glencar,	153	18	76	25	18	6	7	1	2	—	—	—
*Glenfarn,	127	52	52	10	4	2	2	2	2	1	—	—
Killanummery,	188	78	52	26	12	5	6	4	4	—	1	—
*Killarga,	160	54	86	12	5	2	—	—	1	—	—	—
*Kiltyclogher,	271	99	129	20	10	6	3	2	1	1	—	—
Lurganboy,	158	29	51	35	8	15	9	1	9	1	—	—
*Mahanagh,	384	150	180	38	10	4	—	1	1	—	—	—
Manorhamilton,	265	51	112	37	25	17	4	5	13	1	—	—
Munakill,	182	62	71	23	10	10	4	1	1	—	—	—
Sramore,	187	42	77	35	12	12	4	—	5	—	—	—
*St. Patrick's,	152	58	70	9	5	7	2	—	1	—	—	—
Total of Congested Electoral Divisions.	1,708	664	825	123	47	26	9	5	6	3	—	—
Total of Non-Congested Electoral Divisions.	2,664	661	1,084	427	193	150	59	26	53	9	1	1
Total of Electoral Divisions,	4,372	1,325	1,909	550	240	176	68	31	59	12	1	1
MOHILL.												
*Aghavas,	171	19	117	22	3	8	2	—	—	—	—	—
*Beihy,	229	58	118	28	13	9	2	—	1	—	—	—
*Breandrum,	216	70	106	24	8	6	—	1	1	—	—	—
Bunnybeg,	107	21	43	19	12	6	1	1	2	2	—	—
Carrigallen East,	116	14	34	30	21	10	1	1	5	—	—	—
Carrigallen West,	144	23	81	15	10	7	6	2	—	—	—	—
*Cashel,	94	28	39	15	9	3	—	—	—	—	—	—
*Castlefore,	142	15	96	19	8	4	—	—	—	—	—	—
*Cattan,	207	69	112	17	6	2	1	—	—	—	—	—
*Cloone,	258	86	119	35	11	3	1	—	3	—	—	—
*Corriga,	137	27	72	19	11	4	2	1	1	—	—	—
Drumard,	92	16	40	23	5	5	—	1	1	1	—	—
Drumdoo,	167	14	99	25	16	4	4	—	5	—	—	—
Drumod,	165	27	68	29	16	12	6	2	4	—	1	—
Fenagh,	114	10	58	22	11	8	2	1	1	—	1	—
Gortermone,	177	23	99	28	18	7	—	2	—	—	—	—
*Keeldra,	171	42	92	21	7	3	5	1	—	—	—	—
Lisgillock,	123	8	63	29	12	7	2	1	1	—	—	—
Mohill,	262	84	83	37	21	15	9	5	7	1	—	—
Rinn,	141	39	60	22	7	6	3	2	—	1	—	1

*Scheduled as Congested.

I.—TABLE showing Total Number of Holdings and Number of each of Eleven Classes, arranged according to Valuation, in the County of Leitrim—*continued.*

UNIONS AND ELECTORAL DIVISIONS.	Total Number of Holdings.	CLASSIFICATION OF HOLDINGS AND NUMBER IN EACH CLASS.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
MOHILL—*continued.*												
Riverstown, ...	198	25	81	46	21	15	5	2	3	—	—	—
Roosky, ...	157	23	77	28	14	8	2	4	1	—	—	—
Rowan, ...	156	26	95	19	3	7	3	—	2	1	—	—
Total of Congested Electoral Divisions.	1,781	440	966	219	79	49	16	3	8	1	—	—
Total of Non-Congested Electoral Divisions.	1,963	327	886	353	184	110	41	24	30	5	2	1
Total of Electoral Divisions,	3,744	767	1,852	572	263	159	57	27	38	6	2	1
Total of Congested Electoral Divisions in County.	6,402	2,042	3,292	653	195	122	46	21	23	5	3	—
Total of Non-Congested Electoral Divisions in County.	6,759	1,379	2,896	1,132	536	407	161	82	131	25	8	2
Total of County,	13,161	3,421	6,188	1,785	731	529	207	103	154	30	11	2

*Scheduled as Congested.

APPENDIX X.

II.—TABLE showing Total Area occupied by each Class of Holdings in the County of Leitrim.

UNIONS AND ELECTORAL DIVISIONS.	Total Acreage occupied by Agricultural Holdings.	CLASSIFICATION OF HOLDINGS ACCORDING TO RATEABLE VALUATION, WITH THE AREA UNDER EACH CLASS.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
BALLYSHANNON.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
*Aghalateeve, ...	2,186	307	1,452	261	166	—	—	—	—	—	—	—
*Aghanlish, ...	4,532	641	2,047	692	281	171	292	408	—	—	—	—
Aghavoghil, ...	2,781	69	567	340	374	724	104	—	—	—	603	—
*Gubacreeny, ...	4,312	646	1,741	741	273	246	418	247	—	—	—	—
Kinlough, ...	4,855	419	1,604	561	312	485	372	—	352	—	750	—
*Melvin, ...	3,265	383	1,581	831	407	—	63	—	—	—	—	—
*Tullaghan, ...	5,777	1,744	1,793	491	408	251	80	273	175	—	562	—
Total of Congested Electoral Divisions.	20,072	3,721	8,614	3,016	1,535	668	853	928	175	—	562	—
Total of Non-Congested Electoral Divisions.	7,636	488	2,171	901	686	1,209	476	—	352	—	1,353	—
Total of Electoral Divisions,	27,708	4,209	10,785	3,917	2,221	1,877	1,329	928	527	—	1,915	—
BAWNBOY.												
Ballinamore, ...	4,133	86	716	826	487	240	493	257	622	—	406	—
*Cloverhill, ...	4,566	320	2,248	1,006	167	407	80	75	263	—	—	—
Corrala, ...	3,824	188	1,634	766	387	614	235	—	—	—	—	—
*Drumreilly North, ...	2,541	374	1,196	476	252	143	—	100	—	—	—	—
*Drumreilly South, ...	2,595	268	1,214	721	131	114	54	—	93	—	—	—
Garadice, ...	5,316	153	1,374	1,090	473	537	564	526	402	197	—	—
*Greaghglass, ...	3,472	321	1,821	850	186	161	102	31	—	—	—	—
Killygar, ...	3,039	68	622	309	375	447	80	80	634	424	—	—
Newtowngore, ...	3,279	112	618	449	398	625	304	345	192	236	—	—
*Oughteragh, ...	2,663	573	1,434	486	110	60	—	—	—	—	—	—
*Stralongford, ...	3,642	1,067	1,945	479	151	—	—	—	—	—	—	—
Total of Congested Electoral Divisions.	19,479	2,923	9,858	4,018	997	885	236	206	356	—	—	—
Total of Non-Congested Electoral Divisions.	19,591	607	4,964	3,440	2,120	2,463	1,676	1,208	1,850	857	406	—
Total of Electoral Divisions,	39,070	3,530	14,822	7,458	3,117	3,348	1,912	1,414	2,206	857	406	—
CARRICK-ON-SHANNON.												
*Aghacashel, ...	2,246	568	782	237	170	68	130	—	—	291	—	—
Annaduff, ...	2,767	53	753	285	135	155	26	387	973	—	—	—
*Farnameenagh, ...	4,549	700	1,609	1,083	254	479	290	—	134	—	—	—
Carrick-on-Shannon, ...	5,367	201	914	885	626	774	404	241	428	360	534	—
*Drumreilly East	2,385	314	1,631	210	—	—	230	—	—	—	—	—
*Drumreilly West, ...	3,154	339	1,374	738	231	376	—	96	—	—	—	—
Drumshanbo, ...	3,589	242	1,394	792	191	554	128	288	—	—	—	—
Drumsna, ...	5,305	587	1,928	825	466	247	450	153	463	186	—	—
*Gortnagullion, ...	4,287	439	1,908	924	229	258	72	—	—	—	457	—
Gowel, ...	3,126	98	801	505	409	398	265	134	342	174	—	—
Keshcarrigan, ...	2,222	132	797	446	288	147	219	68	125	—	—	—
*Kiltubbrid, ...	2,584	498	1,261	217	85	118	128	—	277	—	—	—
Leitrim, ...	5,524	255	1,785	860	538	717	334	95	411	529	—	—
*Moher, ...	4,122	457	2,227	775	76	120	—	106	—	—	361	—
*Yugan, ...	3,379	826	1,718	630	106	57	42	—	—	—	—	—
Total of Congested Electoral Divisions.	26,706	4,141	12,510	4,814	1,151	1,476	892	202	411	291	818	—
Total of Non-Congested Electoral Divisions.	27,900	1,568	8,372	4,598	2,653	2,992	1,826	1,366	2,742	1,249	534	—
Total of Electoral Divisions,	54,606	5,709	20,882	9,412	3,804	4,468	2,718	1,568	3,153	1,540	1,352	—

*Scheduled as Congested.

II.—Table showing Total Area occupied by each Class of Holdings in the County of Leitrim—*continued.*

Unions and Electoral Divisions.	Total Acreage occupied by Agricultural Holdings.	Classification of Holdings according to Rateable Valuation, with the Area under each Class.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
Manorhamilton.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
*Arigna,	3,143	652	1,438	519	534	—	—	—	—	—	—	—
Ballaghameehan,	6,769	489	3,218	1,113	885	462	462	140	—	—	—	—
Belhavel,	5,162	310	1,929	1,270	580	596	117	71	289	—	—	—
*Cloonclare,	3,052	403	2,033	272	205	139	—	—	—	—	—	—
Cloonlogher,	7,682	1,935	1,465	1,426	322	569	376	191	312	—	—	1,086
Drumahaire,	7,306	803	1,712	1,027	693	700	279	232	869	991	—	—
Drumkeeran,	6,360	621	2,122	1,214	748	824	215	237	379	—	—	—
*Garvagh,	4,096	1,078	2,200	254	247	37	45	—	—	235	—	—
Glenade,	4,472	277	1,658	1,146	388	461	221	227	94	—	—	—
*Glenaniff,	5,597	1,219	2,854	623	101	148	652	—	—	—	—	—
Glenboy,	6,679	587	2,396	1,041	466	678	215	120	—	1,176	—	—
Glencar,	5,757	179	1,592	1,015	1,080	316	545	604	426	—	—	—
*Glenfarn,	3,708	865	1,193	273	272	74	365	191	333	142	—	—
Killanummery,	5,424	1,195	1,291	708	462	145	369	267	352	—	635	—
*Killarga,	5,931	1,170	2,430	570	433	1,172	—	—	156	—	—	—
*Kiltyclogher,	7,312	1,292	3,434	958	355	543	118	111	370	131	—	—
Lurganboy,	6,509	428	1,099	1,588	323	818	636	115	1,200	302	—	—
*Mahanagh,	6,896	1,615	3,217	1,184	411	162	—	127	180	—	—	—
Manorhamilton,	7,940	285	2,209	1,099	1,172	759	250	534	1,539	93	—	—
Munakill,	4,337	773	1,369	851	403	495	251	80	115	—	—	—
Sramore,	6,748	445	2,036	1,169	570	935	645	—	948	—	—	—
*St. Patrick's,	3,377	612	1,453	346	286	430	145	—	105	—	—	—
Total of Congested Electoral Divisions.	43,112	8,906	20,252	4,999	2,844	2,705	1,325	429	1,144	508	—	—
Total of Non-Congested Electoral Divisions.	81,145	8,327	24,096	14,667	8,092	7,758	4,581	2,818	6,523	2,562	635	1,086
Total of Electoral Divisions,	124,257	17,233	44,348	19,666	10,936	10,463	5,906	3,247	7,667	3,070	635	1,086
Mohill.												
*Aghavas,	3,695	194	2,125	659	120	412	185	—	—	—	—	—
*Beihy,	4,194	374	1,855	807	502	411	165	—	80	—	—	—
*Breandrum,	3,732	542	1,736	680	289	295	—	38	152	—	—	—
Bunnybeg,	3,178	161	751	555	477	353	73	69	256	483	—	—
Carrigallen East,	3,217	66	499	711	734	447	136	70	554	—	—	—
Carrigallen West,	3,459	143	1,435	443	368	397	431	242	—	—	—	—
*Cashel,	1,709	231	645	394	309	130	—	—	—	—	—	—
*Castlefore,	2,930	129	1,705	583	286	227	—	—	—	—	—	—
*Cattan,	3,330	515	1,883	438	255	151	88	—	—	—	—	—
*Cloone,	4,139	709	1,760	813	366	102	11	—	378	—	—	—
*Corriga,	3,075	161	1,271	599	513	221	109	81	120	—	—	—
Drumard,	2,240	92	635	552	194	274	—	76	65	352	—	—
Drumdoo,	3,585	85	1,466	615	528	191	204	—	496	—	—	—
Drumod,	4,207	73	959	699	571	634	279	107	519	—	366	—
Fenagh,	3,317	93	1,072	598	375	397	114	90	180	—	398	—
Gortermone,	3,844	94	1,657	843	718	394	—	138	—	—	—	—
*Keeldra,	3,435	365	1,568	651	279	131	391	50	—	—	—	—
Lisgillock,	3,350	69	1,202	972	476	311	133	82	105	—	—	—
Mohill,	5,374	413	1,165	831	645	458	431	318	896	217	—	—
Rinn,	4,190	192	763	491	156	262	177	154	—	178	—	1,817

*Scheduled as Congested.

APPENDIX X.

II.—TABLE showing Total Area occupied by each Class of Holdings in the County of Leitrim—*continued*.

UNIONS AND ELECTORAL DIVISIONS.	Total Acreage occupied by Agricultural Holdings.	CLASSIFICATION OF HOLDINGS ACCORDING TO RATEABLE VALUATION, WITH THE AREA UNDER EACH CLASS.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
MOHILL—*continued.*	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
Riverstown, ...	4,976	146	1,359	1,179	734	799	299	147	313	—	—	—
Roosky, ...	3,669	126	1,138	721	491	337	359	316	181	—	—	—
*Rowan, ...	3,731	201	1,780	634	127	420	188	—	171	210	—	—
Total of Congested Electoral Divisions.	33,970	3,421	16,328	6,258	3,046	2,500	1,137	169	901	210	—	—
Total of Non-Congested Electoral Divisions.	48,606	1,753	14,101	9,210	6,467	5,254	2,636	1,809	3,565	1,230	764	1,817
Total of Electoral Divisions,	82,576	5,174	30,429	15,468	9,513	7,754	3,773	1,978	4,466	1,440	764	1,817
Total of Congested Electoral Divisions in County.	143,339	23,112	67,562	23,105	9,573	8,234	4,443	1,934	2,987	1,009	1,380	—
Total of Non-Congested Electoral Divisions in County.	184,878	12,743	53,704	32,816	20,018	19,676	11,195	7,201	15,032	5,898	3,692	2,903
Total of County,	328,217	35,855	121,266	55,921	29,591	27,910	15,638	9,135	18,019	6,907	5,072	2,903

*Scheduled as Congested.

III.—Table showing Total Valuation of each Class of Holdings in the County of Leitrim.

Unions and Electoral Divisions.	Total Valuation.	Classification of Holdings, and Total Rateable Valuation of those in each Class.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
Ballyshannon.	£	£	£	£	£	£	£	£	£	£	£	£
Aghalateeve,	435	53	301	60	51	—	—	—	—	—	—	—
Aghanlish,	1,094	144	569	172	72	63	32	42	—	—	—	—
Aghavoghill,	1,075	20	190	123	120	285	39	—	—	—	298	—
Aubacreeny,	1,529	180	622	251	83	102	200	91	—	—	—	—
Kinlough,	2,013	124	586	275	152	233	129	—	224	—	290	—
Melvin,	1,007	71	511	240	137	—	39	—	—	—	—	—
Tullaghan,	1,990	393	489	131	118	123	40	226	190	—	280	—
Total of Congested Electoral Divisions.	6,085	841	2,492	863	461	288	311	359	190	—	280	—
Total of Non-Congested Electoral Divisions.	3,088	144	776	398	272	518	168	—	224	—	588	—
Total of Electoral Divisions.	9,173	985	3,268	1,261	733	806	479	359	414	—	868	—
Bawnboy.												
Ballinamore,	2,344	35	369	439	247	194	303	135	409	—	213	—
Cloverhill,	1,753	99	810	370	69	197	32	49	127	—	—	—
Corrala,	1,593	52	621	360	175	281	104	—	—	—	—	—
Drumreilly North,	793	91	402	135	73	43	—	49	—	—	—	—
Drumreilly South,	949	81	417	253	57	47	32	—	62	—	—	—
Garadice,	2,763	68	615	573	229	268	300	303	258	149	—	—
Greaghglass,	1,410	100	709	334	83	69	71	44	—	—	—	—
Killygar,	1,491	28	291	148	177	226	34	50	318	219	—	—
Newtowngore,	1,573	38	262	201	195	283	167	176	110	141	—	—
Oughteragh,	904	131	500	202	50	21	—	—	—	—	—	—
Stralongford,	520	136	280	67	37	—	—	—	—	—	—	—
Total of Congested Electoral Divisions.	6,329	638	3,118	1,361	369	377	135	142	189	—	—	—
Total of Non-Congested Electoral Divisions.	9,764	221	2,158	1,721	1,023	1,252	908	664	1,095	509	213	—
Total of Electoral Divisions,	16,093	859	5,276	3,082	1,392	1,629	1,043	806	1,284	509	213	—
Carrick-on-Shannon.												
*Aghacashel,	458	88	145	38	20	27	34	—	—	106	—	—
Annaduff,	1,214	18	211	133	73	103	38	183	455	—	—	—
*Barnameenagh,	1,110	139	394	287	55	118	66	—	51	—	—	—
Carrick-on-Shannon,	3,538	98	439	512	353	500	215	187	411	278	495	—
*Drumreilly East,	456	74	321	23	—	—	38	—	—	—	—	—
*Drumreilly West,	912	85	430	195	88	73	—	41	—	—	—	—
Drumshanbo	1,516	82	550	330	84	267	70	133	—	—	—	—
Drumsna,	2,472	162	777	374	262	127	238	87	283	162	—	—
*Gortnagullion,	1,695	155	724	346	87	135	36	—	—	—	212	—
Gowel,	1,868	42	406	281	229	242	147	85	315	121	—	—
Keshcarrigan,	1,106	47	357	222	141	88	136	43	72	—	—	—
*Kiltubbrid,	925	130	414	87	32	42	66	—	154	—	—	—
Leitrim,	2,771	110	732	391	316	447	169	44	245	317	—	—
*Moher,	1,501	120	745	316	35	26	—	47	—	—	212	—
*Yugan,	1,323	280	656	278	53	21	35	—	—	—	—	—
Total of Congested Electoral Divisions.	8,380	1,071	3,829	1,570	370	442	275	88	205	106	424	—
Total of Non-Congested Electoral Divisions.	14,485	559	3,522	2,243	1,458	1,774	1,013	762	1,781	878	495	—
Total of Electoral Divisions,	22,865	1,630	7,351	3,813	1,828	2,216	1,288	850	1,986	984	919	—

* Scheduled as Congested

APPENDIX X.

III.—TABLE showing Total Valuation of each Class of Holdings in the County of Leitrim—*continued.*

UNIONS AND ELECTORAL DIVISIONS.	Total Valuation.	CLASSIFICATION OF HOLDINGS, AND TOTAL RATEABLE VALUATION OF THOSE IN EACH CLASS.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
MANORHAMILTON.	£	£	£	£	£	£	£	£	£	£	£	£
*Arigna,	452	120	198	97	37	—	—	—	—	—	—	—
Ballaghameehan,	1,684	98	674	342	260	163	106	41	—	—	—	—
Belhavel,	2,460	97	814	628	311	309	71	42	188	—	—	—
*Cloonclare,	1,045	160	694	93	56	42	—	—	—	—	—	—
Cloonlogher,	2,565	208	418	552	176	321	212	96	179	—	—	403
Drumahaire,	4,029	209	685	537	487	513	174	128	627	669	—	—
Drumkeeran,	2,662	163	837	521	336	364	139	129	173	—	—	—
*Garvagh,	1,148	214	562	101	108	23	31	—	—	109	—	—
Glenade,	1,240	58	410	275	121	170	63	90	53	—	—	—
*Glenaniff,	894	174	484	124	34	45	33	—	—	—	—	—
Glenboy,	1,683	112	488	208	188	217	93	90	—	287	—	—
Glencar,	1,813	50	524	324	321	149	239	45	161	—	—	—
*Glenfarn,	1,093	136	323	117	67	49	72	92	114	123	—	—
Killanummery,	2,305	157	576	324	218	114	206	184	272	—	254	—
*Killarga,	1,132	166	581	156	87	51	—	—	91	—	—	—
*Kiltyclogher,	2,014	276	814	239	176	153	104	91	52	109	—	—
Lurganboy,	2,481	92	329	446	139	362	306	41	608	158	—	—
*Mahanagh,	2,456	423	1,161	467	168	99	—	43	95	—	—	—
Manorhamilton,	3,664	121	801	462	460	389	144	232	947	108	—	—
Munakill,	1,570	171	437	285	165	239	136	44	93	—	—	—
Sramore,	1,985	98	505	426	203	284	141	—	328	—	—	—
*St. Patrick's,	1,148	157	478	106	84	185	72	—	66	—	—	—
Total of Congested Electoral Divisions.	11,382	1,826	5,295	1,500	817	647	312	226	418	341	—	—
Total of Non-Congested Electoral Divisions.	30,141	1,634	7,498	5,330	3,385	3,594	2,030	1,162	3,629	1,222	254	403
Total of Electoral Divisions,	41,523	3,460	12,793	6,830	4,202	4,241	2,342	1,388	4,047	1,563	254	403
MOHILL.												
*Aghavas,	1,368	53	762	262	49	178	64	—	—	—	—	—
*Beihy,	1,816	134	752	353	232	214	75	—	56	—	—	—
*Breandrum,	1,521	194	656	292	141	136	—	49	53	—	—	—
Bunnybeg,	1,410	56	319	228	205	144	36	42	135	245	—	—
Carrigallen East,	1,697	37	240	362	372	245	38	46	357	—	—	—
Carrigallen West,	1,454	61	545	179	180	176	213	100	—	—	—	—
*Cashel,	758	63	292	189	149	65	—	—	—	—	—	—
*Castlefore,	1,184	49	661	238	137	99	—	—	—	—	—	—
*Cattan,	1,268	167	706	201	103	52	39	—	—	—	—	—
*Cloone,	1,950	239	764	422	190	75	31	—	229	—	—	—
*Corriga,	1,222	56	486	227	192	91	63	44	63	—	—	—
Drumard,	1,100	30	280	295	86	134	—	41	62	172	—	—
Drumdoo,	1,847	38	698	311	276	105	126	—	293	—	—	—
Drumod,	2,344	48	487	362	279	295	198	90	311	—	274	—
Fenagh,	1,538	30	419	254	189	194	67	41	78	—	266	—
Gortermone,	1,638	48	680	349	302	168	—	91	—	—	—	—
*Keeldra,	1,396	101	623	262	120	67	179	44	—	—	—	—
Lisgillock,	1,362	23	415	366	210	176	64	49	59	—	—	—
Mohill,	3,178	203	550	453	379	363	314	233	534	149	—	—
Rinn,	2,006	82	405	267	109	145	99	95	—	104	—	70

*Scheduled as Congested.

III.—Table showing Total Valuation of each Class of Holdings in the County of Leitrim—*continued.*

Unions and Electoral Divisions.	Total Valuation.	Classification of Holdings, and Total Rateable Valuation of those in each Class.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
Mohill—*continued.*	£	£	£	£	£	£	£	£	£	£	£	£
Riverstown, ...	2,357	61	571	573	351	356	177	93	175	—	—	—
Roosky, ...	1,674	61	503	356	238	191	76	186	63	—	—	—
*Rowan, ...	1,457	67	619	237	52	163	99	—	119	101	—	—
Total of Congested Electoral Divisions.	13,940	1,123	6,321	2,683	1,365	1,140	550	137	520	101	—	—
Total of Non-Congested Electoral Divisions.	23,605	778	6,112	4,355	3,176	2,692	1,408	1,107	2,067	670	540	700
Total of Electoral Divisions	37,545	1,901	12,433	7,038	4,541	3,832	1,958	1,244	2,587	771	540	700
Total of Congested Electoral Divisions in County.	46,116	5,499	21,055	7,977	3,382	2,894	1,583	952	1,522	548	704	—
Total of Non-Congested Electoral Divisions in County.	81,083	3,336	20,066	14,047	9,314	9,830	5,527	3,695	8,796	3,279	2,090	1,103
Total of County,	127,199	8,835	41,121	22,024	12,696	12,724	7,110	4,647	10,318	3,827	2,794	1,103

* Scheduled as Congested.

APPENDIX X.

IV.—Table showing the Population on each Class of Holdings in the County of Leitrim.

Unions and Electoral Divisions.	Total Population on Agricultural Holdings.	Classification of Holdings according to Rateable Valuation, and Population in each Class.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
Ballyshannon.												
*Aghalateeve,	322	52	216	36	18	—	—	—	—	—	—	—
*Aghanlish,	808	212	446	92	36	12	5	5	—	—	—	—
Aghavoghil,	275	19	103	32	42	52	11	—	—	—	16	—
*Gubacreeny,	943	278	465	95	17	26	44	18	—	—	—	—
Kinlough,	789	125	353	103	38	87	20	—	21	—	42	—
*Melvin	584	74	350	108	47	—	5	—	—	—	—	—
*Tullaghan,	1,213	628	384	46	33	45	21	34	9	—	13	—
Total of Congested Electoral Divisions.	3,870	1,244	1,861	377	151	83	75	57	9	—	13	—
Total of Non-Congested Electoral Divisions.	1,064	144	456	135	80	139	31	—	21	—	58	—
Total of Electoral Divisions,	4,934	1,388	2,317	512	231	222	106	57	30	—	71	—
Bawnboy.												
Ballinamore,	721	35	198	174	91	66	67	37	40	—	13	—
*Cloverhill,	1,202	173	699	190	27	66	6	13	28	—	—	—
Corrala,	771	74	404	141	65	68	19	—	—	—	—	—
*Drumreilly North,	620	180	314	71	29	19	—	7	—	—	—	—
*Drumreilly South,	594	129	318	119	15	11	2	—	—	—	—	—
Garadice,	1,001	119	374	244	64	47	51	49	20	33	—	—
*Greaghglass,	958	133	532	197	39	16	30	11	—	—	—	—
Killygar,	475	32	165	55	52	57	8	7	52	47	—	—
Newtowngore,	470	44	112	90	64	64	23	44	14	15	—	—
*Oughteragh,	721	179	399	111	28	4	—	—	—	—	—	—
*Stralongford,	556	267	246	35	8	—	—	—	—	—	—	—
Total of Congested Electoral Divisions.	4,651	1,061	2,508	723	146	116	38	31	28	—	—	—
Total of Non-Congested Electoral Divisions.	3,438	304	1,253	704	336	302	168	137	126	95	13	—
Total of Electoral Divisions,	8,089	1,365	3,761	1,427	482	418	206	168	154	95	13	—
Carrick-on-Shannon.												
*Aghacashel,	303	129	120	28	14	—	12	—	—	—	—	—
Annaduff,	397	34	165	59	29	22	11	23	54	—	—	—
*Barnameenagh,	719	198	303	130	25	41	14	—	8	—	—	—
Carrick-on-Shannon,	1,143	111	282	200	96	111	25	18	70	50	180	—
*Drumreilly East	436	111	303	9	—	—	13	—	—	—	—	—
*Drumreilly West,	678	124	415	85	25	26	—	3	—	—	—	—
Drumshanbo,	702	95	345	146	28	80	4	4	—	—	—	—
Drumsna,	1,177	278	568	172	64	30	27	10	20	8	—	—
*Gortnagullion,	1,069	220	592	168	32	30	10	—	—	—	17	—
Gowel,	590	44	263	113	43	55	28	16	23	5	—	—
Keshcarrigan,	491	50	230	104	48	20	16	10	13	—	—	—
*Kiltubbrid,	617	190	329	41	15	16	9	—	17	—	—	—
Leitrim,	969	127	472	141	72	94	23	7	13	20	—	—
*Moher,	816	139	506	135	6	7	—	4	—	—	19	—
*Yugan,	966	307	491	125	19	24	—	—	—	—	—	—
Total of Congested Electoral Divisions.	5,604	1,418	3,059	721	136	144	58	7	25	—	36	—
Total of Non-Congested Electoral Divisions.	5,469	739	2,325	935	380	412	134	88	193	83	180	—
Total of Electoral Divisions,	11,073	2,157	5,384	1,656	516	556	192	95	218	83	216	—

* Scheduled as Congested.

IV.—TABLE showing the Population on each Class of Holdings in the County of Leitrim—*continued.*

UNIONS AND ELECTORAL DIVISIONS.	Total Population on Agricultural Holdings.	CLASSIFICATION OF HOLDINGS ACCORDING TO RATEABLE VALUATION, AND POPULATION IN EACH CLASS.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
MANORHAMILTON.												
*Arigna,	418	195	161	52	10	—	—	—	—	—	—	—
Ballaghameehan,	960	105	523	156	94	45	24	13	—	—	—	—
Belhavel,	1,175	126	568	275	95	76	12	1	22	—	—	—
*Cloonclare,	786	224	493	37	15	17	—	—	—	—	—	—
Cloonlogher,	1,088	410	272	192	46	56	42	16	11	—	—	43
Drumahaire,	1,510	380	449	239	171	82	26	33	85	45	—	—
Drumkeeran,	1,185	152	521	239	95	77	44	22	35	—	—	—
*Garvagh,	1,121	451	553	44	50	8	—	—	—	15	—	—
Glenade,	635	97	309	125	37	33	15	11	8	—	—	—
*Glenaniff,	664	237	346	55	8	18	—	—	—	—	—	—
Glenboy,	780	153	323	86	51	54	35	28	—	50	—	—
Glencar,	747	63	367	115	120	31	37	2	12	—	—	—
*Glenfarn,	580	213	262	49	17	15	3	9	3	9	—	—
Killanummery,	928	357	252	127	55	27	29	30	26	—	25	—
*Killarga,	676	206	358	64	31	6	—	—	11	—	—	—
*Kiltyclogher,	1,396	423	644	129	67	54	22	34	4	19	—	—
Lurganboy,	801	127	207	196	34	85	56	14	69	13	—	—
*Mahanagh,	1,645	536	859	176	49	17	—	3	5	—	—	—
Manorhamilton,	1,322	186	457	192	146	96	35	36	153	21	—	—
Munakill,	892	206	344	143	54	61	64	11	9	—	—	—
Sramore,	842	132	377	175	46	52	27	—	33	—	—	—
*St. Patrick's,	714	210	384	39	29	39	10	—	3	—	—	—
Total of Congested Electoral Divisions.	8,000	2,695	4,060	645	276	174	35	46	26	43	—	—
Total of Non-Congested Electoral Divisions.	12,865	2,494	4,969	2,260	1,044	775	446	217	463	129	25	43
Total of Electoral Divisions,	20,865	5,189	9,029	2,905	1,320	949	481	263	489	172	25	43
MOHILL.												
*Aghavas,	884	69	567	149	16	58	25	—	—	—	—	—
*Beihy,	1,162	221	620	165	81	62	9	—	4	—	—	—
*Breandrum,	979	271	490	119	51	38	—	5	5	—	—	—
Bunnybeg,	510	78	198	102	71	25	11	1	17	7	—	—
Carrigallen East,	512	43	126	117	124	52	3	14	33	—	—	—
Carrigallen West,	649	75	312	92	53	45	49	23	—	—	—	—
*Cashel,	499	110	213	91	64	21	—	—	—	—	—	—
*Castlefore,	653	53	444	91	48	17	—	—	—	—	—	—
*Cattan,	947	250	544	103	33	11	6	—	—	—	—	—
*Cloone,	1,247	326	590	204	68	17	3	—	39	—	—	—
*Corriga,	715	95	358	115	63	37	15	14	18	—	—	—
Drumard,	460	58	214	108	26	35	—	—	15	4	—	—
Drumdoo,	879	49	474	154	104	30	30	—	38	—	—	—
Drumod,	900	72	316	185	72	84	42	48	68	—	13	—
Fenagh,	634	30	298	133	65	55	9	5	11	—	28	—
Gortermone,	926	97	448	194	115	59	—	13	—	—	—	—
*Keeldra,	842	166	467	115	50	14	28	2	—	—	—	—
Lisgillock,	605	33	284	159	65	33	19	1	11	—	—	—
Mohill,	1,336	276	455	164	100	120	64	29	118	10	—	—
Rinn,	819	162	267	133	36	36	12	7	—	16	—	150

*Schedu'ed as Congested.

APPENDIX X.

IV.—TABLE showing the Population on each Class of Holdings in the County of Leitrim—*continued.*

UNIONS AND ELECTORAL DIVISIONS.	Total Population on Agricultural Holdings.	CLASSIFICATION OF HOLDINGS ACCORDING TO RATEABLE VALUATION, AND POPULATION IN EACH CLASS.										
		Not exceeding £4.	Above £4 and not exceeding £10.	Above £10 and not exceeding £15.	Above £15 and not exceeding £20.	Above £20 and not exceeding £30.	Above £30 and not exceeding £40.	Above £40 and not exceeding £50.	Above £50 and not exceeding £100.	Above £100 and not exceeding £200.	Above £200 and not exceeding £300.	Above £300 in value.
MOHILL—*continued.*												
Riverstown, ...	955	87	336	262	115	81	40	11	23	—	—	—
Roosky, ...	859	87	359	158	114	63	9	62	7	—	—	—
*Rowan, ...	741	82	458	121	14	31	17	—	10	8	—	—
Total of Congested Electoral Divisions.	8,669	1,643	4,751	1,273	488	306	103	21	76	8	—	—
Total of Non-Congested Electoral Divisions.	10,044	1,147	4,087	1,961	1,060	718	288	214	341	37	41	150
Total of Electoral Divisions,	18,713	2,790	8,838	3,234	1,548	1,024	391	235	417	45	41	150
Total of Congested Electoral Divisions in County.	30,794	8,061	16,239	3,739	1,197	823	309	162	164	51	49	—
Total of Non-Congested Electoral Divisions in County.	32,880	4,828	13,090	5,995	2,900	2,346	1,067	656	1,144	344	317	193
Total of County,	63,674	12,889	29,329	9,734	4,097	3,169	1,376	818	1,308	395	366	193

* Scheduled as Congested.

.—Return showing the total number of Holdings, and the number of various sized Holdings, in the County of Leitrim, in the year 1906. APPENDIX X.

Compiled from the Agricultural Statistics, 1906.

Unions and Electoral Divisions.	Number of Holdings in each Electoral Division.									
	Not exceeding 1 Acre.	Above 1 and not exceeding 5 Acres.	Above 5 and not exceeding 15 Acres.	Above 15 and not exceeding 30 Acres.	Above 30 and not exceeding 50 Acres.	Above 50 and not exceeding 100 Acres.	Above 100 and not exceeding 200 Acres.	Above 200 and not exceeding 500 Acres.	Above 500 Acres.	Total Number of Holdings.
Ballyshannon Union.										
Aghlateeve, ...	—	7	18	41	20	4	—	—	—	90
Aghanlish, ...	4	8	65	64	20	8	2	1	1	173
Aghavaghill, ...	4	4	27	32	10	9	2	—	—	88
Aubacreevy, ...	4	16	88	66	27	15	1	—	—	217
Dinlough, ...	16	13	91	65	25	8	3	3	—	224
Melvin, ...	1	4	40	61	22	7	2	—	—	137
Tullaghan, ...	7	51	119	71	27	11	2	1	—	289
Total of Congested Electoral Divisions.	16	86	330	303	116	45	7	2	1	906
Total of Non-Congested Electoral Divisions.	20	17	118	97	35	17	5	3	—	312
Total of Union, ..	36	103	448	400	151	62	12	5	1	1,218
Bawnboy Union.										
Ballinamore, ...	125	12	44	51	19	14	4	1	—	270
Cloverhill, ...	12	6	129	87	21	4	2	—	—	261
Corrala, ...	—	2	47	80	22	7	—	—	—	158
Drumreilly, North, ...	11	18	43	51	12	3	—	—	—	143
Drumreilly, South, ...	4	11	65	47	14	4	—	—	—	145
Garadice, ...	13	19	93	76	31	16	1	—	—	249
Greaghglass, ...	—	5	102	72	15	3	—	—	—	19
Killygar, ...	—	6	29	43	17	8	1	2	—	106
Newtowngore, ...	17	9	41	40	21	9	2	1	—	140
Oughteragh, ...	—	8	70	56	15	1	—	—	—	150
Stralongford, ...	—	7	36	49	17	6	3	4	—	122
Total of Congested Electoral Divisions.	27	55	450	362	94	21	5	4	—	1,018
Total of Non-Congested Electoral Divisions.	155	48	254	290	110	54	8	4	—	923
Total of Union, ..	182	103	704	652	204	75	13	8	—	1,941
Carrick-on-Shannon Union.										
Aghacashel, ...	—	—	14	25	23	3	1	1	—	67
Annaduff, ...	6	6	16	39	7	7	6	—	—	87
Barnameenagh, ...	—	2	45	67	25	9	5	—	—	153
Carrick-on-Shannon, ...	129	37	98	72	30	15	1	2	—	384
Drumreilly, East, ...	—	—	14	60	7	2	2	—	—	85
Drumreilly, West, ...	1	9	54	52	15	9	—	1	1	142
Drumshambo, ...	20	12	73	75	16	7	1	—	—	204
Drumsna, ...	35	20	125	96	24	5	2	—	—	307
Fortnagullion, ...	—	3	99	84	22	6	2	—	—	216
Fowel, ...	—	5	65	44	11	11	3	—	—	139
Keshcarrigan, ...	5	9	46	48	13	2	1	—	—	124
Kiltubbrid, ...	2	4	64	57	8	5	1	—	—	141
Leitrim, ...	24	17	105	81	28	12	4	—	—	271
Moher, ...	—	1	63	111	18	—	2	—	—	195
Tugan, ...	3	25	155	70	6	1	1	—	—	261
Total of Congested Electoral Divisions.	6	44	508	526	124	35	14	2	1	1,260
Total of Non-Congested Electoral Divisions.	219	106	528	455	129	59	18	2	—	1,516
Total of Union, ..	225	150	1,036*	981	253	94	32	4	1	2,776

*Scheduled as Congested.

APPENDIX X.—V.—RETURN showing the total number of Holdings, and the number of various sized Holdings, in the County of Leitri in the year 1906—*continued.*

UNIONS AND ELECTORAL DIVISIONS.	NUMBER OF HOLDINGS IN EACH ELECTORAL DIVISION.									
	Not exceeding 1 Acre.	Above 1 and not exceeding 5 Acres.	Above 5 and not exceeding 15 Acres.	Above 15 and not exceeding 30 Acres.	Above 30 and not exceeding 50 Acres.	Above 50 and not exceeding 100 Acres.	Above 100 and not exceeding 200 Acres.	Above 200 and not exceeding 500 Acres.	Above 500 Acres.	Tota Numb of Holdin
MANORHAMILTON UNION.										
*Arigna, ...	—	—	42	22	13	7	3	2	—	8
Ballynameehan, ...	4	3	36	85	51	21	4	1	—	2(
Belhavel, ...	6	16	112	112	22	5	1	—	—	27
*Cloonclare, ...	1	9	72	74	17	6	1	—	—	1
Cloonlogher, ...	6	7	40	120	47	23	4	—	1	24
Dromahaire, ...	65	53	142	111	36	17	10	—	—	4
Drumkeeran, ...	37	21	116	110	48	11	2	—	—	3
*Garvagh, ...	5	8	87	78	22	9	1	—	—	2
Glenade, ...	3	4	34	48	35	14	2	—	—	1
*Glenaniff, ...	1	5	42	55	36	12	4	—	1	1
Glenboy, ...	—	5	43	55	27	22	3	—	—	1
Glencar, ...	—	6	52	64	25	14	3	1	—	1
*Glenfarn, ...	2	12	47	48	23	5	3	1	—	1
Killanummery, ...	4	16	57	77	33	9	5	—	—	2
*Killarga, ...	—	1	61	58	31	13	1	1	2	1
Kiltyclogher, ...	32	8	65	113	52	19	3	—	—	2
Lurganboy, ...	3	8	45	48	37	20	6	2	—	1
*Maghanagh, ...	6	17	215	136	34	1	1	—	—	4
Manorhamilton, ...	66	17	71	96	62	21	6	2	—	3
Munakill, ...	2	6	70	58	32	18	1	—	—	1
*St. Patrick's, ...	—	11	89	58	17	5	2	—	—	1
Sramore, ...	8	12	50	71	34	14	8	3	—	2
Total of Congested Electoral Divisions.	47	71	720	642	245	77	19	4	3	1,8
Total of Non-Congested Electoral Divisions.	204	174	868	1,055	489	209	55	9	1	3,(
Total of Union, ..	251	245	1,588	1,697	734	286	74	13	4	4,8
MOHILL UNION.										
*Aghavas, ...	6	1	59	89	19	7	—	—	—	1
*Beighy, ...	3	23	104	64	33	5	1	—	—	2
*Breandrum, ...	—	4	121	72	25	3	—	—	—	2
Bonnybeg, ...	2	5	37	51	14	11	2	1	—	1
Carrigallen, East, ...	7	4	29	59	22	8	2	—	—	
Carrigallen, West, ...	14	10	44	65	29	8	1	—	—	
*Cashel, ...	1	6	32	42	15	—	—	—	—	
*Castlefore, ...	—	1	37	90	12	3	—	—	—	
*Cattan, ...	5	21	92	77	8	4	—	—	—	
*Cloone, ...	7	14	149	85	11	5	—	—	—	
*Corriga, ...	8	11	47	58	18	4	2	—	—	
Dromard, ...	—	16	39	34	7	7	3	—	—	
Dromdoo, ...	2	8	59	83	21	3	2	—	—	
Dromod, ...	15	22	48	71	17	9	4	1	—	
Fenagh, ...	3	1	31	64	17	6	3	—	—	
Gortermore, ...	6	11	49	83	33	3	—	—	—	
*Keeldra, ...	1	13	60	75	20	5	—	—	—	
Lisgillock, ...	1	3	33	49	39	3	2	—	—	
Mohill, ...	53	44	111	76	17	12	3	1	—	
Rinn, ...	8	18	62	39	10	5	2	3	—	
Riverstown, ...	1	7	50	101	42	12	—	—	—	
Roosky, ...	6	25	76	53	16	5	3	—	—	
*Rowan, ...	3	3	45	72	22	10	1	—	—	
Total of Congested Electoral Divisions.	34	97	746	724	183	46	4	—	—	1
Total of Non-Congested Electoral Divisions.	118	174	668	828	284	92	27	6	—	2
Total of Union, ..	152	271	1,414	1,552	467	138	31	6	—	4
Total of Congested Electoral Divisions in County.	130	353	2,754	2,557	762	224	49	12	5	6
Total of Non-Congested Electoral Divisions in County.	716	519	2,436	2,725	1,047	431	113	24	1	8
Total of Co. Leitrim, ..	846	872	5,190	5,282	1,809	655	162	36	6	14

*Scheduled as Congested.

L.—Return showing the total Area, and the chief Divisions of Land, in each of the Electoral Divisions of the County of Leitrim, in the year 1906.

Compiled from the Agricultural Statistics, 1906.

Electoral Divisions and Poor Law Unions in which situated.	Extent in Statute Acres under:—										
	Total Area of Electoral Divisions.	Crops including Hay.	Grass.	Fruit.	Fallow.	Woods and Plantations.	Turf Bog.	Marsh.	Mountain Land.		Water, Roads, Fences, &c
									Grazed.	Barren.	
Ballyshannon Union.											
alateeve, ...	3,420	454	1,361	—	—	—	12	8	245	1,237	103
anlish, ...	5,833	766	2,764	—	—	6	60	—	678	1,368	191
avaghill, ...	3,484	413	1,639	—	—	12	208	—	1,085	39	88
acreeny, ...	4,692	1,056	3,337	—	—	50	93	—	—	—	156
lough, ...	5,318	984	3,530	2	—	125	135	19	398	—	125
in, ...	3,446	728	1,813	—	—	—	247	—	411	10	237
aghan, ...	6,232	1,148	4,108	—	—	84	625	—	—	—	267
Total of Congested Electoral Divisions.	23,623	4,152	13,383	—	—	140	1,037	8	1,334	2,615	954
Total of Non-Congested Electoral Divisions.	8,802	1,397	5,169	2	—	137	343	19	1,483	39	213
Total of Union, ..	32,425	5,549	18,552	2	—	277	1,380	27	2,817	2,654	1,167
Bawnboy Union.											
inamore, ...	4,499	1,165	2,972	—	2	21	56	1	—	—	282
erhill, ...	4,793	1,073	3,244	—	—	4	71	6	—	—	395
ala, ...	3,914	881	2,764	—	—	—	24	8	—	—	237
nreilly North, ...	2,880	599	1,449	—	—	6	232	26	164	42	362
nreilly South, ...	2,661	678	1,757	—	—	17	82	14	—	—	113
ndice, ...	5,310	1,468	3,225	—	—	13	47	69	13	3	472
ghglass, ...	3,668	899	2,471	—	—	15	84	25	—	—	174
gar, ...	3,123	771	2,027	1	—	84	12	26	—	—	202
towngore, ...	3,606	873	2,176	2	—	18	160	49	10	21	297
nteragh, ...	2,667	620	1,797	—	—	—	168	—	—	—	82
ongford, ...	5,667	574	1,857	—	—	—	1,210	26	1,020	803	177
Total of Congested Electoral Divisions.	22,336	4,443	12,575	—	—	42	1,847	97	1,184	845	1,303
Total of Non-Congested Electoral Divisions.	20,452	5,158	13,164	3	2	136	299	153	23	24	1,490
Total of Union, ..	42,788	9,601	25,739	3	2	178	2,146	250	1,207	869	2,793
Carrick-on-Shannon.											
ucashel, ...	2,522	474	1,613	—	—	6	183	24	—	175	42
nduff, ...	2,801	999	1,704	3	—	12	59	1	—	—	23
ameenagh, ...	5,889	1,137	2,811	—	—	—	55	—	703	794	389
ck-on-Shannon, ..	5,536	1,705	3,464	3	—	25	16	1	—	—	322
nreilly East, ...	4,627	570	1,200	—	—	1	524	396	1,030	200	706
nreilly West, ...	5,987	1,161	1,521	—	—	—	624	419	1,558	295	409
nshambo, ...	3,697	1,073	2,244	—	2	20	41	9	8	—	300
nna, ...	5,322	1,636	3,227	3	—	28	151	—	—	—	277
nagullion, ...	4,498	1,032	3,058	—	—	13	72	—	—	—	323
el, ...	3,330	831	2,262	—	—	1	—	—	—	—	236
carrigan, ...	2,564	564	1,622	—	—	3	1	—	—	—	374
bbrid, ...	3,021	664	1 882	—	—	38	195	22	—	—	220
im, ...	5,644	1,408	3,683	—	—	138	6	4	—	—	315
r, ...	4,175	1,102	2,694	—	—	—	61	8	21	55	234
n, ...	3,871	1,470	1,599	—	—	1	205	57	75	13	451
Total of Congested Electoral Divisions.	34,590	7,610	16,378	—	—	59	1,924	926	3,387	1,532	2,774
Total of Non-Congested Electoral Divisions.	28,894	8,306	8,206	9	2	227	274	15	8	—	1,247
Total of Union, ..	63,484	15,916	34,584	9	2	286	2,198	941	3,395	1,532	4,621

* Scheduled as Congested.

APPENDIX X.

VI.—RETURN showing the total Area, and the chief Divisions of Land, in each of the Electoral Divisions of the County of Leitrim, in the year 1906—*continued.*

ELECTORAL DIVISIONS AND POOR LAW UNIONS IN WHICH SITUATED.	EXTENT IN STATUTE ACRES UNDER—										
	Total Area of Electoral Division.	Crops, including Hay.	Grass.	Fruit.	Fallow.	Woods and Plantations.	Turf Bog.	Marsh.	Mountain Land.		Water, Roads, Fences, &c.
									Grazed.	Barren.	
MANORHAMILTON UNION.											
*Arigna, ...	4,411	364	1,644	—	—	—	435	—	1,744	—	224
Ballynameehan, ...	6,959	1,173	4,076	—	—	59	346	—	949	3	353
Belhavel, ...	5,339	1,463	3,207	—	—	31	9	14	—	47	568
Cloonclare, ...	4,907	862	2,365	—	—	12	54	4	87	1,436	87
Cloonlogher, ...	8,228	1,266	5,275	—	—	6	385	20	548	184	544
Dromahaire, ...	8,250	1,966	5,103	—	—	156	58	10	255	66	636
Drumkeeran, ...	6,474	1,543	4,314	—	—	9	332	—	—	—	276
*Garvagh, ...	4,423	949	2,406	—	—	4	192	84	473	—	315
Glenade	7,069	806	2,371	—	—	12	560	12	584	2,510	214
*Glenaniff, ...	8,231	809	2,311	—	—	2	1,072	90	1,959	1,805	183
Glenboy, ...	6,366	1,022	3,240	—	—	11	230	104	334	1,260	165
Glencar, ...	9,156	1,153	2,455	—	—	242	2,179	117	2,147	570	293
*Glenfarn, ...	4,082	820	2,103	3	—	413	14	—	—	590	139
Killanummery, ...	5,139	1,066	3,317	—	—	1	458	26	75	—	196
*Killarga, ...	8,134	948	2,710	—	—	—	832	4	1,036	2,173	431
*Kiltyclogher, ...	7,790	1,590	4,474	—	—	14	482	66	563	330	271
Lurganboy, ...	7,307	1,176	4,115	—	—	307	487	173	492	290	267
*Mahanagh, ...	7,642	1,951	3,861	—	—	8	418	1	70	709	624
Manorhamilton, ...	8,321	1,701	5,511	—	—	100	158	1	518	5	327
Munakill, ...	5,236	1,099	2,895	—	—	—	36	—	335	702	169
*St. Patrick's, ...	4,313	821	2,004	—	—	18	350	7	869	—	244
Sramore, ...	7,079	912	3,324	—	—	167	342	8	1,618	329	379
Total of Congested Electoral Divisions.	53,933	9,214	23,878	3	—	471	3,849	256	6,801	7,043	2,419
Total of Non-Congested Electoral Divisions.	90,923	16,246	49,203	—	—	1,101	5,580	485	7,855	5,966	4,487
Total of Union, ..	144,856	25,460	73,081	3	—	1,572	9,429	741	14,656	13,009	6,906
MOHILL UNION.											
*Aghavas, ...	4,032	997	2,573	—	—	—	191	—	4	—	267
*Beighy, ...	5,500	1,187	2,928	—	—	—	1,278	—	—	—	107
*Breandrum, ...	4,101	1,048	2,765	2	—	5	103	14	—	—	164
Bonnybeg, ...	3,235	763	2,175	—	—	6	112	—	—	—	179
Carrigallen, East, ...	3,468	1,052	1,892	5	—	36	74	68	—	—	341
Carrigallen, West, ...	3,889	954	2,502	1	—	31	52	—	—	—	349
*Cashel, ...	2,830	531	1,161	1	—	—	815	62	1	4	255
*Castlefore, ...	3,473	756	2,047	—	—	—	17	—	—	—	653
*Cattan, ...	4,126	894	2,186	—	—	—	305	286	—	—	455
*Cloone, ...	4,463	1,551	2,330	—	—	7	234	45	—	—	296
*Corriga, ...	3,055	813	1,871	—	—	—	58	5	—	—	308
Dromard, ...	3,129	628	1,613	—	—	29	342	7	—	—	511
Dromdoo, ...	3,841	1,047	2,321	—	—	12	85	2	—	—	374
Dromod, ...	4,358	1,110	2,511	7	—	253	103	41	—	—	333
Fenagh, ...	3,805	695	2,542	—	—	21	17	10	—	—	520
Gortermore, ...	4,099	1,283	2,283	—	—	3	21	60	—	—	449
*Keeldra, ...	3,785	1,187	1,891	—	—	—	357	31	—	202	117
Lisgillock, ...	3,523	729	2,476	—	—	1	68	—	—	—	249
Mohill, ...	5,521	1,454	3,355	1	—	64	369	7	—	—	271
Rinn, ...	4,612	928	2,479	1	—	253	684	6	—	—	260
Riverstown, ...	5,386	1,171	3,809	—	—	—	57	39	—	—	310
Roosky, ...	4,572	1,012	2,091	1	—	80	931	58	—	—	399
*Rowan, ...	4,153	868	2,803	—	—	—	54	3	—	—	425
Total of Congested Electoral Divisions.	39,518	9,832	22,555	3	—	12	3,412	446	5	206	2,047
Total of Non-Congested Electoral Divisions.	53,438	12,826	32,049	16	—	789	2,915	298	—	—	4,545
Total of Union, ..	92,956	22,658	54,604	19	—	801	6,327	744	5	206	7,592
Total of Congested Electoral Divisions in County.	174,000	35,251	88,769	6	—	724	12,069	1,733	12,711	12,241	10,475
Total of Non-Congested Electoral Divisions in County.	202,509	43,933	117,791	30	4	2,390	9,411	970	9,369	6,029	12,575
Total of County Leitrim,	376,509	79,184	206,560	36	4	3,114	21,480	2,703	22,080	18,270	23,050

* Scheduled as Congested.

G.—TABLES SHOWING THE WORKING OF THE LAND ACTS IN CO. LEITRIM.

1. TABLE showing the Number of Cases in Co. Leitrim in which *Judicial Rents have been fixed by all the Methods* provided by the Land Law Acts, for First and Second Statutory Terms, *from the commencement of Proceedings to 31st March,* 1906; and also a Summary of the Acreages, Rents of Holdings prior to the creation of First Statutory Term, Rents of Holdings for a First Statutory Term, and Rents of Holdings for a Second Statutory Term. (Arranged from the Report of the Irish Land Commissioners for the year ending 31st March, 1906, pp. 72 and 74).

First or Second Statutory Term.	Number of Cases in which Judicial Rents have been fixed.	Acreage, Statute Measure.	Rents of Holdings prior to creation of First Statutory Term.	Judicial Rents fixed for a First Statutory Term.	Percentage of Reduction.	Judicial Rents fixed for a Second Statutory Term.	Percentage of Reduction of Rents fixed for a Second Statutory Term on Rents fixed for a First Statutory Term.
		A. R. P.	£ s. d.	£ s. d.		£ s. d.	
First Term, ..	11,649	247,672 2 38	124,922 14 9½	96,991 4 2	22·3	—	—
Second Term, ..	4,390	103,613 1 4½	57,742 9 4½	44,839 12 8½	22·3	35,339 1 4	21·2

2. TABLE showing the Number of Loans issued in Co. Leitrim under the Purchase of Land (Ireland) Act. 1885 (Advances in Cash), the Number of Estates, and the Total Acreage and Rental of the Holdings in respect of which the Loans have been issued; also the Total Purchase-money and the amount of Loans obtained from Land Commission, and the Number of Years' Purchase of Rent, during the period from 22nd August, 1885, to 31st March, 1902.

During the four years ended the 31st March, 1906, *there were no further proceedings towards purchase taken under this Act.*

Taken from the Report of the Irish Land Commissioners for the year ended 31st March, 1906, p. 94.

Number of Loans.	Number of Estates.	Area in Statute Measure.	Net Rent (*a*)	Purchase-money agreed upon.	Amount of Loans.	Number of years' purchase of Rent.
		A. R. P.	£ s. d.	£	£	
539	19	12,810 0 5	5,964 16 0	96,623	94,620	16·1

(*a*) The Rents stated in this Return are the Rents payable by the Tenants previous to the sale, except in a few cases where the Tenants agreed to purchase subject to a Head Rent, Crown Rent, Tithe Rent, or Drainage Charge or other outgoing, previously payable by the Landlord, and in such cases the outgoing has been deducted from the Rent previously payable by the Tenant.

3. TABLE showing the Number of Loans issued in Co. Leitrim under the Purchase of Land (Ireland) Acts 1891, 1896 (Advances in Guaranteed Land Stock), and the Total Acreage and Rental of the Holdings in respect of which the Loans have been issued; the Total Purchase-money and the Amount of Loans obtained from the Land Commission, and the Number of Years' Purchase of Rent, during the period ended 31st March, 1906.

Taken from the Report of the Irish Land Commissioners for the year ended 31st March 1906, p. 116.

Number of Loans.	Area in Statute Measure.	Rent.	Purchase-money.	Amount of Loans.	Number of years' purchase of Rent.
	A. R. P.	£ s. d.	£	£	
2,871	60,213 3 25	22,489 14 6	399,862	399,298	17·7

4. TABLE showing the Number of Loans issued in Co. Leitrim under the Irish Land Act, 1903 (exclusive of Estates Commissioners' transactions), the Total Acreage and Rental of Holdings in respect of which the Loans have been issued; also the Total Purchase-money, and the amount of Loans obtained from the Land Commission, and the Number of Years' Purchase of Rent, during the period ending 31st March, 1906.

Taken from the Report of the Irish Land Commissioners for the year ended 31st March, 1906, p. 139.

Number of Loans.	Area in Statute Measure.	Rent.	Purchase-money.	Amount of Loans.	Number of years' purchase of Rent.
	A. R. P.	£ s. d.	£	£	
234	4,123 1 34	1,259 10 5	24,237	24,200	19·2

5.—Summary of Advances made by Estates Commissioners during the Period from 1st November, 1903, to 31st March, 1906.

Taken from the Report of the Estates Commissioners for Year ended 31st March, 1906, pp. 82 and 83.

County.	Direct Sales.					Sections 6 & 8: Estates purchased by the Land Commission.					Section 7: Estates purchased by the Land Commission.					Sections 72 & 79.					Total.				
	Number of Estates.	Number of Purchasers.	Purchase Money.			Number of Estates.	Number of Proposed Purchasers.	Purchase Money.			Number of Estates.	Number of Proposed Purchasers.	Purchase Money.			Number of Estates.	Number of Purchasers.	Purchase Money.			Number of Estates.	Number of Purchasers.	Purchase Money.		
			Price.	Amount of Advances.	Amount of Payments in Cash.			Price.	Amount of Advances.	Amount of Proposed Payments in Cash.			Price	Amount of Advances.	Amount of Proposed Payments in Cash.			Price.	Amount of Advances.	Amount of Proposed Payments in Cash.			Price.	Amount of Advances.	Amount of Payments in Cash.
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.	19.	20.	21.	22.	23.	24.	25.	26.
			£	£	£			£	£	£			£	£	£			£	£	£			£	£	£
Leitrim Non-Congested,	6	37	6,125	6,125	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	6	37	6,125	6,125	–
Do. Congested, ...	3	29	3,011	3,011	–	1	49	9,920	9,920	–	–	–	–	–	–	–	–	–	–	–	4	78	12,931	12,931	–

The following detailed information as regards direct sales is taken from the Report of the Estates Commissioners for 1906 (pp. 28 to 35):—

In the County Leitrim (non-congested), one holding, subject to a judicial rent fixed, or agreed to, before the 14th August, 1896 (commonly called a first term rent) amounting to £2 10*s.*, was sold at a price which came within the zones, the number of years' purchase being 20·8, and the percentage of reduction in the purchase annuity, as compared with the rent being 32·4. One holding subject to a first term rent of £23, was sold outside the zones, the number of years' purchase being 17·2 and the percentage of reduction 44·1, *i.e.*, a reduction greater than the maximum reduction within the zones.

In the County Leitrim (congested), 13 holdings, subject to judicial rents fixed, or agreed to, before the 14th August, 1896 (commonly called first term rents), amounting to £60 12*s.* 6*d.*, were sold at prices which came within the zones; the average number of years' purchase being 20·7, and the average percentage of reduction in the purchase annuity, as compared with the rent, being 32·7. Two holdings, subject to first term rents of £12 4*s.*, were sold at a price outside the zones; the average number of years' purchase being 25·1, and the average reduction 18·4 per cent.—which is less than the minimum zone reduction.

As regards holdings subject to rents fixed, or agreed to, since the 14th August, 1896 (commonly called second term rents), 16, subject to a rental of £106 7*s.* 6*d.*, were sold in Leitrim (non-congested), at an average of 21·8 years' purchase; the average percentage of reduction being 29·1. Nine holdings were sold at a price outside the zones; the rental being £53 15*s.*; the average number of years' purchase being 21·5, and the average percentage of reduction being 30·1, *i.e.*, a greater percentage than the maximum zone reduction.

In Leitrim (congested) 10 holdings, subject to second term rents of £44 9*s.* 9*d.*, were sold, within the zones, for an average of 25·6 years' purchase; the average percentage of reduction being 16·8. Two holdings, subject to a second term rent of £13 5*s.*, were sold, outside the zones, for an average of 13·4 years' purchase; the average percentage of reduction being 56·4, which is greater than the maximum zone reduction.

As regards non-judicial rent cases, 10 holdings in Leitrim (non-congested), subject to a rental of £109 12*s.* 6*d.*, were sold for an average of 20·1 years' purchase; the average percentage of reduction being 34·6, and in Leitrim (congested), one holding, subject to 10*s.* rent, was sold for 22·0 years' purchase; the percentage of reduction being 28·5. One "parcel" was sold in Leitrim (non-congested) under section 2, sub-section (1).

H.—STATEMENT SHOWING, BY UNIONS AND ELECTORAL DIVISIONS, THE ESTATES PURCHASED BY THE CONGESTED DISTRICTS BOARD IN CO. LEITRIM.

Supplied by the Congested Districts Board.

UNION.	Electoral Division.	Estate.	AREA.					Poor Law Valuation.	Rental.	Purchase Money.
			Congested.	Non-Congested.	Tenanted.	Untenanted.	Total.			
			A.	A.	A.	A.	A.	£	£	£
Carrick-on-Shannon.	Yugan,	Kilgarriff,	207	—	60	147	207	74	20	1,205

I.—LIST OF PARISH COMMITTEE GRANTS AND EXPENDITURE IN COUNTY LEITRIM.

Taken from the Fifteenth Report of the Congested Districts Board, pp. 104-5.

Parish.	Poor Law Union.	Net amount of Grants made to 31st March, 1905.	Gross Grants sanctioned for 1905-6.
		£ s. d.	£ s. d.
Aghavas	Mohill,	29 11 9	40 0 0
Ballaghameehan,	do.,	47 16 10	50 0 0
Ballinamore,	Bawnboy,	50 0 0	50 0 0
Barnacoola,	do.,	24 7 5	50 0 0
Cloone,	Mohill,	25 8 4	50 0 0
Drumreilly, Lower,	Bawnboy,	17 0 0	30 0 0
Drumreilly, N. and S.,	do.,	39 7 0	50 0 0
Drumreilly, E. and W.,	Carrick-on-Shannon,	65 8 6	70 0 0
Fenagh,	Mohill,	—	40 0 0
Glenade,	Ballyshannon,	37 9 2	70 0 0
Glenfarne,	Manorhamilton,	14 13 2	70 0 0
Gortleteragh,	Mohill,	40 18 6	70 0 0
Inishmagrath,	Manorhamilton,	21 17 0	50 0 0
Killanumery,	do.,	40 0 0	50 0 0
Killasnet,	do.,	—	50 0 0
Killarga,	do.,	37 16 7	50 0 0
Kiltoghert,	Carrick-on-Shannon,	—	50 0 0
Kiltubrid,	do.,	32 0 0	50 0 0
Kinlough,	Ballyshannon,	65 10 0	70 0 0
Mohill,	Mohill,	40 0 0	40 0 0
Murhaun,	do.,	18 14 11	30 0 0
Tullycleven.	Manorhamilton,	81 19 8	—

N.B.—There is a Parish Committee at work in each of the 21 Parishes in the Congested Districts of Leitrim.

J.—STATEMENT OF PARISH COMMITTEE SCHEME AND SANITARY EXPENDITURE IN CO. LEITRIM.

STATEMENT showing Total Amounts expended on Improvements (exclusive of Cost of Supervision) for the years 1904–5 and 1905–6; the Expenditure on the Erection and Improvement of Dwellinghouses and Out-Offices in the years 1904–5 and 1905–6; and the average annual salaries of Sanitary Officers in the Rural Districts containing Congested Districts, together with the aggregate sums paid in 1905 for Salaries to these Officers.

Supplied by the Congested Districts Board.

Union.	Total Expenditure on Improvements of all kinds undertaken under the Scheme for the years 1904-5 and 1905-6.	Expenditure on the Erection and Improvement of Dwellinghouses and Out-Offices in 1904-5 and 1905-6.	Medical Officer of Health.			Total paid for Salaries.		Sub-Sanitary Officer.			Total amount paid for Salaries in Rural District.
			Number in Rural District.	Total paid for Salaries.	Average rate of Salary.	Consulting Sanitary Officer.	Executive Sanitary Officer. One in each Rural District.	Number in Rural District.	Total paid for Salaries.	Average rate of Salary.	
	£	£		£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.
Ballyshannon (part of).	275	119	1	20 0 0	20 0 0	3 16 0	2 17 0	1	7 10 0	7 10 0	34 3 0
Bawnboy (part of),	213	37	2	28 0 0	14 0 0	6 9 4	5 3 4	1	6 0 0	6 0 0	45 12 8
Carrick-on Shannon (part of).	180	86	2	45 0 0	22 10 0	10 17 4	16 6 4	3	14 12 0	4 17 4	86 15 8
Manorhamilton,	435	218	4	60 0 0	15 0 0	—	20 0 0	3	26 0 0	8 13 4	106 0 0
Mohill,	412	204	4	60 0 0	15 0 0	—	20 0 0	2	20 0 0	10 0 0	100 0 0
Total,	1,515	664	13	213 0 0	16 7 8	21 2 8	64 6 8	10	74 2 0	7 8 2	372 11 4

K.—STATEMENT SHOWING AMOUNT OF GRANTS PAID TO AGRICULTURAL SHOWS IN CO. LEITRIM BY THE CONGESTED DISTRICTS BOARD DURING THE YEAR 1905-6.

Taken from the Fifteenth Report of the Congested Districts Board, p. 107.

Name of Show.	Amount.
	£ s. d.
Creevelea Agricultural Show,	15 0 0
Drumshambo Agricultural Show,	15 0 0
Manorhamilton Agricultural Show,	25 0 0
Total,	55 0 0

APPENDIX X.

L.—STATEMENT SHOWING ROADS, BRIDGES AND OTHER INLAND WORKS UNDERTAKEN IN COUNTY LEITRIM BY THE BOARD UP TO THE 31ST MARCH, 1906.

Taken from the Fifteenth Report of the Congested Districts Board, p. 91.

No.	Name of Work.	Total Expenditure to 31st March 1905.	Expenditure, 1905 1906.	Total Expenditure to 31st March, 1906.	Observations.
1	Kiltubbrid Road, ...	400	—	400	Contribution to County.
2	Gubacreeny Road, ...	127	—	127	do.
3	Melvin Road, ...	458	5	463	do.
4	Cloverhill Road, ...	182	—	182	do.
5	Sradrinagh Road, ...	20	—	20	do.
6	Greaghnaglogh Road, ...	—	182	182	Contribution.
7	Eslin Drainage, ...	187	—	187	Completed.
8	Cornamon Drainage, ...	—	15	15	Contribution.
9	Ballinamore Footbridge, ...	20	—	20	Completed.
10	Aughrim Pass Bridge, ...	57	—	57	do.
11	Drumreilly North E. D. Road, ...	115	10	125	Contribution.
12	Straduffy and Glenkeel Road, ...	20	—	20	do.
13	Geaglom Road, ...	88	—	88	do.
14	Cloonelare E. D. Road, ...	—	10	10	do.

M.—LOCAL TAXATION IN COUNTY LEITRIM.

The following STATEMENTS show (1) the Poor Rates in each Electoral Division in each Union for the financial years ending in 1881 and 1891; (2) County Cess in each Barony in the County in 1891—there is no official information available as to County Cess in 1881; and (3) fuller details about the new Poor Rate for 1901 and 1905. It must, however, be pointed out that the Rates in 1881 and 1891 cannot be compared with the Rates in 1901 and 1905. Prior to the Local Government (Ireland) Act, 1898, Poor Rate was charged to Electoral Divisions and County Cess to Baronies. Now Union charges are levied over the whole Union, District charges on Rural Districts, County charges on the County, separate charges on special areas, and the whole is complicated by the charges made in the rates by the Local Government Act of 1898.

Before that Act the Poor Rate was paid by the tenant (except in the case of holdings valued at £4 and under, where the landlord paid), but the tenant was entitled to deduct part of the amount paid from his rent, usually half. County Cess was paid and borne by the occupier, except in the case of holdings let after the 1st August, 1870. In these cases if the holding was valued at over £4 the tenant paid, but was entitled to deduct from his rent part of the amount paid, usually one-half. If the holding was valued at £4 or under, the County Cess was paid by the landlord.

Under the Act a Grant in Aid called the Agricultural Grant, and amounting to £727,655, is made annually to the local authorities. This Grant is equal to half the combined Poor Rate and County Cess which was certified to be taken to have been raised off agricultural land in what was known as the standard financial year. The balance of the money required for purposes formerly met out of the County Cess and the Poor Rate is now provided by means of the new Poor Rate, County Cess being no longer collected *eo nomine*.

The Act was intended to secure the benefit of the Agricultural Grant in respect of existing tenancies to the landlord as regards the old Poor Rate, and to the tenant as regards the County Cess. In order to effect this it was provided that in the case of tenancies existing at the 1st April, 1899, the tenant should, in general, pay the new Poor Rate, but that the rent should be adjusted in such a way as to secure to landlord and tenant their respective shares of the benefit of the Agricultural Grant. In the case of tenancies created after the 1st April, 1899, the tenant must, in general, pay the Poor Rate, and has no right to deduct anything from his rent. Where a fair rent is fixed after the 1st April, 1899, special provision is made by Section 55 to ensure permanently to the occupier and the landlord their respective benefits from the Agricultural Grant.

1.—STATEMENT showing the POOR RATE in the £ made in the ELECTORAL DIVISIONS of the Unions which are included wholly or partly in Co. LEITRIM for the financial years ended in 1881 and 1891. APPENDIX X.

Specially prepared by Local Government Board.

Name of Union.	Names of Electoral Divisions.	Poor Rate. 1881.	Poor Rate. 1891.	Name of Union.	Names of Electoral Divisions.	Poor Rate. 1881.	Poor Rate. 1891.
		s. d.	s. d.			s. d.	s. d.
BALLYSHANNON (Part of).	Aghalateeve,	0 10	1 6	MANORHAMILTON—*continued.*	Drumahaire,	1 1	1 2
	Aghanlish,	0 10	1 6		Drumkeeran,	2 1½	1 9
	Aghavoghil,	1 0	1 1		Garvagh,	1 6	1 2
	Gubacreeny	1 1	1 7		Glenade,	1 1	1 2
	Kinlough,	0 9	1 3		Glenaniff,	1 5	0 11
	Melvin,	0 10	1 10		Glenboy,	1 7	1 3
	Tullaghan,	0 11	2 4		Glencar,	0 10	0 11
					Glenfarm,	1 0	1 1
BAWNBOY (Part of),	Ballinamore,	2 7	1 8		Killanummery,	1 0	1 0
	Cloverhill,	1 7	1 1		Killarga,	1 4	1 1
	Corralla,	1 6	1 0		Kiltyclogher,	1 6	1 9
	Drumreilly North,	2 0	1 0		Lurganboy,	1 2	1 4
	Drumreilly South,	1 9	0 10		Mahanagh,	1 2	1 4
	Garadice,	2 0	1 8		Manorhamilton,	1 11	2 1
	Greaghlass,	2 0	0 10		Munakill,	1 1	1 10
	Killygar,	2 0	1 0		St. Patrick's,	1 2	1 1
	Newtowngore,	2 0	1 0		Seamore,	1 4	1 0
	Oughteragh,	2 5	1 10				
	Stralongford,	1 8	1 0				
				MOHILL,	Aghavas,	2 9	2 0
CARRICK-ON-SHANNON (Part of).	Aghacashel,	3 0	1 4		Beihy,	2 9	2 1
	Annaduff,	1 10	1 6		Breandrum,	2 2	1 3
	Barnameenagh,	2 2	1 6		Bunnybeg,	1 7	1 3
	Carrick-on-Shannon,	3 2	1 8		Carrigallen East,	2 4	1 10
	Drumreilly East,	1 10	1 8		Carrigallen West,	1 7	2 0
	Drumreilly West,	1 4	1 0		Cashel,	3 3	1 7
	Drumshambo,	2 8	1 10		Castlefore,	3 6	1 10
	Drumsna,	3 0	1 10		Cattan,	2 7	2 3
	Gortnagullion,	2 4	1 4		Cloone,	2 6	1 7
	Gowel,	2 6	1 6		Corriga,	2 9	2 2
	Keshcarrigan,	2 2	2 0		Drumard,	2 2	1 7
	Kiltubbrid,	2 2	2 0		Drumdoo,	1 11	1 1
	Leitrim,	2 8	1 6		Drumod,	2 6	1 6
	Moher,	1 10	1 2		Fenagh,	1 2	2 6
	Yugan,	2 2	1 8		Gortermone,	1 9	1 10
					Keeldra,	2 4	1 10
MANORHAMILTON,	Arigna,	1 0	0 11		Lisgillock,	1 9	2 0
	Ballaghameehan,	1 1	1 0		Mohill,	3 5	2 6
	Belhavel,	1 2	1 7		Rinn,	2 2	1 10
	Clooncläre,	1 6	0 9		Riverstown,	2 7	1 8
	Cloonclogher,	1 7	1 3		Rooskv,	2 5	1 7
					Rowan,	2 2	1 8

2.—STATEMENT showing the COUNTY CESS on each Barony of the County of LEITRIM for the financial year ended in 1891.

Supplied by the Local Government Board.

Name of Barony.	County Cess. s.	d.
Carrigallen,	1	11½
Drumahaire,	2	1
Leitrim,	2	0
Mohill,	2	1½
Rosclogher,	2	2½

3.—STATEMENT showing the POOR RATES in RURAL DISTRICTS during the year ended the 31st of March, 1901, with the sums collected in respect thereof; also the latest valuation of each Rural District.

Taken from the Local Taxation Returns, 1900-1, pp. 62 & 63.

Rural Districts.	Poor Rate. On Agricultural Land. County charges.	Union charges.	District charges.	Total.	On other Hereditaments. County charges.	Union charges.	District charges.	Total.	Additional item for separate charges.	Amount of Poor Rate collected. General Rate.	Rates for separate charges.	Total.	Valuation, 1902.
1.	2.	3.	4	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	£	£	£	£
Ballinamore,	0 8	0 3	1 0	2 4	1 1	1 1	1 6	3 8	—	2,638	811	3,449	17,370
Carrick-on-Shannon, No. 1.	0 8	0 5	0 11	2 0	1 1	1 1	1 4	3 6	—	3,631	715	4,346	26,582
Kinlough,	0 8	0 5	0 9	1 10	1 1	0 11	1 8	3 8	—	1,631	—	1,631	9,765
Manorhamilton,	0 8	0 7	1 1	2 4	1 1	1 3	1 10	4 2	—	6,767	—	6,767	44,619
Mohill,	0 8	1 2	0 10	2 8	1 1	1 11	1 4	4 4	—	6,890	1,755	8,645	39,817
										21,557	3,281	24,838	
												225	Arrears.
												25,063	

APPENDIX X.

4.—STATEMENT showing the POOR RATES in RURAL DISTRICTS in Co. LEITRIM for the year ended the 31st of March, 1905, with the sums collected in respect thereof during that year; also the latest rateable valuation of each Rural District.

Taken from the Local Taxation Returns, 1904-5, pp. 70 & 71.

RURAL DISTRICTS.	Poor Rate.									Amount of Poor Rate collected.			Rateable Valuation, 1906.
	On Agricultural Land.				On other Hereditaments.				Additional item for separate chages.	General Rate.	Rates for separate charges.	Total.	
	County charges.	Union charges.	District charges.	Total.	County charges.	Union charges.	District charges.	Total.					
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	£	£	£	£
Ballinamore, . .	1 1	0 9	0 10	2 8	1 6	1 4	1 2	4 0	—	2,420	697	3,117	17,394
Carrick-on-Shannon, No. 1.	1 1	0 9	0 10	2 8	1 6	1 6	1 3	4 3	0 2	3,880	1,120	5,000	26,657
Kinlough, . .	1 1	0 7	0 11	2 7	1 6	1 2	1 10	4 6	—	1,182	45	1,227	9,769
Manorhamilton, .	1 1	0 7	0 9	2 5	1 6	1 4	1 7	4 5	—	5,689	44	5,733	44,745
Mohill, . . .	1 1	0 8	0 10	2 7	1 6	1 6	1 4	4 4	0 1	5,140	1,424	6,564	40,010
										18,311	3,330	21,641	

5.—STATEMENT showing the amount of Salaries paid under the Public Health Acts in each Rural District for the financial year ended 31st March, 1905.

Supplied by the Local Government Board.

Rural District.	Total Amount.	Amount Recouped by Government Grant.
	£ s. d.	£ s. d.
Ballinamore, ...	43 12 8	20 13 0
Carrick-on-Shannon, No. 1, ...	86 15 8	43 7 10
Kinlough, ...	34 3 0	15 1 6
Manorhamilton, ...	108 1 10	54 0 11
Mohill, ...	110 0 0	50 0 0
Total, ...	382 13 2	183 3 3

6.—STATEMENT AS TO EXPENDITURE ON LABOURERS' COTTAGES.

Taken from Parliamentary Paper, No. 194, of 1906.

STATEMENT showing in respect of each RURAL DISTRICT (1) the Valuation. (2) Number of Labourers' Cottages (*a*) built; (*b*) in course of construction. (3) Amount of Loans (*a*) sanctioned; (*b*) received. (4) Amount required to be raised annually in repayment of Loans sanctioned. (5) Amount which would be raised by the maximum rate of one shilling in the pound allowed for purposes of Acts. (6) Rate per pound required to raise amount specified in Column 4. (7) Present poundage rate levied on Rural District for Labourers' Acts purposes. (8) Amount of Exchequer contribution for the year ended the 31st day of March, 1906. (9) Amount of Rent received from tenants of cottages and plots during year.

Rural District.	Valuation of Rural District.	Number of Labourers' Cottages.		Amount of Loan.		Amount required to be raised annually in repayment of Loans sanctioned.	Amount which would be raised by the maximum rate of one shilling in the pound allowed for purposes of Acts.	Rate per pound required to raise amount specified in column 4.	Present Poundage rate levied on Rural District for Labourers Acts purposes	Amount of Exchequer Contribution for the year ended 31st March, 1906.	Amount of rent received from tenants of cottages and plots during year ended 31st March, 1906.
		Built.	In course of Construction.	Sanctioned.	Received.						
	1	2 (*a*)	2 (*b*)	3 (*a*)	3 (*b*)	4	5	6	7	8	9
	£			£ s. d.	£ s. d.	£ s. d.	£ s. d.	d.	d.	£ s. d.	£ s. d.
Ballinamore, ...	17,394	9	—	1,820 0 0	1,820 0 0	96 1 8	869 14 0	1·33	·2	63 1 9	23 1 0
Carrick-on-Shannon No. 1,	26,657	22	2	3,590 0 0	3,310 0 0	123 2 6	1,332 17 0	1·11	1	99 10 5	43 7 7
Kinlough, ...	9,769	—	4	1,240 0 0	430 0 0	58 12 10	488 9 0	1·44	·5	—	—
Manorhamilton, ...	44,745	22	—	2,575 10 0	2,254 12 10	111 13 4	2,237 5 0	·6	·9	62 4 0	72 15 0
Mohill, ...	40,010	59	—	13,150 0 0	8,385 0 0	554 13 4	2,000 10 0	3·33	1	221 5 2	151 18 11
	138,575	112	6	22,375 10 0	16,199 12 10	944 3 8	6,928 15 0	1·64	—	446 1 4	291 2 6

7.—Statement showing the Receipts and Payments of each Rural District Council in Co. Leitrim during the year ended 31st March, 1905, and the Balances of Loans due at the close of the year.

Taken from the Local Taxation Returns, 1904–5, pp. 42 and 43.

Rural Districts	Receipts.					Payments.									Amount of total expenditure defrayed from Loans.	Poundage on valuation of the total expenditure exclusive of expenditure defrayed from Loans.	Balances of Loans due.			
	Money supplied by County Council on demand of District Council.	Rents of Labourers' Cottages.	Other receipts.	Total receipts from revenue.	Loans.	Salaries.	Expenses for Burial Ground purposes.	Expenses under the Labourers Acts.	Expenses under the Small Dwellings Acquisition Act.	Expenses for Sanitary purposes.	Superannuation allowances.	Repayment of Loans.	Other expenses.	Total expenditure.			Under the Public Health Act.	Under the Labourers Acts.	Any other Loans.	Total
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.	19.	20.	21.
	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£
Ballinamore,	158	18	—	176	200	66	—	334	—	43	—	70	16	529	332	0 2¾	—	1,372	—	1,372
Carrick-on-Shannon No. 1.	592	47	96	735	425	138	1	401	—	213	12	237	100	1,102	357	0 6¾	1,581	1,680	—	3,261
Kinlough,	144	—	—	144	—	64	13	106	—	36	—	30	65	314	106	0 5	339	130	—	469
Manorhamilton,	549	71	48	668	400	190	22	249	—	13	—	223	258	955	226	0 4	1,929	1,703	—	3,632
Mohill,	330	147	—	477	250	119	11	714	—	12	10	312	67	1,245	696	0 3¼	—	5,422	—	5,422

8.—Statement showing Particulars of Balances of Loans due by the Leitrim County Council at the close of the Financial year ended the 31st March, 1905, as disclosed by the Abstracts of their Accounts.

Taken from the Local Taxation Return 1904–5, p. 57.

For Expenditure on Roads, Bridges, Piers, &c.	Guaranteed under Relief of Distress (Ireland) Amendment Act, 1880, contingent liabilities.	For Gratuities paid to retired Officers (See. 115 of Local Government Act).	For Industrial Schools.	For Navigation and Drainage.	Total Amount due at close of year.	Total Amount due at commencement of year.
1.	2	3	4.	5.	6	7.
		None	for County	Leitrim.		

9. STATEMENT showing Particulars of the Receipts of the Leitrim County Council during the Financial Year ended the 31st of March, 1905.
Taken from the Local Taxation Returns, 1904–5, pp. 20 and 21.

REVENUE ACCOUNT—RECEIPTS.																	LOANS ACCOUNT—RECEIPTS.				
		Moneys received from the Local Taxation account, &c.																Amount received.			
Balance in favour at commencement of Year.	Poor Rate.	Agricultural Grant.	Grant from Estate Duties, *i.e.*, Death Duty Grant.	Grant in aid of Medical and Educational Expenditure in Unions.	Grant in aid of Sanitary Salaries in Rural Districts.	Grant in aid of Maintenance &c., of Lunatics.	Contributions towards Guarantees for Railways and Harbours.	Grant in aid of Local Guarantees for Railway and Harbour Charges (L.G. Act, 1898, sec. 58 (4)).	Exchequer Contribution (Purchase of Land Act. 1891).	Any other Grants.	From Urban Districts, on demand.	Rents derived from county property.	Other Receipts.	Total Receipt	Balance against at close of Year.	Total.	Balance at commencement of Year.	For Roads.	Other Purposes.	Balance at close of Year.	Total,
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.	19.	20.	21.	22.
£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£
4,551	21,641	10,291	2,662	1,170	183	3,252	4,295	678	343	132*	—	7	628	45,262	—	49,813	—	—	—	—	—

* This Grant was made by the Congested Districts Board towards various local purposes.

10. STATEMENT showing the Particulars of the Expenditure of the Leitrim County Council during the Financial Year ended the 31st of March, 1905.
Taken from the Local Taxation Returns, 1904–5, pp. 22 and 23.

REVENUE ACCOUNTS—EXPENDITURE.																	LOANS ACCOUNT—EXPENDITURE.				
	Money supplied by County Councils for								Payments in respect of									Amount expended			
Balance against at commencement of year.	Union Charges.	Rural District and Separat Charges.	Lunatic Asylum Charges.	Road expenditure.	Salaries paid to County Officers.	Infirmaries and Fever Hospitals.	Reformatories and Industrial Schools.	Franchise and Jurors Acts.	Valuation.	Extra Constabulary.	Repayment of Loans.	Guarantees for Railways, &c.	Payments to Agricultural and Technical Instruction Committees.	Other expenses	Total expenditure.	Balance in favour at close of year.	Total.	Balance at commencement of year.	On Roads.	Other Purposes.	Balance at close of year.	Total.
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.	19.	20.	21.	22.	23
£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£
—	11,807	1,773	8,509	9,755	2,296	600	195	624	190	—	—	6,759	850	3,109	46,468	3,345	49,813	—	—	—	—	—

APPENDIX X.

.—TABLE showing the number of TENEMENTS of ONE ROOM, and the number of OCCUPANTS of such Tenements in each COUNTY DISTRICT and ELECTORAL DIVISION of the County of LEITRIM in 1901 (Leitrim County Census Book, pp. 42, 43).

COUNTY DISTRICTS AND ELECTORAL DIVISIONS.	TENEMENTS OF ONE ROOM.												
	Total Number.	OCCUPIED BY											
		1 Person.	2 Persons.	3 Persons.	4 Persons.	5 Persons.	6 Persons	7 Persons.	8 Persons.	9 Persons.	10 Persons.	11 Persons.	12 Persons and upwards.
ALLYSHANNON No. 3 RURAL DISTRICT.*													
Ghalateeve, ...	2	–	1	1	–	–	–	–	–	–	–	–	–
Ghanlish, ...	10	1	7	2	–	–	–	–	–	–	–	–	
Ghavoghil, ...	1	–	1	–	–	–	–	–	–	–	–	–	–
Gbacreeny, ...	16	6	5	–	3	1	1	–	–	–	–	–	
Kinlough, ...	15	6	5	–	3	–	1	–	–	–	–	–	–
Kelvin, ...	15	4	7	3	1	–	–	–	–	–	–	–	–
Killaghan, ...	31	8	7	8	2	4	1	–	1	–	–	–	–
Total, ...	90	25	33	14	9	5	3	–	1	–	–	–	–
BAWNBOY No. 2 RURAL DISTRICT.†													
Ballinamore, ...	14	5	4	1	2	2	–	–	–	–	–	–	–
Cloverhill, ...	5	1	2	2	–	–	–	–	–	–	–	–	
Corrala, ...	2	1	1	–	–	–	–	–	–	–	–	–	–
Drumreilly North, ...	3	1	1	1	–	–	–	–	–	–	–	–	–
Drumreilly South, ...	2	2	–	–	–	–	–	–	–	–	–	–	–
Garadice, ...	8	3	4	1	–	–	–	–	–	–	–	–	–
Greaghglass, ...	4	–	2	1	–	–	1	–	–	–	–	–	–
Killygar, ...	–	–	–	–	–	–	–	–	–	–	–	–	
Newtowngore, ...	2	2	–	–	–	–	–	–	–	–	–	–	–
Aughteragh, ...	11	4	5	1	–	–	–	1	–	–	–	–	–
Tralongford, ...	1	–	1	–	–	–	–	–	–	–	–	–	–
Total, ...	52	19	20	7	2	2	1	1	–	–	–	–	–
CARRICK-ON-SHANNON No. 1 RURAL DISTRICT.													
Aghacashel, ...	1	–	–	1	–	–	–	–	–	–	–	–	–
Annaduff, ...	–	–	–	–	–	–	–	–	–	–	–	–	
Carnameenagh, ...	9	1	3	3	1	–	–	1	–	–	–	–	–
Carrick-on-Shannon, ...	33	12	6	8	4	1	–	1	1	–	–	–	–
Drumreilly East, ...	3	2	–	–	–	1	–	–	–	–	–	–	–
Drumreilly West, ...	10	3	5	1	1	–	–	–	–	–	–	–	–
Drumshanbo, ...	23	4	8	3	5	–	3	–	–	–	–	–	–
Drumsna, ...	10	7	3	–	–	–	–	–	–	–	–	–	
Fortnagullion, ...	5	3	2	–	–	–	–	–	–	–	–		–
Fowel, ...	1	–	–	–	–	1	–	–	–	–	–	–	–
Leshcarrigan, ...	2	1	1	–	–	–	–	–	–	–	–	–	–
Liltubbrid, ...	2	1	–	–	–	1	–	–	–	–	–	–	–
Leitrim, ...	14	7	2	1	1	–	3	–	–	–	–	–	–
Moher, ...	8	6	1	1	–	–	–	–	–	–	–	–	–
Mugan, ...	6	1	2	1	1	–	1	–	–	–	–	–	–
Total, ...	127	48	33	19	13	4	7	2	1	–	–	–	–

* Now Kinlough.
† Now Ballinamore.

APPENDIX K.

TABLE showing the number of TENEMENTS of ONE ROOM, and the number of OCCUPANTS of such Tenements in each COUNTY DISTRICT and ELECTORAL DIVISION of the County of LEITRIM in 1901 (pp. 42, 43)—*continued.*

COUNTY DISTRICTS AND ELECTORAL DIVISIONS.	TENEMENTS OF ONE ROOM.											
	Total Number.	OCCUPIED BY										
		1 Person.	2 Persons.	3 Persons.	4 Persons.	5 Persons.	6 Persons.	7 Persons.	8 Persons.	9 Persons.	10 Persons.	11 Persons.	12 Persons and upwards
MANORHAMILTON RURAL DISTRICT.													
Arigna, ...	3	-	2	-	-	1	-	-	-	-	-	-	-
Ballaghameehan, ...	9	6	1	2	-	-	-	-	-	-	-	-	-
Belhavel, ...	11	4	4	1	2	-	-	-	-	-	-	-	-
Cloonclare, ...	11	6	3	-	1	-	-	1	-	-	-	-	-
Cloonlogher, ...	8	4	2	1	-	-	-	1	-	-	-	-	-
Drumahaire, ...	20	5	8	3	1	1	2	-	-	-	-	-	-
Drumkeeran, ...	20	5	6	1	2	3	-	2	-	-	-	1	-
Garvagh, ...	16	7	4	1	3	-	-	1	-	-	-	-	-
Glenade, ...	8	1	4	1	2	-	-	-	-	-	-	-	-
Glenaniff, ...	6	3	1	2	-	-	-	-	-	-	-	-	-
Glenboy, ...	31	8	11	4	3	2	2	-	-	1	-	-	-
Glencar, ...	5	1	1	-	1	2	-	-	-	-	-	-	-
Glenfarn, ...	3	-	2	1	-	-	-	-	-	-	-	-	-
Killanummery, ...	12	2	3	3	1	3	-	-	-	-	-	-	-
Killarga, ...	7	2	2	2	1	-	-	-	-	-	-	-	-
Kiltyclogher, ...	12	5	1	1	3	-	-	-	-	2	-	-	-
Lurganboy, ...	6	4	2	-	-	-	-	-	-	-	-	-	-
Mahanagh, ...	26	4	8	3	9	1	-	1	-	-	-	-	-
Manorhamilton, ...	45	19	10	9	1	1	3	1	-	1	-	-	-
Munakill, ...	9	4	1	-	1	-	2	1	-	-	-	-	-
Sramore, ...	9	4	2	-	1	-	2	-	-	-	-	-	-
St. Patrick's, ...	12	3	3	1	-	3	1	-	1	-	-	-	-
Total, ...	289	97	81	36	32	17	12	8	1	4	-	1	-
MOHILL RURAL DISTRICT.													
Aghavas, ...	5	1	1	2	-	1	-	-	-	-	-	-	-
Beihy, ...	12	4	2	3	2	1	-	-	-	-	-	-	-
Breandrum, ...	3	1	1	-	1	-	-	-	-	-	-	-	-
Bunnybeg, ...	2	2	-	-	-	-	-	-	-	-	-	-	-
Carrigallen, East, ...	4	3	-	-	1	-	-	-	-	-	-	-	-
Carrigallen, West, ...	4	2	2	-	-	-	-	-	-	-	-	-	-
Cashel, ...	2	-	2	-	-	-	-	-	-	-	-	-	-
Castlefore, ...	3	1	-	-	1	-	-	1	-	-	-		
Cattan, ...	10	5	2	1	-	2	-	-	-	-	-	-	-
Cloone, ...	13	2	4	3	2	2	-	-	-	-	-	-	-
Corriga, ...	7	6	1	-	-	-	-	-	-	-	-	-	-
Drumard, ...	2	2	-	-	-	-	-	-	-	-	-	-	-
Drumdoo, ...	4	3	-	-	-	-	-	-	-	1	-	-	-
Drumod, ...	12	5	4	2	1	-	-	-	-	-	-	-	-
Fenagh, ...	5	2	1	1	-	-	1	-	-	-	-	-	-
Gortermore, ...	2	1	1	-	-	-	-	-	-	-	-	-	-
Keeldra, ...	4	1	-	-	2	-	1	-	-	-	-	-	-
Liegillock, ...	5	2	2	1	-	-	-	-	-	-	-	-	-
Mohill, ...	23	11	7	2	2	-	-	-	1	-	-	-	-
Rian, ...	9	2	1	3	2	1	-	-	-	-	-	-	-
Riverstown, ...	5	1	2	2	-	-	-	-	-	-	-	-	-
Roosky, ...	6	2	1	1	2	-	-	-	-	-	-	-	-
Rowan, ...	7	4	3	-	-	-	-	-	-	-	-	-	-
Total, ...	149	63	37	21	15	7	2	1	1	1	-	-	-

O.—TABLE SHOWING THE AGES OF PERSONS IN EACH COUNTY DISTRICT IN THE COUNTY OF LEITRIM, ON THE NIGHT OF THE 31st MARCH, 1901,
Census Book (p.45).

County District.	Population.		Age Periods.																				
	Total Persons.	Sexes.	Under one year.	1 and under 5.	5 and under 10.	10 and under 15.	15 and under 20.	20 and under 25.	25 and under 30.	30 and under 35.	35 and under 40.	40 and under 45.	45 and under 50.	50 and under 55.	55 and under 60.	60 and under 65.	65 and under 70.	70 and under 75.	75 and under 80.	80 and under 85.	85 and under 90.	90 and under 95.	95 and under 100.	100 and upwards.
1. Kinlough, ...	5,229	M. 2,594	32	173	242	270	246	255	204	161	122	144	95	165	112	137	75	76	37	32	12	2	2	.
		F. 2,635	58	178	235	260	271	235	196	157	122	154	121	183	112	144	67	86	32	17	6		.	1
2. Ballinamore, ...	5,873	M. 3,014	61	252	354	371	326	343	209	148	124	121	121	144	98	157	64	69	26	15	5	3	3	.
		F. 2,859	65	234	296	332	402	219	201	141	116	153	126	201	90	135	57	42	17	27	2	.	3	.
3. Newtowngore No. 1,	3,014	M. 1,536	31	99	150	180	174	151	100	95	69	72	67	92	54	73	40	45	15	20	6	2	.	1
		F. 1,478	23	95	161	200	164	126	105	77	70	73	80	87	59	66	33	33	11	13	1	.	1	.
4. Drumshambo, ...	5,722	M. 2,899	51	213	300	332	332	287	212	157	131	137	107	138	120	144	85	68	36	31	16	2	.	.
		F. 2,823	60	212	313	343	298	241	201	143	138	141	118	172	91	171	65	53	29	27	5	2	.	.
5. Jamestown, ...	7,317	M. 3,714	69	265	412	422	431	380	259	207	183	174	149	187	123	197	82	90	39	28	13	2	2	.
		F. 3,603	48	267	383	438	468	323	221	206	161	210	174	201	118	172	70	68	24	28	2	1	.	.
6. Drumahaire, ...	5,982	M. 3,011	62	248	330	388	302	233	204	147	155	172	138	140	106	154	67	78	43	32	8	4	.	.
		F. 2,971	59	269	333	323	329	238	199	177	146	170	130	169	101	129	60	76	26	22	9	5	1	.
7. Drumkeeran, ...	4,872	M. 2,453	45	210	281	304	282	190	166	141	105	107	88	102	87	119	77	72	36	33	3	3	1	1
		F. 2,419	44	188	253	306	274	171	161	122	122	126	132	114	87	122	66	73	23	25	3	4	3	.
8. Lurganboy, ...	4,735	M. 2,405	35	184	264	282	222	211	193	135	104	131	108	142	79	107	76	72	24	25	8	2	1	.
		F. 2,330	41	191	255	277	251	214	138	131	106	137	102	128	85	115	52	45	22	30	5	4	1	.
9. Manorhamilton, ...	6,745	M. 3,406	59	291	357	410	375	288	237	174	166	171	138	171	118	148	85	102	54	38	16	5	2	1
		F. 3,339	58	262	368	397	369	284	188	204	158	201	143	187	101	149	89	78	44	38	12	7	1	1
10. Carrigallen, ...	3,920	M. 1,986	43	155	209	234	207	169	130	99	103	100	79	119	73	115	53	45	22	19	7	4	1	.
		F. 1,934	29	146	215	218	219	156	130	106	97	93	85	127	72	106	44	42	23	17	4	3	1	1
11. Mohill, ...	6,512	M. 3,318	54	264	402	391	346	286	244	190	154	174	120	166	114	174	91	76	25	33	8	6	.	.
		F. 3,194	54	243	360	363	375	274	238	179	156	178	113	198	103	159	73	75	24	18	5	1	.	.
12. Rinn, ...	5,764	M. 2,909	50	254	330	324	298	224	202	154	161	145	96	153	95	144	95	80	44	51	4	3	2	.
		F. 2,855	41	246	339	317	316	248	178	162	139	150	119	151	89	138	77	76	31	32	4	1	.	1
13. Rowan, ...	3,658	M. 1,853	34	163	186	219	200	156	148	118	92	93	85	91	58	86	41	48	24	6	2	2	1	.
		F. 1,805	34	132	220	202	228	161	103	111	81	108	66	95	65	93	38	37	14	11	4	1	.	1

APPENDIX X.

APPENDIX X.

P.—Occupations of the People.

There is a large amount of detailed information concerning the Occupations of the People given in the Co. Leitrim Census Book (pp. 50–55), from which the following particulars are extracted :—

Males.								Females.							
Occupations.	Total.	Ages.						Occupations.	Total.	Ages.					
		Under 15 years.	15 and under 20.	20 and under 25.	25 and under 45.	45 and under 65.	65 and upwards.			Under 15 years.	15 and under 20.	20 and under 25.	25 and under 45.	45 and under 65.	65 and upwards.
Persons engaged in Agriculture.								**Persons engaged in Agriculture.**							
1. In Fields and Pastures.								*In Fields and Pastures.*							
Farmer, Grazier, ...	2,988	5	97	257	2 900	4,554	2,175	Farmer, Grazier, ...	2,055	1	11	12	338	1,087	606
Farmer's, Grazier's — Son, Grandson, Brother, Nephew.	6,273	–	1,761	1,774	2,452	271	15	Agricultural Labourer, Cottager.	50	2	1	2	9	25	11
Farm Bailiff, ...	16	–	–	–	5	11	–	Shepherdess, ...	5	–	–	–	1	2	2
Agricultural Labourer, Cottager.	1,310	16	193	206	417	340	138	Farm Servant (in-door), ...	107	5	28	27	26	17	4
Shepherd, ...	45	–	–	2	14	13	16	Others engaged in, or connected with, Agriculture.	15	–	–	–	5	6	4
Farm Servant (in-door), ...	1,200	70	304	287	340	150	49								
Agricultural Machine—Proprietor, Attendant.	–	–	–	–	–	–	–								
Others engaged in, or connected with, Agriculture.	22	–	–	1	9	8	4								
2. In Woods.								*In Gardens.*							
Woodman, ...	2	–	1	–	1	–	–	Nurserywoman, Florist, ...	1	–	–	–	–	1	–
3. In Gardens.															
Nurserymen, Seedsman, Florist.	–	–	–	–	–	–	–								
Gardener (not Domestic), ...	20	–	4	1	7	4	4								
Persons engaged about Animals.								**Persons working and dealing in Textile Fabrics.**							
Horse—Proprietor, Breeder, Dealer.	–	–	–	–	–	–	–	*1. Wool and Worsted.*							
Groom, Horse Keeper, Horse Breaker.	7	–	1	2	4	–	–								
Veterinary Surgeon, Farrier,	1	–	–	–	–	–	1	Woollen Cloth Manufacture,	23	–	–	–	6	9	8
Cattle, Sheep, Pig—Dealer, Salesman.	54	–	4	2	32	16	–								
Gamekeeper, ...	22	–	2	3	9	6	2	*3. Cotton and Flax.*							
Drover, ...	2	–	–	–	–	2	–								
								Cotton, Cotton Goods—Manufacture.	–	–	–	–	–	–	–
								Cotton, Calico—Warehouse-woman, Dealer.	–	–	–	–	–	–	–
								Flax, Linen—Manufacture—(Spinning processes).	–	–	–	–	–	–	–
								Flax, Linen—Manufacture—(Weaving processes).	–	–	–	–	–	–	–
Persons working and dealing in Textile Fabrics.								Flax, Linen—Manufacture—(Other processes or undefined).	–	–	–	–	–	–	–
1. Wool and Worsted.								Lace—Manufacturer, Dealer,	23	2	10	6	3	1	1
Woollen Cloth Manufacture,	12	–	–	–	2	5	5								
3. Cotton and Flax.															
Cotton, Cotton Goods—Manufacture.	1	–	–	–	–	–	1								
Cotton, Calico—Warehouseman, Dealer.	–	–	–	–	–	–	–	*4. Hemp and other Fibrous Materials.*							
Flax, Linen—Manufacture—(Spinning processes).	–	–	–	–	–	–	–								
Flax, Linen—Manufacture—(Weaving processes).	–	–	–	–	–	–	–	Mat—Maker, Seller, ...	–	–	–	–	–	–	–
Flax, Linen—Manufacture—(Other processes or undefined).	–	–	–	–	–	–	–	Net Maker, ...	–	–	–	–	–	–	–
Flax, Linen—Merchant, Dealer	–	–	–	–	–	–	–	Others, ...	–	–	–	–	–	–	–
Lace—Manufacturer, Dealer,	–	–	–	–	–	–	–								
4. Hemp and other Fibrous Materials.								*5. Mixed or Unspecified Materials.*							
Hemp, Jute, Cocoa Fibre—Manufacture.	–	–	–	–	–	–	–								
Rope, Twine, Cord—Maker, Dealer.	–	–	–	–	–	–	–	Weaver (undefined), ...	1	–	–	–	–	1	–
Net Maker, ...	–	–	–	–	–	–	–	Carpet and Rug Manufacturer.	–	–	–	–	–	–	–
5. Mixed or Unspecified Materials.								Draper, Linen Draper—Mercer.	26	–	8	5	10	2	1
								Fancy Goods (Textile) Manufacturer, Worker, Dealer.	11	1	1	–	3	3	3
Weaver (undefined), ...	4	–	1	1	1	–	1	Embroiderer, ...	4	–	2	2	–	–	–
Draper, Linen Draper—Mercer.	89	1	29	21	27	10	1	Others, ...	36	–	3	3	11	9	10
GENERAL LABOURER (*a*),	896	15	158	153	264	186	120	GENERAL LABOURER (*a*),	9	–	1	–	7	1	–

(*a*) The majority of these "General Labourers" may be assumed to be *Agricultural* Labourers, although not having returned themselves as such.

Q.—Occupiers of Land engaged in other pursuits beside Farming in the County of Leitrim (p. 60).

Trade, Profession, &c., besides Farming.	No. of Persons.	Trade, Profession, &c., besides Farming.	No. of Persons.	Trade, Profession, &c., besides Farming.	No. of Persons.	Trade, Profession, &c., besides Farming.	No. of Persons.
Total Number of Occupiers of Land who returned themselves as engaged in other Pursuits besides Farming,	210	Cooper, ...	9	Magistrate, ...	9	Rate Collector, ...	2
		District Councillor, ...	3	Mason, ...	7	Road Contractor, ...	2
		Draper.	1	Merchant, ...	6	Schoolmaster, ...	1
		Dressmaker, ...	1	Miller, ...	3	Seamstress, ...	1
		Financier, ...	1	Mill Owner, ...	1	Shoemaker, ...	13
Bailiff, ...	2	Gardener, ...	1	Pensioner (Army), ...	2	Shopkeeper, ...	25
Baker	1	Grocer, ...	8	Pensioner (R.I.C.), ...	9	Summons Server, ...	1
Blacksmith, ...	12	Labourer, ...	3	Postman, ...	2	Tailor, ...	15
Butcher, ...	4	Land Agent, ...	1	Postmaster, ...	2	Teacher, ...	6
Carpenter, ...	26	Land Proprietor, ...	1	Provision Dealer, ...	1	Thatcher, ...	1
Cattle Dealer, ...	3	Law Clerk, ...	1	Publican, ...	16	Trader, ...	1
Civil Bill Officer, ...	3	Leather Merchant, ...	1	Railway Labourer, ...	1	Watch Repairer, ...	1

R.—Emigration from the County of Leitrim during each year, from the 1st of May, 1851, to 31st of December, 1906.

Compiled from the Returns of the Registrar-General.

Years	Males.	Females.	Persons.	Years	Males	Females.	Persons.	Years.	Males.	Females.	Persons.
1851 (from 1st May) (a).	975	1,022	1,997	1871 (from 1st April) (b).	497	465	962	1891 (from 1st April) (b).	612	667	1,279
1852, . . .	1,469	1,585	3,054	1872, . . .	884	705	1,589	1892, . . .	705	665	1,370
1853, . . .	1,072	1,050	2,122	1873, . . .	1,121	968	2,089	1893, . . .	591	596	1,187
1854, . . .	983	808	1,791	1874, . . .	569	554	1,123	1894, . . .	313	454	767
1855, . . .	640	550	1,190	1875, . . .	317	355	672	1895, . . .	416	569	985
1856, . . .	744	621	1,365	1876, . . .	297	293	590	1896, . . .	406	514	920
1857, . . .	760	654	1,414	1877, . . .	232	260	492	1897, . . .	236	408	644
1858, . . .	467	321	788	1878, . . .	345	420	765	1898, . . .	274	410	684
1859, . . .	753	482	1,235	1879, . . .	542	485	1,027	1899, . . .	367	584	951
1860, . . .	730	742	1,472	1880, . . .	1,551	1,526	3,077	1900, . . .	453	519	972
1861 (to 31st March) (b).	189	203	392	1881 (to 31st March) (b).	178	119	297	1901 (to 31st March)	44	27	71
Total, . .	8,782	8,038	16,820	Total, . .	6,533	6,150	12,683	Total, . .	4,417	5,413	9,830
1861 (from 1st April) (b).	280	343	623	1881 (from 1st April) (b).	1,057	1,214	2,271	1901 (from 1st April),	214	312	526
1862, . . .	403	528	931	1882, . . .	1,120	1,126	2,246	1902, . . .	319	498	817
1863, . . .	1,209	1,392	2,601	1883, . . .	1,702	1,782	3,484	1903, . . .	440	642	1,082
1864, . . .	1,004	1,249	2,253	1884, . . .	796	992	1,788	1904, . . .	406	570	976
1865, . . .	806	860	1,666	1885, . . .	836	838	1,674	1905, . . .	414	421	835
1866, . . .	824	670	1,494	1886, . . .	847	907	1,754	1906, . . .	537	468	1,005
1867, . . .	645	654	1,299	1887, . . .	1,056	1,124	2,180	Total, . .	2,330	2,911	5,241
1868, . . .	477	422	899	1888, . . .	1,043	1,053	2,096	General Total, .	39,162	40,400	79,562
1869, . .	488	446	934	1889, . . .	874	820	1,694				
1870, . . .	558	517	1,075	1890, . . .	837	806	1,643				
1871 (to 31st March) (b)	133	72	205	1891 (to 31st March) (b)	105	73	178				
Total, . .	6,827	7,153	13,980	Total, . .	10,273	10,735	21,008				

(a) The Enumeration of Emigrants from Irish Ports did not commence till the 1st of May, 1851.
(b) The nearest date to the time of the Census for which the Emigration Returns can be made up

APPENDIX X.

S.—STATE-AIDED EMIGRATION.

It may be as well to explain that under 12 and 13 Vic., c. 104, sec. 26, Boards of Guardians were empowered to apply part of the rates and to borrow money "for the purpose of defraying or assisting to defray the expenses of the emigration of poor persons."

Under the Arrears of Rent (Ireland) Act, 1882 (45 and 46 Vic., c. 47), power was given to borrow from Public Funds on easier terms for the above purposes, and the Treasury might authorise the Commissioners of Public Works to make grants to Boards of Guardians for the same purposes, the total grants not to exceed £100,000, and the sums granted not to exceed £5 for each person. These grants were confined to the nine counties, part of which are at present scheduled as congested, the Unions of Belmullet, Newport, Swinford, Clifden, and Oughterard, being specially mentioned.

Under the Tramways and Public Companies (Ireland) Act, 1883 (46 and 47 Vic., c. 43), the limit of the grant was increased to £200,000, of which one-quarter might be applied for the purpose of migrating "persons or families" and the limit of individual grants was increased to £8.

The total grants made under these sections amounted to £133,172 10*s.* 2*d.* up to 1891, when they were repealed by section 35 of the Land Act of 1891, which established the Congested Districts Board.

The following table shows the total number of State-aided emigrants from the County of Leitrim in 1883 and in 1884, and the amount of grant to each Union:—

Supplied by the Local Government Board.

Union.	Emigration Season, 1883.			Emigration Season, 1884.			Total.	Total Grant.
	Canada.	Australia.	United States.	Canada.	Australia.	United States.		
								£ *s.* *d.*
Ballyshannon,	43	3	34	—	—	—	80	348 0 0
Carrick-on-Shannon,	118	10	184	—	—	—	312	1,409 10 0
Manorhamilton,	23	—	136	8	—	94	261	1,217 5 0
Mohill,	143	—	113	—	—	—	256	1,223 0 0
	327	13	467	8	—	94	909	4,197 15 0

The following return shows the number of consents of the Local Government Board to the expenditure of sums out of the rates to assist in defraying the expenses of the emigration of poor persons from the County of Leitrim during the year ended 31st March, 1884:—

Supplied by the Local Government Board.

Union.	Sums authorised to be Expended.	Number of Persons Assisted.	Union.	Sums authorised to be Expended.	Number of Persons Assisted.
	£ *s.* *d.*			£ *s.* *d.*	
Ballyshannon (part of),	3 0 0	1		237 15 0	144
Bawnboy (part of),	15 5 0	9	Manorhamilton,	325 3 0	156
Carrick-on-Shannon (part of),	219 10 0	134	Mohill,	211 5 0	196
			Total,	774 3 0	496

1. TABLE showing, by POOR LAW UNIONS, the Extent of LAND under CROPS in the Year 1905, the VALUATION in 1905, and the POPULATION in 1901.
Taken from Agricultural Statistics, 1905, pp. 34–35 and 39–43.

POOR LAW UNIONS.	EXTENT OF CROPS IN STATUTE ACRES.																					VALUATION IN 1905.		Population in 1901.	POOR LAW UNIONS.
	CORN CROPS.							GREEN CROPS.												EXTENT FOR HAY ONLY.		TOTAL EXTENT UNDER CROPS.	Houses and other Hereditaments.	Lands.		
	Wheat.	Oats.	Barley.	Bere	Rye.	Beans.	Pease.	TOTAL.	Potatoes	Turnips.	Mangel Wurzel.	Beet Root.	Carrots.	Parsnips.	Cabbage.	Vetches.	Rape.	Other Green Crops	TOTAL.	FLAX.	Clover, Sainfoin, and Grasses under Rotation.	Permanent Pasture or Grass *not in Rotation.*				
	Acres.	Acres.	Acres.	Acres	Acres	Acres	Acres	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres	Acres	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	£	£		
*Ballyshannon.	67	1,794	3	—	43	47	—	1,954	2,692	347	151	—	1	—	208	—	—	89	3,488	14	165	17,853	23,474	13,158	39,331	20,601	*Ballyshannon.
*Bawnboy, ...	24	3,240	—	—	13	—	—	3,277	3,754	225	83	—	2	2	238	2	—	137	4,443	—	496	14,272	22,488	5,988	34,410	18,460	*Bawnboy.
*Carrick - on - Shannon.	29	1,820	—	—	168	—	3	2,020	3,467	350	177	—	—	4	316	—	1	265	4,580	—	112	18,465	25,177	7,991	40,959	19,280	*Carrick - on - Shannon.
Manorhamilton.	2	1,780	—	—	112	—	—	1,894	3,316	418	85	—	—	—	543	1	—	149	4,512	—	159	20,087	26,632	6,443	38,273	22,334	Manorhamilton.
Mohill, ...	2	3,091	1	—	116	2	—	3,212	4,150	340	159	1	5	1	275	24	7	92	5,054	2	263	13,388	21,919	6,167	33,826	19,854	Mohill.
Total for Co. Leitrim.	33	7,650	1	—	355	2	3	8,044	12,019	1,052	352	1	6	5	1,188	27	8	552	15,210	2	587	55,583	79,426	22,005	116,525	69,343	Total for Co. Leitrim.

2. TABLE showing, by POOR LAW UNIONS, the PRODUCE of the CROPS in the Year 1905 (pp. 36–37 and 46–51).

POOR LAW UNIONS.	PRODUCE OF THE CROPS.																		POOR LAW UNIONS.
	CORN CROPS.							GREEN CROPS.									FLAX.	HAY.	
	Wheat.	Oats.	Barley.	Bere.	Rye.	Beans.	Pease.	Potatoes.	Turnips.	Mangel Wurzel.	Beet Root.	Carrots.	Parsnips.	Cabbage.	Vetches.	Rape.		Clover, Sainfoin, and Grasses under Rotation.	Permanent Pasture or Grass *not broken up in Rotation.*	
	Cwts. of 112 lbs.	Cwts. of 112 lbs.	Cwts. of 112 lbs.	Cwts of 112 lbs.	Cwts. of 112 lbs.	Cwts. of 112 lbs.	Cwts. of 112 lbs.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Stones of 14 lbs.	Tons.	Tons.	
*Ballyshannon.	975	25,927	42	—	582	830	—	12,587	5,123	2,430	—	9	—	2,541	—	—	566	374	44,399	*Ballyshannon.
*Bawnboy, ...	439	50,814	—	—	238	—	—	23,052	3,954	1,679	—	18	18	3,103	20	—	—	1,662	37,265	*Bawnboy.
*Carrick-on-Shannon, ...	482	27,525	—	—	2,477	—	42	20,282	5,280	3,048	—	—	32	3,212	—	7	—	383	55,704	*Carrick-on-Shannon.
Manorhamilton, ...	34	27,912	—	—	2,073	—	—	19,303	6,092	1,317	—	—	—	6,624	7	—	—	352	58,987	Manorhamilton.
Mohill.	30	42,116	14	—	1,518	32	—	21,417	4,655	1,966	16	54	8	3,157	240	40	68	685	37,945	Mohill.
Total for Co. Leitrim.	549	107,284	14	—	5,343	32	42	66,907	14,414	4,654	16	63	40	14,164	267	47	68	1,432	155,529	Total for Co. Leitrim.

3. TABLE showing the NUMBER of STOCKHOLDERS and the QUANTITY of LIVE STOCK in each POOR LAW UNION in 1905 (pp. 86–97).

POOR LAW UNIONS.	No. of Stock-holders in each Union.	HORSES (including Ponies).						MULES AND ASSES		CATTLE.				SHEEP.					PIGS.					POULTRY.					POOR LAW UNIONS.
		Two years old and upwards used for			Unbroken Horses.		Total Number of Horses.	Number of Mules.	Number of Asses.	Milch Cows including Heifers in Calf.	Other Cattle.		Total Number of Cattle.	One year old and upwards.			Under one year.	Total Number of Sheep.	Pigs kept for breeding purposes.		Other Pigs.		Total Number of Pigs.	Number of Goats.	Turkeys.	Geese.	Ducks.	Ordinary Fowl.	Total.	
		Agricultural purposes	Traffic and Manufactures.	Amusement or Recreation.	One year old and above.	Under one year.					Two years old and upwards	One year old and under two years.	Under one year.	Ewes kept for breeding purposes.	Other Ewes.	Tups and Wethers.			Sows.	Boars.	One year old and upwards.	Under one year.							
*Ballyshannon, ...	4,277	1,345	183	53	287	158	2,026	33	1,371	11,080	4,425	5,639	8,243	29,387	3,078	170	223	2,754	6,225	113	2	3	1,207	1,325	873	5,512	10,744	23,099	94,593	133,948	*Ballyshannon.
*Bawnboy, ...	4,054	1,103	69	25	184	151	1,532	67	3,043	10,824	3,346	4,098	5,016	23,283	850	111	124	840	1,925	899	8	459	5,805	7,171	2,281	5,660	8,254	21,102	75,253	110,269	*Bawnboy.
*Carrick-on-Shannon,	4,167	955	107	43	400	273	1,778	89	2,583	8,868	5,387	6,802	6,885	27,942	3,021	340	622	3,501	7,484	734	5	69	6,633	7,441	3,915	4,516	14,519	21,938	68,119	109,092	*Carrick-on-Shannon.
Manorhamilton, ...	4,864	714	70	51	174	121	1,130	57	2,971	13,111	5,563	5,657	9,285	33,616	2,795	340	259	2,904	6,298	259	7	101	2,465	2,832	1,490	4,738	17,344	23,696	85,499	131,277	Manorhamilton.
Mohill.	4,031	1,316	30	31	248	259	1,884	130	2,860	9,620	2,241	4,618	5,853	22,332	479	199	38	569	1,285	1,478	14	154	9,122	10,768	3,686	6,809	12,369	24,161	74,178	117,517	Mohill.
Total for Co. Leitrim.	14,849	3,269	229	120	759	602	4,979	261	9,775	36,204	13,217	17,170	23,386	89,977	6,982	800	627	6,495	14,904	2,739	27	428	19,152	22,346	9,269	19,031	45,660	79,356	258,974	403,021	Total for Co. Leitrim.

* These Unions are situated partly in Co. Leitrim and partly in other Counties, hence the totals for the five unions are greater than the actual totals for Co. Leitrim.

APPENDIX X.

4. TABLE showing the QUANTITY of LIVE STOCK in each Year from 1896 to 1905.
Taken from Agricultural Statistics, 1905, pp. 103 and 104.

—	Years.	No. of HORSES.			MULES AND ASSES.		No. of CATTLE.			No. of SHEEP.		No. of PIGS.		No. of GOATS.	No. POULTRY.
		Two years old and upwards.	One year old and under two.	Under one year.	No. of Mules.	No. of Asses.	Two years old and upwards	One year old and under two.	Under one year.	One year old and upwards.	Under one year.	One year old and upwards.	Under one year.		
	1896	3,293	881	697	239	9,606	48.757	18,378	24,686	9,574	8,657	3,515	24,748	8,872	392,247
	1897	3,364	764	560	253	9,701	49,489	18,464	25,689	10,695	8,575	3,185	23,917	8,705	402,327
	1898	3,457	737	515	256	9,590	48,317	19,119	25,576	10.869	9,227	2,583	21,092	8,801	391,298
	1899	3,238	584	399	241	9,514	48,509	18,193	24,190	8,755	7,300	2,899	23,425	8,842	409,836
Area, 376,510	1900	3,245	439	456	209	9,825	48,858	18,387	25,965	9,186	8.335	2,845	23,009	9,315	423,322
Acres.	1901	3,154	555	594	221	9,731	51,357	19,663	27,731	10,511	8,909	3,728	22,435	9,887	425,397
	1902	3,346	625	671	267	9,812	53,526	19,836	27,808	10,756	8,747	3,885	21,413	9,301	391,809
	1903	3,314	852	645	271	9,867	50,374	19,483	27,119	9,677	8,093	3,525	22,559	9,338	391,420
	1904	3,505	778	611	291	9,507	50,449	17,856	26,944	8,931	6,681	3,353	21,291	8,974	380,663
	1905	3,618	759	602	261	9,775	49,421	17,170	23,386	8,409	6,495	3,194	19,152	9.269	403,021

5. TABLE showing the NUMBER of HOLDINGS EXCEEDING ONE ACRE, and EXTENT of LAND under CROPS in each Year from 1896 to 1905.
Taken from Agricultural Statistics, 1905, pp. 61 and 62.

—	Years.	No. of Holdings exceeding 1 Acre.	EXTENT UNDER CROPS IN STATUTE ACRES IN EACH YEAR FROM 1896 TO 1905														TOTAL EXTENT UNDER CROPS.
			CORN, BEANS, AND PEASE.							OTHER CROPS.							
			Wheat.	Oats.	Barley.	Bere.	Rye.	Beans and Pease.	TOTAL.	Potatoes.	Turnips.	Mangel Wurzel and Beet Root.	Other Green Crops.	TOTAL GREEN CROPS.	Flax	Meadow and Clover.	
			Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
	1896	13,980	6	9,925	2	–	415	1	10,349	14,193	1,342	394	1,636	17,565	15	52,809	80,738
	1897	13,933	12	9,201	1	–	306	1	9,521	13,255	1,264	323	1,494	16,336	11	51,016	76,884
	1898	13,937	7	9,579	2	–	329	–	9,917	13,644	1,266	316	1,715	16,941	12	52,104	78,974
	1899	13,941	16	8,702	–	6	337	–	9,061	13,575	1.020	348	1,638	16,581	3	49,969	75,614
Area, 376,510	1900	13,965	13	8,254	–	–	380	9	8,656	13,441	879	362	1,679	16,361	–	51,862	76,879
Acres.	1901	13,968	12	8,817	8	13	561	–	9,411	13,030	1,072	589	1,731	16,422	10	51,850	77,693
	1902	13,958	31	7,963	2	2	451	–	8,452	12,703	1,116	608	1,562	15,989	10	51,474	75,925
	1903	14,017	8	8,090	4	–	326	2	8,430	12.324	934	404	1,586	15,248	6	52,866	76,550
	1904	13,986	24	7,653	5	8	283	–	7,973	11,804	1,018	405	1,612	14,839	2	55,417	78,231
	1905	13,989	33	7,650	1	–	355	5	8,044	12,019	1,052	353	1,786	15,210	2	56,170	79,426

6. TABLE showing the AVERAGE RATES of PRODUCE of CROPS to the Statute Acre, in each Year, from 1896 to 1905.
Taken from Agricultural Statistics, 1905, pp. 76 and 77.

Years.	Wheat.	Oats.	Barley.	Bere.	Rye.	Beans.	Pease.	Potatoes.	Turnips.	Mangel Wurzel.	Beet Root.	Cabbage.	Flax.	Hay.
	Cwts. 112 lbs.	Cwts. 112 lbs.	Cwts. 112 lbs.	Cwts. 112 lbs.	Cwts. 112 lbs.	Cwts. 112 lbs.	Cwts. 112 lbs.	Tons.	Tons.	Tons.	Tons.	Tons.	Stones. 14 lbs.	Tons.
1896	13·8	13·1	11·0	–	13·7	14·0	–	3·4	14·2	14·6		12·5	45·7	2·7
1897	14·7	10·3	11·0	–	16·8	16·0	–	1·8	10·2	9·5		6·5	31·8	2·6
1898	15·0	12·0	14·0	–	12·1	–	–	3·5	11·2	11·1		9·6	42·0	2·7
1899	15·0	12·9	–	16·0	12·7	–	–	4·4	10·2	12·8		8·1	40·0	2·6
1900	15·2	15·2	–	–	14·9	20·0	–	2·5	13·8	13·7		12·5	–	2·9
1901	20·5	15·2	16·9	15·2	14·6	–	–	4·9	14·1	14·8	15·0	13·4	36·4	2·6
1902	13·9	15·3	17·0	15·0	16·1	–	–	4·8	14·6	14·5	–	9·5	44·0	2·8
1903	17·1	14·8	16·0	–	14·1	20·0	–	3·1	11·4	12·1	–	10·0	24·0	2·9
1904	17·2	13·5	16·0	15·0	14·0	–	–	3·6	13·3	13·1	–	10·4	30·0	2·8
1905	16·6	14·0	14·0	–	15·1	16·0	14·0	5·6	13·7	13·2	16·0	11·9	34·0	2·8

7. TABLE showing, by POOR LAW UNIONS, the proportion per cent. under CROPS (including Meadow and Clover), Grass, Fallow, Woods and Plantations, Turf Bog, Marsh, Barren Mountain Land, and Water, Roads and Fences, &c., in 1905.

Taken from Agricultural Statistics, 1905, pp. 30, 31 and 33.

POOR LAW UNIONS.	PROPORTION PER CENT. UNDER							
	Crops, including Meadow and Clover.	Grass.	Fallow.	Woods and Plantations.	Turf Bog.	Marsh.	Barren Mountain Land.	Water, Roads, Fences, &c.
Ballyshannon,	17·7	57·9	–	1·0	7·5	0·9	9·3	5·7
Bawnboy,	21·5	56·8	–	0·5	6·4	0·9	7·0	6·9
Carrick-on-Shannon,	24·9	57·6	0·1	0·6	3·7	1·3	5·0	6·8
Manorhamilton,	18·4	52·0	–	1·2	8·2	1·0	13·8	5·4
Mohill,	23·6	58·0	–	0·9	7·0	1·1	0·2	9·2
Total for Co. Leitrim,	21·1	55·7	–	0·9	6·4	1·1	8·1	6·7
TOTAL FOR IRELAND,	22·9	52·1	–	1·5	5·3	2·0	11·1	5·1

8. STATEMENT as to SIRES, BULLS, and BOARS.

Taken from Agricultural Statistics, 1905.

The number of sires in County Leitrim serving mares in 1905 (pp. 114-5) was as follows:—

Thorough-bred,	6
Half-bred,	7
Hackney,	6
Shire,	–
Clydesdale,	3
Agricultural,	4
All others,	2
Total	28

The number of bulls of the principal breeds, &c., in Country Leitrim in 1905 (116-7) was as follows:—

Shorthorn,	196
Hereford,	4
Aberdeen Angus,	15
Norfolk and Suffolk Red Polled,	1
Kerry,	2
Dexter,	–
Guernsey, Jersey, and Alderney,	1
Cross Breed, or not included in foregoing columns,	28
Total,	247

The number of boars kept for breeding purposes in County Leitrim in 1905 (pp. 118-9) was as follows:—

White pigs,	20
Black pigs,	2
Tawny or brown pigs,	–
Cross-bred,	2
Boars not coming under any of the foregoing heads,	3
Total	27

9. STATEMENT showing the total area under each of the principal varieties of Potatoes grown in Co. Leitrim, and the average rate of Produce per statute acre, in cwts. of 112 lbs.

Taken from Agricultural Statistics, 1905, pp. 120–1 and 128–9.

Variety.	Acreage.	Average rate of Produce in cwts.	Variety.	Acreage.	Average rate of Produce in cwts.
Champion,	8,695	114	American Roses,	245	103
Up-to-Date,	1,131	117	Bruces,	32	90
Beauty of Bute,	138	98	Northern Star,	108	26
Flounders,	1,179	101	Elephants or White Elephants,	34	102
Sutton or Sutton's Abundance,	20	97	Early Roses,	118	90
Skerry Blues,	22	78	All others,	256	—
Irish Whites,	41	70			

APPENDIX X.

10. BEE-KEEPING STATISTICS, 1904.

TABLE SHOWING, for the County Leitrim, the Number of STOCKS in the middle of May, 1904; the Number of SWARMS during 1904; the Number of STOCKS at the beginning of Winter, 1904, and the Number brought through Winter, 1904-1905; with the Quantity of HONEY produced, and of WAX manufactured in 1904.

Taken from Agricultural Statistics, 1905, pp. 132–3.

Number of Stocks in the middle of May, 1904.		Number of Swarms during 1904.		Number of Stocks at beginning of Winter, 1904.		Number of Stocks brought through Winter, 1904-1905.		Run Honey produced in 1904, in lbs.		Section Honey produced in 1904, in lbs.		Wax manufactured in 1904, in lbs. (Quantity of Wax refined or converted into the Bees-wax of Commerce for Household use.)	
In Hives having Movable Combs.	In other Hives.	In Hives having Movable Combs.	In other Hives.	In Hives having Movable Combs.	In other Hives.	In Hives having Movable Combs.	In other Hives.	In Hives having Movable Combs.	In other Hives.	In Hives having Movable Combs.	In other Hives.	Wax from Hives having Movable Combs.	Wax from other Hives.
274	168	100	80	285	164	258	141	762	622	3,313	215	9	1

11. TABLE SHOWING, for the County Leitrim, the AREA PLANTED with TREES and the AREA CLEARED during th year ended 30th June, 1905, and the Number of each description of TREE PLANTED or FELLED.

Taken from Agricultural Statistics, 1905, pp. 136–9.

—	Acreage Planted or Cleared.	Total No. of Trees.	Number and Description of Trees Felled.										
			Larch.	Fir.	Spruce.	Pine.	Oak.	Ash.	Beech.	Sycamore.	Elm.	Other Trees.	Mixed Trees, (No. of each kind un specified
Planted, . .	27	37,900	18,950	—	18,950	—	—	—	—	—	—	—	—
Felled, . .	7	1,250	—	—	—	—	850	150	150	—	—	—	100

U.—WAGES OF AGRICULTURAL LABOURERS IN THE COUNTY OF LEITRIM, 1905.

Enquiries were made as to the Wages paid per day to Agricultural Labourers in 1905, and the information receiv from the District Inspectors of the Royal Irish Constabulary with reference to their respective districts is shov in the following Table and the notes appended thereto.

Taken from Agricultural Statistics, 1905, pp. 148–9 and 162–3.

CONSTABULARY DISTRICTS.	SUMMER.								WINTER.							
	Men.		Boys.		Women.		Girls.		Men.		Boys.		Women.		Girls.	
	From	To	From	To	From	To	From	To	From	To	From	To	From	To	From	T
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s d.	s. d.	s.
Ballinamore, . .	1 5	1 9	1 0	1 4	0 10	1 0	0 8	0 10	1 0	1 3	0 8	0 10	0 8	0 10	0 6	0
Carrick-on-Shannon,	1 7	2 3	1 0	1 6	1 2	1 6	1 0	1 4	1 2	1 6	0 9	1 0	0 10	1 1	0 8	0
Manorhamilton (*a*), .	2 0	2 6	1 0	1 6	1 0	1 6	—	—	1 0	—	0 9	1 0	—	—	—	-
Mohill (*b*), . .	2 0	2 4	1 0	1 6	1 0	1 2	—	—	1 0	1 4	0 8	1 0	—	—	—	-

(*a*) Without support. Girls not employed.
(*b*) No employment for women during winter months.

V.—INFORMATION AS TO SCHEMES OF DEPARTMENT OPERATING IN CO. LEITRIM IN 1906.

The following information about some of the work of the Department of Agriculture and Technical Instruction in County Leitrim during the year 1906-7, may be of use:—

Scheme.	Estimated Cost.
	£
Agricultural Instruction, ...	350
Live Stock, ...	400
Bee keeping, ...	30
Poultry-keeping, ...	145
Butter-making, ...	110
Prizes for Small Farms, ...	105
Subsidies to Shows, ...	110

There were sixty nominations issued to Leitrim mares for service by registered sire in 1906, of which twenty-two were given to residents in the congested areas.

There were six stallion asses located in the county with the following persons:—

J. W. Caulfield, Annaghmaculla, Cloone.
John Gallagher, Lisnatulla, Ballinamire.
Bernard Winters, Corglass, Drumcong.
James Faughnan, Cattan Lake
William Meally, Drumkielvy, Mohill.
Patrick Clyne, Moher, Dromod.

The total number of bulls located in the county was eighteen, of which ten were in the non-congested portion and eight in the congested portion.

The number of premium bulls located in the county during the last six years was as follows:—

1901,	—
1902,	10
1903,	16
1904,	17
1905,	18
1906,	16

The following shows the location of the bulls in 1906:—

Yearlings.

A.A. 1. James W. Conboy, Corriwcrin, Dromahair.
H. 2. H. J. B. Clements, Lough Rynn R.S.O., Dromahair.
A.A. 3. John Doyle, Laheen, Mohill.

Two-Year-Olds.

A.A. 4. Patrick Rynn, Drumristin, Dowra.
A.A. 5. Robert McGloin, Largydonnel, Manorhamilton.
S.H. 6. Patrick Kerrigan, Currycramp, Dromod.
A.A. 7. John McGovern, Derryhallow, Drumshambo.

Three-Year-Olds.

S.H. 8. Francis O'Hara, Unshina, Ballinamore.
S.H. 9. Andrew McGowan, Drummonds, Manorhamilton.
A.A. 10. William Hunt, Clooncumber, Dromod.
A.A. 11. William Jones, Laheen, Mohill.
A.A. 12. Francis Lawrence, Aughadrumderg, Mohill.

Four-Year-Olds.

S.H. 13. Luke Deane, Glebe, Garadice, Ballinamore.
S.H. 14. James W. Conboy, Carrowcrin, Dromahaire.
A.A. 15. Robert Notley, Aughamore, Dromod.
S.H. 16 Wm. A. Crowe, Listadnan, Lough Rynn, Dromod.

There were eleven boars in the county in 1906, of which four were in non-congested districts.

The number in the county during the last six years was as follows:—

1901,	—
1902,	1
1903,	—
1904,	1
1905,	7
1906,	7

The boars were located in 1906 as follows:—

First Year Premium Boars.

1. William Melia, Drumkielvy, Mohill.
2. Cornelius Ryan, Cloontumpher, Dromod.

Second Year Premium Boars.

3. Mrs. Eliza Reynolds, Corlough, Drumshambo.
4. Patrick M'Loughlin, Drumkeelan, Drumshambo.
5. James Cosgrove, Beagh, Dromahaire.
6. Thomas Doherty, Drumdoo, Mohill.
7. James Faughnan, Cattan Lake, Annaghmore, Mohill.

The number of egg-distributing centres in 1906 was sixteen, of which seven were in congested areas. The centres were as follows:—

1. Mrs. A. Johnston, Cornagee, Tullaghan.
2. Mr. John McDermott, Cornstalk, Manorhamilton.
3. Mrs. Bridget Fox, Monakill, Manorhamilton.
4. Mr. John McCowan, Corderry, Killargue.
5. Mrs. B. Tate, Cherrybrook, Manorhamilton.
6. Mr. Myles McKeown, Derrahimsk, Rossinver, Garrison.
7. Mrs. Bernard Moran, Aughamore, Dromod.
8. Mrs. Farrell, Leddy, Keshcarrigan.
9. Mr. Owen McHugh, Druma, Finnila, Dowra.
10. Mr. Alexander McAdam, Killaneen, Ballinamore.
11. Mrs. Francis O'Rorke, Mullinadarragh, Carrigallen.
12. Mr. Patrick Wrynn, Drumharkin, Foxfield, Carrick.
13. Mr. John Donnelly, Cloondrumminmore, Foxfield.
14. Mr. J. W. Conboy, Carrowcrin, Dromahair.
15. Mrs. Sala McTernan, Coolgrain, Dowra.
16. Mr. Charles Donnelly, Killaglasheen, Ballinamore.

The number of turkey-raising stations in Leitrim in 1906 was fourteen, of which seven were in congested districts. The stations were as follows:—

1. Mrs. A. Johnston, Cornagee, Tullaghan.
2. Mrs. B. Tate, Cherrybrook, Manorhamilton.
3. Mrs. Anne McTernan, Creevelea, Drumkeeran.
4. Mrs. Farrell Leddy, Drumaragh, Keshcarrigan.
5. Mrs. Gilronan, Kilmore, Ballinamore.
6. Mr. Alexander McAdam, Killaneen, Ballinamore.
7. Mr. Thomas Moran, Drumriggan, Mohill.
8. Mr. John Donnelly, Cloodrumminmore, Foxfield.
9. Mr. Patrick Wynn, Drumharkin, Foxfield.
10. Miss Katie McKeon, Derrahimsk, Ballaghmelham, Rossinver.
11. Mrs. Patrick McLoughlin, Drumkeelan, Drumshambo.
12. Mrs. John Ward, Gortinty, Drumsna.
13. Mrs. Alice McCabe, Dohern, Carrigallen.
14. Mr. Patrick Clyne, Moher, Dromod.

APPENDIX X.

W.—NOTE ON MIGRATORY LABOURERS.

The special characteristics of the temporary migration of agricultural labourers from the congested districts, which distinguish it from apparently similar movements of labour in other counties and from the ordinary examples of the mobility of labour in other trades, have been briefly discussed in the Donegal Statistical Abstract (See Appendix to Second Report of Commission, Cd. 3319, 1907, pp. 314-5). The total number of persons (including females) who had temporarily migrated from Ireland or who at the time of the collection of the Agricultural Statistics in 1905 had expressed their intention of subsequently migrating was 15,286. Of these only 160 were resident in County Leitrim. Of this number only 34 were landholders, but of the landless labourers 107 were the sons of landholders who worked on their parents' farms when at home. The following Table taken from the Annual Report of the Department of Agriculture on Irish Migratory Labourers for 1905 (page 45) gives further information on the subject.

Poor Law Union.	Number of Migratory Agricultural Labourers not Landholders.	Number of Migratory Agricultural Labourers having Land, and Area of their Holdings.												Total Number of Migratory Agricultural Labourers	Where Employed.			Number of Migratory Agricultural Labourers who had not left their homes at the time of the Inquiry, included in foregoing Columns.
		Not exceeding 1 acre.	Above 1 and not exceeding 2 acres.	Above 2 and not exceeding 3 acres.	Above 3 and not exceeding 4 acres.	Above 4 and not exceeding 5 acres.	Above 5 and not exceeding 10 acres.	Above 10 and not exceeding 15 acres.	Above 15 and not exceeding 20 acres	Above 20 and not exceeding 25 acres.	Above 25 and not exceeding 30 acres.	Above 30 and not exceeding 40 acres.	Above 40 acres.		In England.	In Scotland.	Elsewhere in Ireland.	
Ballyshannon No. 3 Rural.*	5	–	–	–	–	–	–	–	–	–	–	–	–	5	–	5	–	–
Bawnboy No. 2 Rural,	34	–	–	–	–	–	1	–	1	–	–	2	–	38	–	38	–	2
Carrick-on-Shannon No. 1 Rural†	38	–	–	–	–	–	–	2	1	–	–	–	–	41	27	14	–	–
Manorhamilton Rural,	50	–	–	–	–	–	4	1	2	–	–	–	1	58	10	48	–	–
Mohill Rural, . .	26	2	–	–	2	–	1	1	1	1	–	–	1	35	11	21	3	–
Total, . . .	153	2	–	–	2	–	6	4	5	1	–	2	(a)2	177	48	126	3	2

* Now Kinlough Rural.
† Now Ballinamore Rural
(a) Comprising one each of 42 and 72 acres.

X.—STATISTICS OF CO-OPERATIVE SOCIETIES.

1. STATEMENT showing Statistics of Co-operative Creameries in Co. Leitrim in 1905.

Taken from the Report of the Irish Agricultural Organisation Society for the year ended 30th June, 1906.

No.	NAME.	Date of Establishment.	Membership.	Paid up Share Capital.	Loan Capital.	Turnover.	Observations.
				£	£	£	
1	Ballinagleragh,	1902	105	120	350	996	
2	Ballinamore,	1900	191	592	1,036	2,224	
3	Bornacoola,	1901	173	479	512	1,979	
4	Dromahair,	1897	796	436	—	8,234	
5	Drumshambo,	1900	272	540	60	4,684	
6	Eslin Bridge,	1900	187	450	238	1,327	
7	Garrison,	1899	63	187	458	940	
8	Killasnett,	1899	500	192	877	5,929	
9	Kiltoghert,	1901	381	774	60	5,174	
10	Kinlough,	1897	331	715	975	4,212	
11	Lisgorman,	1904	—	—	—	—	
12	Mohill,	1902	153	415	379	4,453	
13	Tarmon,	1902	69	70	50	296	

2. STATEMENT showing the Statistics of the Agricultural Credit Societies in Co. Leitrim, 1905.

Taken from the Report of the Irish Agricultural Organisation Society for the year ended 30th June, 1906.

No.	NAME OF SOCIETY.	Date of Establishment.	Membership	Loan Capital.	Deposits.	Total Capital.	Total Amount of Loans.	Number of Loans granted.	Expenses.	Net Profit	Reserve Fund.
				£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.
1	Annaghmore,	1905	72	292 2 6	—	292 2 6	441 0 0	74	0 5 6	3 0 1	3 0 1
2	Ballinagleragh,	1903	108	122 2 8	218 0 0	340 2 8	656 0 0	172	2 19 0	3 6 10	8 7 1½
3	Belhavel,	1902	126	129 7 2	—	129 7 2	181 0 0	45	1 0 1	1 19 2	7 6 10
4	Cloonmorris,	1905	85	339 4 10	—	339 4 10	467 0 0	86	1 3 5	3 10 7½	3 10 7½
5	Farnaught,	1903	169	471 9 5	22 0 0	493 9 5	790 10 0	127	7 4 8	0 14 1	5 0 4
6	Glenade,	1904	39	50 0 0	—	50 0 0	116 0 0	50	0 7 10	1 14 5	1 14 5
7	Kinlough,	1903	—	—	—	—	—	—	—	—	—
8	Lurganboy,	1901	31	100 0 0	—	100 0 0	—	—	0 1 3	—	3 7 11*
9	Mohill,	1902	73	491 12 10	—	491 12 10	73 0 0	14	0 11 4	6 17 4½	8 15 2½
10	Rossinver,	1905	48	180 2 4	—	180 2 4	180 0 0	28	0 11 7	1 9 5	1 9 5

* Loss 12*s.* 10*d.*

3. STATEMENT showing the Statistics of the Home Industries Societies in Co. Leitrim, 1905.

Taken from the Report of the Irish Agricultural Organisation Society for the year ended 30th June, 1906.

NAME OF SOCIETY.	Date of Establishment.	Membership.	Paid up Share Capital.	Loan Capital.	Turn-over.	—
			£	£	£	
Ballinagleragh,	1896	—	—	—	—	Not working 1905.
Dartry,	1900	170	—	—	—	
Drumkeeran,	1902	—	—	—	—	Not working 1905.
Manorhamilton,	1900	7	—	—	—	

APPENDIX X.

Y.—Statement of Accounts of Loan Funds working in County Leitrim in 1905 as rendered by the Loan Fund Board.

Taken from 68th Annual Report of the Loan Fund Board of Ireland, 1905, pp. 10 and 11.

Names of Loan Funds.	Amount of Capital to be accounted for on 31st December, 1905.	Of which is held free of Interest (being Original subscription or unappropriated Profits.)	Amount of Capital working on 31st December, 1905.	Total Amount circulated in 1905.	Amount issued in Monthly Loans.	Number of Loans issued in 1905.	Average Amount of each Loan.	Average Cost of the Issue of each Loan to the Society, exclusive of Interest on the Capital.	Sum in Borrowers' hands on 31st December, 1905, exclusive of Bad Debts (if any).	Sum in Treasurers' hands on 31st December, 1905.	Amount of Discount or Interest received in 1905.	Amount of Fines received in 1905.
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.
	£	£	£	£	£		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Drumsna, ...	1,779	147	1,781	4,345	4,345	800	5 8 7	0 1 0	1,781 18 0	—	135 15 7	45 5 7
Drumshambo, ...	2 486	383	2,486	6,438	6,438	1,613	4 4 0	0 1 6	2,465 0 0	20 2 5	160 19 0	75 8 11
Leitrim, ...	1,606	181	1,606	3,985	3,985	923	4 6 4	0 1 6	1 546 13 0	59 18 1	99 12 6	41 15 2
Mohill, ...	2,391	470	2,388	5,930	5,930	1,493	3 19 5	0 1 2	2,337 0 0	51 13 5	185 6 3	46 0 2
	8,262	1,181	8,2.1	20,698	20,698	4,829	—	—	8,130 11 0	131 13 11	581 13 4	208 9 10

Names of Loan Funds.	Received from other sources.	Total Amount received for Discount or Interest, Fines, and Cards, or Application Papers in 1905.	Total paid as Salaries during 1905.	Number of Paid Officials employed.	Total Expenses of Management, including Salaries, Rent, &c., in 1905.	Amount of Interest paid or due by Societies for Capital secured by Debentures, &c. An asterisk (*) indicates the Societies whose Accounts for 1905 show that Interest, either in whole or in part, was unpaid on 31st December.	Number of Depositors owning said Capital.	Net Profit of 1905 after paying or providing for Interest and all Expenses, and deducting Debts ascertained to be irrecoverable.	Amount of Bad Debts charged to Stock in 1905.	Amount Expended for Local useful Purposes in 1905.	Name of Treasurer or Receiver.
14.	15	16.	17.	18.	19.	20.	21.	22.	23.	24.	25.
Continued—	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.		£ s. d.	£ s. d.		
Drumsna, ...	12 9 6	187 14 6	31 0 0	2	42 1 10	62 4 1	25	85 9 4	—	—	P. M'Guinness.
Drumshambo, ...	—	250 6 9	100 0 0	3	117 12 5	87 7 0	40	39 1 0	4 0 0	—	T. M'Loughlin.
Leitrim, ...	—	149 1 2	54 0 0	3	68 3 1	56 8 11	26	23 5 7	—	—	T. Moran.
Mohill, ...	18 6 7	243 15 3	59 15 2	2	93 4 7	75 10 1	42	90 19 3	—	—	P. Maguire.
	30 16 1	830 17 8	244 15 2	10	321 1 11	281 10 1	133	238 15 2	4 0 0	—	

Z.—RETURN OF UNTENANTED LAND.

Taken from Parliamentary Paper No. 250 of 1906.

COUNTY OF LEITRIM, RURAL DISTRICT OF BALLINAMORE.

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation.		Observations.
				Land.	Buildings.	
			A. R. P.	£ s. d.	£ s. d.	
Ballinamore ..	Cannaboe ..	William Acton	2 3 0	3 0 0	—	
,,	Mayo ..	William R. La Touche ..	49 1 7	1 0 0	—	
,,	Oughteragh ..	Jonathan Taylor	15 1 30	6 15 0	—	
Cloverhill ..	Lisgruddy ..	George Marsham	9 3 7	1 10 0	—	
,,	Lisroughty ..	Lord Charles Beresford ..	11 0 30	0 10 0	—	
,,	Clogher ..	William R. La Touche ..	4 1 0	—	—	
,,	Drumcroman ..	Jane Acheson	14 2 18	0 5 0	—	
,,	Drumgownagh	Hon. and Revd. Henry O'Brien	21 0 25	—	—	
,,	,,	Reps. Edward Maguire ..	9 1 12	0 5 0	—	
,,	Kiltyhugh ..	George Marsham	18 1 26	0 10 0	—	
,,	Mulnavannoge	George Marsham	27 3 39	0 15 0	—	
,,	,,	George Marsham	28 3 4	11 15 0	0 15 0	
Corrala ..	Aghalough ..	Michael M'Keon	6 3 26	—	..	
,,	,,	Edward M'Creanor	3 3 17	—	—	
,,	Corrawaleen ..	Denis Godley and Archibald Godley	88 0 17	1 0 0	—	
,,	Drumshangore	Denis Godley and Archibald Godley	19 0 12	0 5 0	—	
,,	Toome ..	Denis Godley and Archibald Godley	20 0 32	0 5 0	—	
Drumreilly North	Ardunsaghan ..	Hon. George William Ormsby Gore	6 2 24	0 4 0	—	
,,	Carrickmakeegan	Hon. George William Ormsby Gore	14 2 34	—	—	
,,	Drumcoura ..	Hon. George William Ormsby Gore	37 1 6	0 10 0	—	
,,	Drumlea ..	Hon. George William Ormsby Gore	15 0 6	1 5 0	—	
,,	Mullaghboy ..	Thomas Kiernan	83 1 18	0 15 0	—	
Drumreilly South	Aghoo ..	Edward H. Burrowes	1 0 22	0 5 0	—	
,,	,,	Edward H. Burrowes	0 0 35	0 5 0	—	
,,	Curraghatawy	Edward H. Burrowes	3 2 36	1 10 0	—	
,,	,,	Edward H. Burrowes	25 1 35	1 5 0	—	
,,	Drumdiffer ..	Revd. H. Martin	10 3 2	0 10 0	—	
,,	Gubs ..	Revd. H. Martin	47 0 14	1 15 0	—	
,,	Keenheen ..	Martha Cronyn	36 2 9	1 15 0	—	
,,	Sranadarragh	Revd. H. Martin	6 3 6	1 15 0	—	
,,	Drumany (Beirne)	William H. Irwin	18 2 1	0 5 0	—	
,,	Aghoo East ..	Edward H. Burrowes	39 0 34	7 15 0	0 5 0	
Garadice ..	Drumcullion ..	Frances Penrose	11 2 31	5 15 0	—	
,,	Garadice ..	Frances Penrose	18 3 36	11 5 0	—	
,,	Aghyowla ..	William Acton	8 1 39	1 0 0	—	
	Cleenaghoo ..	William Acton	4 1 5	0 5 0	—	
	Kilrush ..	William R. Little	24 3 6	19 10 0	9 10 0	
	,,	William R. Little	5 1 10	3 0 0	—	
,,	,,	William Acton	12 3 27	1 10 0	—	
Greaghglass ..	Aghlin ..	Reps. John Brady	26 1 39	1 0 0	—	
,,	Boggaun ..	Reps. John Brady	6 2 4	0 5 0	4	
,,	Derrinkeher (Raycroft)	William R. La Touche ..	16 3 10	0 15 0	—	
Killygar ..	Corracar ..	Denis A. Godley	7 1 9	0 5 0	—	
,,	Drumergoole ..	Archibald Godley	201 3 27	95 10 0	1 15 0	
,,	Druminuff ..	Earl of Leitrim	2 3 29	1 10 0	—	
,,	Killygar ..	Archibald Godley	5 3 25	3 0 0	—	
,,	,,	Archibald Godley	185 2 5	97 0 0	43 0 0	Mansion house.
,,	Kilnamarve ..	Archibald Godley	19 0 33	7 10 0	0 10 0	
,,	Laheen ..	Archibald Godley	2 2 2	1 0 0	—	
Newtowngore ..	Cloonboygher	Countess of Leitrim	14 3 10	2 0 0	—	
,,	Derryniggin ..	Emily Upperton	32 2 30	—	—	
,,	Keelrin (Drumreilly)	Countess of Leitrim	5 1 0	1 5 0	—	
,,	,,	Countess of Leitrim	1 1 26	0 10 0	—	
,,	Lugnagon ..	Countess of Leitrim	18 1 16	0 5 0	—	
,,	,,	Countess of Leitrim	26 1 10	0 10 0	—	
,,	Tully North ..	Countess of Leitrim	14 2 5	11 15 0	—	
,,	,,	Countess of Leitrim	12 3 7	11 0 0	—	
,,	,,	Countess of Leitrim	6 1 28	5 5 0	—	
,,	Woodford Demesne	Emily Upperton	93 2 32	33 0 0	19 0 0	Mansion house.
,,	,,	Emily Upperton	5 2 0	1 5 0	—	
,,	,,	Emily Upperton	25 2 22	14 15 0	1 10 0	
,,	,,	Emily Upperton	72 0 33	35 5 0	3 0 0	
Oughteragh ..	Drumbad ..	William R. La Touche ..	10 3 13	0 5 0	—	
Stralongford ..	Ballynameeltoge	John Brady	13 0 0	0 5 0	—	
,,	Knockacullion	William Latimer	815 1 17	10 0 0	—	

COUNTY OF LEITRIM, RURAL DISTRICT OF CARRICK-ON-SHANNON No. 1.

Aghacashel ..	Aghacashel ..	Thomas Guckian	204 3 39	89 19 0	14 0 0	Mansion house.
..	,,	Joseph L. Peyton	11 3 30	0 5 0	—	
..	..	Joseph L. Peyton	13 1 33	0 5 0	—	
,,	,,	Thomas Guckian	53 2 28	1 4 0	—	

PENDIX. X.

Z.—RETURN OF UNTENANTED LAND—*continued.*

COUNTY OF LEITRIM, RURAL DISTRICT OF CARRICK-ON-SHANNON No. 1—*continued.*

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute)	Rateable Valuation.		Observations.
				Land.	Buildings.	
			A. R. P.	£ s. d.	£ s. d.	
Aghacashel ..	Derreen (Johnston)	Thomas Peyton	184 1 33	1 5 0	—	
Annaduff ..	Annaduff Glebe	William C. B. Ruthven ..	48 3 20	30 10 0	—	
,,	Carrick ..	William Rowley	17 0 18	0 15 0	—	
,,	Mucklaghan Glebe	William C. B. Ruthven ..	12 1 23	0 5 0	—	
Barnameenagh ..	Aghagrania ..	Reps. Sir Morgan Geo. Crofton, Bt.	20 2 28	1 0 0	—	
,,	Barnameenagh	Hugh M'Tiernan	1,291 2 18	14 0 0	—	
,,	Sheskinacurry	Owen R. Slack	28 2 18	1 10 0	—	
Carrick-on-Shannon	Aghancarra ..	Mrs. William Peyton	46 0 1	36 15 0	10 0 0	Mansion house.
	Attirory ..	Petronella White	0 1 16	—	—	
,,	Ballynamony	Petronella White	15 2 6	—	—	
,,	Caldragh ..	Thomas Rosborough	16 2 9	8 10 0	0 10 0	
,,	,,	Thomas Rosborough	44 3 37	29 0 0	—	
,,	,,	Thomas Rosborough	9 2 28	3 10 0	—	
,,	Clogher ..	James Morton	116 2 6	75 5 0	0 10 0	
,,	Cloonsheebane	Petronella White	2 0 3	1 5 0	—	
,,	Corbally ..	William Rowley	3 1 26	0 5 0	—	
,,	Corhawnagh ..	William Lowe	68 2 17	49 5 0	1 0 0	
,,	Cornaslieve ..	James Morton	36 3 2	18 10 0	0 5 0	
,,	Dromore ..	James Morton	3 3 8	3 0 0	3 10 0	
,,	,,	James Morton	18 1 17	13 0 0	—	
,,	Gort ..	William Rowley	9 2 30	1 0 0	—	
,,	Hartley ..	Petronella Whyte	262 3 8	166 5 0	2 10 0	
,,	Jamestown ..	Hugh O'Beirne	169 2 21	154 15 0	40 0 0	Mansion house.
,,	Kilboderry ..	H. and Miss Allen	4 2 13	—	—	
,,	Lisgarney ..	William Rowley	9 1 3	0 10 0	—	
,,	Rue ..	Hugh O'Beirne	25 2 35	16 15 0	1 0 0	
,,	,,	Hugh O'Beirne	15 0 12	8 0 0	—	
,,	Townparks ..	Petronella Whyte	1 0 30	0 15 0	—	
,,	,,	Petronella Whyte	3 1 9	2 18 0	—	
,,	,,	Petronella Whyte	4 2 3	5 5 0	—	
,,	,,	Petronella Whyte	5 3 37	7 0 0	—	
,,	,,	Petronella Whyte	2 0 0	3 0 0	—	
,,	,,	Petronella Whyte	1 0 8	1 5 0	—	
,,	Sallaghan ..	Hugh O'Beirne	1 0 1	0 5 0	—	
Drumreilly East	Carntullagh ..	Hon. George Ormsby Gore ..	201 0 38	6 0 0	—	
,,	Cortober ..	Hon. George Ormsby Gore ..	64 2 35	1 5 0	—	
,,	Slievenakilla ..	John J. Benison	1 0 0	0 5 0	—	
,,	,,	John J. Benison	0 2 0	—	3 0 0	
,,	Sranagarvanagh	Hon. George Ormsby Gore ..	129 0 7	3 15 0	—	
Drumreilly West	Tullynahaia ..	The Misses Crofton	3 0 35	0 15 0	—	
,,	,,	The Misses Crofton	472 3 15	10 10 0	0 5 0	
,,	,,	The Misses Crofton	624 0 14	10 0 0	—	
Drumshambo ..	Blackrock ..	Reps. John W. L. Birchall ..	3 0 17	0 15 0	0 5 0	
,,	,,	John W. L. Birchall	75 3 20	44 10 0	10 0 0	Mansion house.
,,	Corryard ..	Francis O'Beirne	0 1 30	0 5 0	—	
,,	Drumshambo	Hugh O'Beirne	0 3 38	0 10 0	—	
Drumsna ..	Crickeen ..	William Rowley	38 0 3	23 10 0	—	
,,	Drumsna ..	William Rowley	4 0 3	2 10 0	1 0 0	
,,	Mountcampbell	William Rowley	157 3 35	95 0 0	40 0 0	Mansion house.
,,	Drumgowla ..	Trustees of Earl of Albemarle	4 2 36	—	—	
,,	Effrinagh ..	Trustees of Earl of Albemarle	33 2 18	0 10 0	—	
Gortnagullion ..	Annaghasna ..	Richard de Carter	20 0 32	0 5 0	—	
,,		William S. Lawder	3 3 1	—	—	
,,	Corderry (Peyton)	James R. Peyton	35 0 6	0 10 0	—	
,,	Drumparsons	Francis M'Keon	54 3 14	28 5 0	0 5 0	
,,	Edenmore ..	Ambrose M'Keon	71 2 25	34 0 0	1 10 0	
,,	Scardaun ..	Louisa de la Pere O'Reilly ..	0 0 30	—	—	
,,		Louisa de la Pere O'Reilly ..	2 1 9	—	—	
,,	Toomans ..	Robert Jones Lloyd	16 1 19	—	—	
,,		Robert Jones Lloyd	2 0 26	—	—	
,,	Drumcromaun	Francis M'Keon	28 1 16	13 5 0	0 15 0	
Gowel ..	Kiltoghert ..	James Ormsby Lawder, Francis Gumley, and Ida V. Lawder	67 0 32	62 10 0	0 10 0	
Keshcarrigan ..	Drumaleague	Horatio A. Lawder	2 0 0	—	—	
,,		Richard Kelly	6 1 0	—	—	
,,	Drumcong ..	Mrs. William Peyton	4 3 9	—	—	
,,		Mrs. William Peyton	3 1 4	—	—	
,,	Drumruekill ..	Hugh O'Beirne	1 0 15	—	—	
,,	Gowly ..	James R. Peyton	12 0 25	—	—	
,,		James R. Peyton	0 0 35	—	—	
,,	Kilclare More	Henry Jackson	0 1 20	—	—	
,,	Rosearban ..	James R. Peyton	20 0 0	—	—	
,,	Seltan Moran ..	Henry W. Jackson	3 3 7	—	—	
Kiltubbrid ..	Aughrim ..	Randal Thomas Slack ..	6 1 37	—	—	
,,	Driny ..	Reps. Revd. Walter C. Peyton	62 1 33	31 15 0	10 0 0	Mansion house.
,,	,,	Reps. Revd. Walter C. Peyton	49 0 25	24 0 0	—	

Z.—RETURN OF UNTENANTED LAND—*continued.*

COUNTY OF LEITRIM, RURAL DISTRICT OF CARRICK-ON-SHANNON No. 1—*continued.*

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation.		Observations.
				Land.	Buildings.	
			A. R. P.	£ s. d.	£ s. d.	
Ciltubbrid ..	Driny ..	Reps. Revd. Walter C. Peyton	39 2 34	0 5 0	—	
,,	,,	Reps. Revd. Walter C. Peyton	20 3 11	—	—	
,,	Drumgud ..	Hugh B. Duckworth	5 1 24	—	—	
,,	Rossy ..	Revd. Walter C. Peyton ..	21 3 7	—	—	
Leitrim ..	Bellanboy ..	Reps. William Irwin	1 2 37	1 5 0	—	
,,	Cornaroy ..	Wilton Vaugh	4 3 20	0 5 0	—	
,,	Drumduff South	John McKeon	38 3 11	22 10 0	—	
,,	Drumhierny ..	Reps. Francis La Touche ..	128 2 22	63 5 0	—	
,,	,,	Reps. Francis La Touche ..	26 1 0	15 0 0	—	
,,	,,	Reps. Francis La Touche ..	37 1 0	21 0 0	—	
,,	Keonbrock ..	Bridget Mollahan	148 2 16	91 0 0	14 5 0	Mansion house.
,,	Leitrim ..	Wilton Vaugh	3 2 35	2 5 0	—	
,,	,,	Wilton Vaugh	17 0 19	11 15 0	10 0 0	
,,	,,	Wilton Vaugh	5 2 30	3 15 0	—	
,,	Mackan ..	Reps. Francis La Touche ..	13 0 25	5 15 0	—	
,,	,,	Reps. Francis La Touche ..	5 1 10	3 5 0	—	
,,	,,	Reps. Francis La Touche ..	15 0 0	7 15 0	—	
,,	Newbrook ..	John McKeon	95 1 17	55 0 0	3 10 0	
,,	Drumkeelan ..	Wilton Vaugh	7 2 6	0 5 0	—	
Moher ..	Carrickaport ..	Lord Southwell	2 3 26	—	—	
,,	Corderry Morton	Lord Southwell	4 1 32	—	—	
,,	Cornaleck ..	Lord Southwell	1 1 23	—	—	
,,	Mullaghycullen	Lord Southwell	3 0 5	—	—	
Yugan ..	Inishmagrath Island	Congested Districts Board ..	6 1 28	2 10 0	—	
,,	Kilgarriff ..	Congested Districts Board ..	143 3 19	51 10 0	—	

COUNTY OF LEITRIM, RURAL DISTRICT OF KINLOUGH.

Aghalateeve ..	Agahlateeve ..	Lord Massy	509 3 35	7 5 0	—	
,,	Erriff ..	Lord Massy	704 3 35	11 5 0	—	
Aghanlish ..	Aghamore ..	Reps. John Kerr	4 2 0	—	—	
,,	Aghanlish ..	George L. Tottenham ..	1 2 0	0 5 0	—	
,,	Cleighragh ..	Thomas Corscadden	215 0 9	26 5 0	0 10 0	
,,	,,	Thomas Corscadden	6 3 0	1 13 0	—	
,,	,,	Thomas Corscadden	26 1 16	10 0 0	0 10 0	
,,	,,	Thomas Corscadden	10 3 10	3 10 0	0 5 0	
,,	,,	Thomas Corscadden	280 2 10	2 0 0	—	
,,	Keeloges ..	George L. Tottenham ..	14 3 20	5 15 0	—	
,,	,,	George L. Tottenham ..	28 3 39	7 15 0	0 5 0	
,,	Largydonnell	George L. Tottenham ..	0 3 12	0 5 0	—	
,,	,,	George L. Tottenham ..	14 3 16	3 15 0	—	
,,	,,	George L. Tottenham ..	332 3 31	7 15 0	—	
,,	,,	George L. Tottenham ..	60 1 20	30 15 0	28 0 0	
,,	Shesknan ..	Thomas Corscadden	33 3 37	9 5 0	0 5 0	
,,	,,	Thomas Corscadden	0 0 20	0 5 0	—	
Aghavoghil ..	Aghaderrard West	St. George Robert Johnston ..	60 0 9	28 0 0	5 10 0	
,,	,,	St. George Robert Johnston ..	94 1 26	50 0 0	14 0 0	Mansion house.
,,	Aghavoghil ..	Lord Massy	1,091 0 21	25 10 0	—	
,,	Buckode ..	Lord Massy	76 1 27	1 0 0	—	
,,	Carrowboy ..	Lord Massy	41 3 10	0 10 0	—	
,,	Mullanvockaun	Lord Massy	55 2 20	0 15 0	—	
Gubacreeny ..	Askill ..	Lord Massy	10 3 26	0 5 0	—	
,,	,,	Lord Massy	68 2 24	1 0 0	—	
,,	Boyannagh ..	Lord Massy	4 3 18	0 5 0	—	
,,	Cornaglah ..	Lord Massy	25 1 0	0 10 0	—	
,,	Derryherk ..	Lord Massy	23 0 27	0 10 0	—	
,,	,,	Lord Massy	21 3 10	0 5 0	—	
,,	Gubacreeny ..	Lord Massy	1 1 20	—	—	
,,	Lareen ..	Lord Massy	11 1 29	3 15 0	0 10 0	
,,	,,	Lord Massy	52 0 23	14 10 0	23 0 0	Mansion house.
,,	,,	Lord Massy	3 0 4	—	—	
Kinlough ..	Aghadunvane..	James Johnston	7 3 5	2 5 0	—	
,,	Agharoosky ..	Forbes Johnston	11 3 15	0 5 0	—	
,,	Arroo ..	James Johnston	366 3 30	3 0 0	—	
,,	Ballymore ..	James Johnston	1 1 39	0 10 0	—	
,,	Cloone ..	James Johnston	96 0 16	48 0 0	—	
,,	,,	James Johnston	25 0 23	0 5 0	—	
,,	Fertagh ..	Forbes Johnston	0 3 0	0 5 0	—	
,,	,,	Forbes Johnston	8 1 20	—	—	
,,	,,	Forbes Johnston	0 2 39	0 5 0	—	
,,	Gortnasillagh	James Johnston	5 2 0	—	—	
,,	Kinlough ..	James Johnston	220 2 7	183 10 0	43 10 0	Mansion house.

APPENDIX X.

Z.—RETURN OF UNTENANTED LAND—*continued.*

COUNTY OF LEITRIM, RURAL DISTRICT OF KINLOUGH—*continued.*

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation.		Observations.
				Land.	Buildings.	
			A. R. P.	£ s. d.	£ s. d.	
Kinlough ..	Moneen ..	James Johnston	2 3 20	0 15 0	—	
,,	Rosclogher ..	James Johnston	7 2 10	0 15 0	—	
Melvin ..	Cloghan ..	Alexander Horan	13 1 12	3 10 0	—	
,,	Cornagawna ..	James Johnston	47 0 20	0 5 0	—	
Tullaghan ..	Agharroo ..	Lord Massy	25 0 0	—	—	
,,	Bunduff ..	Capt. Charles Barton	46 3 25	26 0 0	13 10 0	
,,	Cloonty ..	John W. Dichson (in Chancery); Richard Hamilton, Receiver	9 2 34	1 10 0	—	
,,	Corbeg ..	Capt. Charles Barton	1 2 30	—	—	
,,	Derrinloughan	Capt. Charles Barton	46 1 20	0 5 0	—	
,,	,,	Capt. Charles Barton	69 1 20	1 10 0	—	
,,	Mullanyduff ..	Capt. Charles Barton	0 3 17	0 10 0	—	
,,	,,	Capt. Charles Barton	13 3 36	0 5 0	—	
,,	Sheean ..	John W. Dickson (in Chancery); Richard Hamilton, Receiver	0 3 0	1 0 0	—	
,,	Tawly ..	Maria Dickson	193 0 12	31 2 0	—	
,,	Tullaghan ..	Mervyn C. S. Tynte	30 1 0	32 10 0	51 10 0	Mansion house.
,,	Uragh ..	John Ffolliott	71 3 11	1 5 0	—	

COUNTY OF LEITRIM, RURAL DISTRICT OF MANORHAMILTON.

Ballaghameehan	Gubmanus ..	Owen Wynne	19 0 39	5 0 0	—	
,,	,,	Owen Wynne	24 0 36	8 5 0	0 15 0	
,,	Lisdarush ..	Owen Wynne	257 2 36	10 5 0	0 10 0	
,,	,,	Owen Wynne	2 3 0	0 5 0	—	
,,	Raheelin ..	Owen Wynne	9 0 20	1 10 0	—	
,,	Shasmore ..	Owen Wynne	46 2 0	1 10 0	—	
,,	Tullyderrin ..	Owen Wynne	3 2 10	0 10 0	—	
Belhavel ..	Corderry ..	Henry W. S. L. Montgomery ..	6 0 18	0 15 0	—	
,,	Corrasra ..	Henry W. S. L. Montgomery ..	12 2 25	4 15 0	2 5 0	
,,	,,	Henry W. S. L. Montgomery ..	6 3 23	1 10 0	—	
,,	Drumany Glebe	Henry W. S. L. Montgomery ..	3 1 2	1 0 0	—	
,,	Drumduffy ..	Henry W. S. L. Montgomery ..	2 0 0	0 10 0	—	
,,	Drumillion ..	Jackson Potter	71 1 32	42 0 0	—	
,,	Drumlumman Glebe	Henry W. S. L. Montgomery ..	1 0 0	0 15 0	—	
,,	Gortahork ..	Henry W. S. L. Montgomery ..	1 2 27	0 10 0	—	
,,	Leonagh ..	Charles M'Tiernan	6 3 16	2 15 0	—	
,,	Tullinwillin ..	Henry W. S. L. Montgomery ..	7 3 12	1 5 0	—	
Cloonclare ..	Ardvarney ..	John M. Clements	220 1 28	7 5 0	—	
,,	Brockagh Upper	Lord Massy	62 0 10	1 10 0	—	
,,	Bronagh ..	Lord Massy	262 3 4	4 5 0	—	
,,	Camderry ..	Lord Massy	432 0 20	6 5 0	—	
,,	Cloonaghmore	Lord Massy	217 1 30	3 0 0	—	
,,	Gubnacurrafore	Lord Massy	113 0 2	3 0 0	—	
,,	Meenkeeragh ..	Lord Massy	270 1 29	6 5 0	—	
Cloonlogher ..	Gortermone ..	George Hewson	99 3 29	2 10 0	—	
,,	Larkfield ..	George Hewson	11 2 30	1 0 0	—	
Drumahaire ..	Ardakip More	George Hewson	18 2 6	9 10 0	—	
,,	Bawn ..	George Hewson	5 1 23	3 15 0	—	
,,	Cloonbannive	George Hewson	20 3 36	0 5 0	—	
,,	Corcusconny ..	George L. Fox	1 3 0	1 0 0	—	
,,	Edergole ..	George Hewson	3 0 2	2 10 0	—	
,,	,,	George Hewson	0 1 15	0 5 0	—	
,,	Feughanagh ..	George L. Fox	21 0 17	0 2 0	—	
,,	Friarstown ..	Reps. Thomas R. Palmer ..	6 2 38	2 5 0	0 5 0	
,,	Killaleen ..	John O'Donnell	85 3 6	49 10 0	—	
,,	Killananima ..	George L. Fox	2 2 6	1 10 0	—	
,,	Sliganagh ..	William H. Gray	21 1 9	11 5 0	2 10 0	
Drumkeeran ..	Drumman's Island	George Marsham	1 2 4	0 15 0	—	
,,	Sheena ..	James Johnston	9 0 13	6 5 0	—	
Garvagh ..	Derrinaher ..	Robert E. White	14 1 7	0 5 0	—	
,,	Tullycoly ..	Robert E. White	59 1 19	33 0 0	7 10 0	
,,	,,	Robert E. White	1 0 0	0 10 0	—	
Glenade ..	Cullionboy ..	Thomas Corscadden	6 3 28	2 10 0	—	
,,	,,	Thomas Corscadden	6 1 35	3 10 0	—	
,,	,,	Thomas Corscadden	4 2 37	2 0 0	1 0 0	
,,	,,	Thomas Corscadden	7 0 26	2 10 0	0 5 0	
,,	,,	Thomas Corscadden	1 0 0	0 10 0	—	
,,	Gubinea ..	Thomas Corscadden	69 0 27	27 0 0	14 0 0	Mansion house.
,,	,,	Thomas Corscadden	6 2 11	2 5 0	—	
,,	Leckanarainey	Thomas Corscadden	11 3 34	2 15 0	—	
,,	,,	Thomas Corscadden	35 2 31	9 15 0	0 15 0	
,,	Sracleighreen ..	Thomas Corscadden	36 3 10	5 5 0	—	

Z.—RETURN OF UNTENANTED LAND—*continued.*

COUNTY OF LEITRIM, RURAL DISTRICT OF MANORHAMILTON—*continued.*

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation.		Observations.
				Land.	Buildings.	
			A. R. P.	£ s. d.	£ s. d.	
Glenade ..	Drummans ..	George Hewson	67 1 28	37 0 0	1 10 0	
Glenaniff ..	Cloghmeen ..	Alexander Maguire	652 3 28	31 0 0	2 10 0	
,,	Cornagillagh ..	Alexander Maguire	233 1 36	5 5 0	—	
,,	Fallacarra ..	Alexander Maguire	499 1 28	10 0 0	—	
Glenboy ..	Ballaghnabehy	John M. Clements	148 2 21	4 5 0	—	
,,	Briscloonagh ..	John M. Clements	117 1 7	6 15 0	—	
,,	Gortnalibbert	John M. Clements	373 3 15	6 5 0	—	
,,	Lurgan ..	John M. Clements	338 0 0	6 10 0	—	
,,	Meenymore ..	John M. Clements	417 1 18	10 10 0	—	
,,	Moneenlom ..	John M. Clements	85 0 12	2 0 0	—	
Glencar ..	Corglass ..	Owen Wynne	50 3 20	11 10 0	—	
,,	,,	Owen Wynne	855 1 12	20 0 0	—	
,,	Glasdrumman	Charles C. B. Whyte	2 2 20	1 10 0	13 10 0	
,,	,,	Charles C. B. Whyte	385 0 3	8 15 0	—	
,,	Gorteenaguinnell	Charles C. B. Whyte	82 2 22	2 10 0	—	
,,	,,	Charles C. B. Whyte	155 2 7	3 0 0	—	
,,	Gortnagarn ..	Charles C. B. Whyte	530 0 38	8 15 0	—	
,,	Gortnagrogerny	Owen Wynne	2 0 0	1 10 0	—	
,,	,,	Owen Wynne	5 3 0	1 5 0	—	
,,	Knocknaclassagh	Owen Wynne	151 3 38	4 10 0	—	
,,	Largandoon ..	Owen Wynne	72 3 28	16 15 0	—	
,,	,,	Owen Wynne	443 3 15	7 0 0	—	
,,	Lugnafaughery	Owen Wynne	136 2 39	18 0 0	—	
,,	,,	Owen Wynne	67 0 27	12 0 0	—	
,,	Meenaphuill ..	Owen Wynne	62 3 38	28 5 0	0 15 0	
,,	,,	Owen Wynne	90 3 37	2 0 0	—	
,,	Sracreeghan ..	Owen Wynne	178 1 9	9 5 0	—	
Glenfarn ..	Ardmoneen ..	Colonel J. G. Adamson ..	26 3 6	9 15 0	—	
,,	,,	Colonel J. G. Adamson ..	115 2 28	62 15 0	50 0 0	Mansion House.
,,	,,	Colonel J. G. Adamson ..	0 1 20	0 5 0	4 15 0	
,,	Carrickrevagh	Colonel J. G. Adamson ..	233 3 22	37 5 0	—	
,,	,,	Colonel J. G. Adamson ..	30 2 12	13 0 0	2 10 0	
,,	Bilberry Island	Colonel J. G. Adamson ..	2 2 36	0 5 0	—	
,,	Crannoge Island	Charles G. Tottenham ..	0 0 5	—	—	
,,	Creevagh Island	Charles G. Tottenham ..	0 0 4	—	—	
,,	Patrick's Island	Charles G. Tottenham ..	0 0 14	—	—	
,,	Trawnish Island	Colonel J. G. Adamson ..	2 1 30	0 5 0	—	
,,	Lacoon ..	Colonel J. G. Adamson ..	361 1 23	7 15 0	—	
,,	,,	Charles G. Tottenham ..	2 0 0	0 15 0	—	
,,	Laghty ..	Colonel J. G. Adamson ..	113 2 21	41 15 0	1 5 0	
Glenfarn ..	Loughros ..	Colonel J. G. Adamson ..	140 2 8	3 0 0	—	
,,	,,	Colonel J. G. Adamson ..	4 3 10	3 0 0	—	
,,	Sranagross ..	Charles G. Tottenham ..	4 2 1	2 0 0	—	
Killanummery	Corglancey ..	George Hewson	14 0 2	0 5 0	—	
,,	Derrybrisk ..	George Hewson	2 3 8	1 14 0	—	
,,	Drumrane ..	George Hewson	1 1 23	0 17 0	—	
,,	Greaghnafarna	George Hewson	63 2 0	2 0 0	—	
,,	,,	George Hewson	100 1 35	0 15 0	—	
,,	Mullaghdoo ..	George Hewson	4 2 28	2 5 0	—	
Killarga ..	Barlear ..	S. M. Russell	166 3 5	7 15 0	0 5 0	
,,	,,	S. M. Russell	181 1 36	3 5 0	—	
,,	,,	S. M. Russell	207 1 31	8 10 0	—	
,,	Bolybrack ..	S. M. Russell	212 1 35	2 0 0	—	
,,	Dergvone ..	Henry W. S. L. Montgomery ..	592 3 26	10 10 0	—	
,,	Gowlaun ..	Nathaniel Bridges ..	0 3 20	0 10 0	—	
,,	Greaghnagon	Reps. Thomas R. Palmer ..	8 0 15	4 5 0	0 10 0	
,,	Lackagh ..	George Hewson	1,063 2 7	13 0 0	0 5 0	
,,	,,	George Hewson	32 3 9	1 15 0	—	
,,	Tawnahoney ..	Reps. Thomas R. Palmer ..	0 0 30	0 5 0	—	
Kityclogher ..	Boleyboy ..	Colonel J. G. Adamson ..	333 0 18	6 0 0	—	
,,	Corracloona ..	Sarah Anne Tottenham ..	18 1 24	4 10 0	—	
,,	Killea ..	Colonel J. G. Adamson ..	266 1 4	7 0 0	—	
,,	Kiltyclogher ..	Colonel J. G. Adamson ..	28 2 37	1 10 0	—	
,,	,,	Colonel J. G. Adamson ..	103 2 36	3 8 0	—	
,,	,,	Colonel J. G. Adamson ..	82 3 16	3 2 0	—	
,,	Lugasnaghta ..	Sarah Anne Tottenham ..	64 0 19	1 0 0	—	
Lurganboy ..	Ballyglass ..	Owen Wynne	88 1 38	25 0 0	0 10 0	
,,	,,	Owen Wynne	6 1 10	2 5 0	—	
,,	Ballynaboll ..	Charles C. B. Whyte	119 3 30	37 15 0	—	
,,	Barrackpark ..	Owen Wynne	1 0 14	0 15 0	—	
,,	Cloonoquin ..	Owen Wynne	413 2 6	9 0 0	—	
,,	,,	Owen Wynne	10 1 15	1 15 0	—	
,,	Gortinar ..	Owen Wynne	20 3 27	7 5 0	—	
,,	Gortnaskeagh ..	Charles C. B. Whyte	346 2 20	10 10 0	—	
,,	,,	Charles C. B. Whyte	5 2 28	0 10 0	—	
,,	Milltown ..	Owen Wynne	39 0 36	13 5 0	—	
,,	Morerah ..	John Dolan	94 2 11	33 0 0	0 5 0	
,,	,,	John Dolan	19 2 7	6 5 0	—	
,,	Mountainthird	Owen Wynne	57 1 9	13 0 0	—	
,,	,,	Owen Wynne	5 0 8	1 7 0	—	
,,	,,	Owen Wynne	3 1 24	2 5 0	—	
,,	,,	Owen Wynne	5 3 28	1 13 0	1 15 0	

APPENDIX X.

Z.—RETURN OF UNTENANTED LAND—*continued.*

COUNTY OF LEITRIM, RURAL DISTRICT OF MANORHAMILTON—*continued.*

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation.		Observations.
				Land.	Buildings.	
			A. R. P.	£ s. d.	£ s. d.	
Lurganboy ..	Nure ..	Owen Wynne	4 2 10	1 15 0	—	
,,	Poundhill ..	Owen Wynne	38 0 35	9 5 0	—	
,,	Srabrick ..	Owen Wynne	6 2 4	1 0 0	—	
,,	Tullynasharragh	Christopher Armstrong ..	22 2 0	12 5 0	0 15 0	
Mahanagh ..	Coollegreane ..	Henry W. S. L. Montgomery ..	208 0 10	3 5 0	—	
,,	Corderry ..	Reps. Thomas R. Palmer ..	0 2 0	0 5 0	—	
,,	Corry ..	Bridget Palmer	40 1 35	24 0 0	—	
,,	Derrinvoney Upper.	Reps. Thomas R. Palmer ..	1 0 2	0 5 0	—	
,,	Derrylustia ..	Henry W. S. L. Montgomery ..	12 2 34	0 5 0	—	
,,	Greaghnaglogh	Henry W. S. L. Montgomery ..	204 0 12	4 10 0	—	
,,	Lisacoghil ..	Henry W. S. L. Montgomery ..	11 2 27	0 5 0	—	
,,	Tullintowell ..	Henry W. S. Montgomery ..	20 2 0	0 5 0	—	
Manorhamilton	Cornastauk ..	Colonel H. T. Clements ..	5 3 35	0 5 0	—	
,,	,,	Colonel H. T. Clements ..	108 0 33	—	—	
,,	,,	Colonel H. T. Clements ..	0 3 0	0 5 0	—	
,,	,,	Colonel H. T. Clements ..	14 2 0	3 0 0	—	
,,	Manorhamilton	Colonel H. T. Clements ..	20 1 5	23 5 0	—	
,,	,,	Colonel H. T. Clements ..	9 0 8	6 5 0	—	
,,	,,	Colonel H. T. Clements ..	3 2 8	3 0 0	—	
,,	,,	Colonel H. T. Clements ..	11 1 36	14 0 0	—	
,,	,,	Colonel H. T. Clements ..	0 3 7	1 0 0	—	
,,	,,	Colonel H. T. Clements ..	2 3 7	3 15 0	—	
,,	,,	Colonel H. T. Clements ..	10 0 18	11 10 0	—	
,,	Skreeny (Cloonclare)	Colonel H. T. Clements ..	101 0 29	79 15 0	4 0 0	
,,	Tuckmillpark	Colonel H. T. Clements ..	7 2 18	7 5 0	—	
,,	Amorset ..	Colonel H. T. Clements ..	0 1 20	0 5 0	—	
,,	Clooneen ..	Colonel H. T. Clements ..	9 2 2	6 15 0	—	
,,	,,	Colonel H. T. Clements ..	14 0 25	18 0 0	1 5 0	
,,	Faughary ..	Ada Cecil Wray	11 3 0	0 15 0	—	
,,	Skreeny (Kilasnet)	Colonel H. .T Clements ..	59 1 8	55 10 0	2 10 0	
,,	Lisnabrack ..	Colonel H. T. Clements ..	78 2 34	35 15 0	2 0 0	
Munakill ..	Barrs East ..	Lord Massy	126 0 11	2 0 0	—	
,,	Barrs West ..	Lord Massy	89 3 26	1 0 0	—	
,,	Cornacloy ..	Lord Massy	39 0 21	0 12 0	—	
,,	Cullentragh ..	Lord Massy	181 0 2	4 5 0	—	
,,	Kilmakenill ..	Lord Massy	62 2 3	0 10 0	—	
,,	Moneenageer ..	Lewis Algeo	28 0 11	0 10 0	—	
,,	Mullaun ..	Lord Massy	25 0 9	0 10 0	—	
,,	Sradrine ..	Forbes Johnston	56 2 13	1 0 0	—	
,,	Lissinagroagh	Lord Massy	46 2 37	1 5 0	—	
Sramore ..	Carrickanurroo	Charles C. B. Whyte ..	75 2 8	24 5 0	6 10 0	
,,	,,	Charles C. B. White	26 1 39	12 5 0	0 10 0	
,,	,,	Charles C. B. Whyte	17 1 9	10 10 0	0 10 0	
,,	Carrickfad ..	Charles C. B. Whyte ..	30 2 17	7 0 0	—	
,,	,,	Charles C. B. Whyte ..	70 2 6	27 10 0	22 0 0	Mansion house.
,,	,,	Charles C. B. Whyte	—	—	4 5 0	
,,	Cartron ..	Charles C. B. Whyte ..	59 3 12	27 15 0	4 0 0	
,,	,,	Charles C. B. Whyte ..	7 0 37	3 0 0	—	
,,	,,	Charles C. B. Whyte	4 2 23	2 0 0	—	
,,	Conray ..	Charles C. B. Whyte ..	125 2 13	26 5 0	—	
,,	Cornalaghta ..	Charles C. B. Whyte ..	3 0 7	0 10 0	—	
,,	Curraghan ..	Charles C. B. Whyte ..	42 3 31	3 10 0	—	
,,	Doonkelly ..	Charles C. B. Whyte ..	54 0 6	7 0 0	—	
,,	,,	Charles C. B. Whyte ..	3 3 35	1 0 0	—	
,,	Doonmorgan ..	Charles C. B. Whyte ..	29 3 22	8 5 0	—	
,,	,,	Charles C. B. Whyte ..	6 3 21	4 0 0		
,,	Fawnlion ..	Charles C. B. Whyte ..	325 0 10	56 0 0		
,,	Kilmore ..	Colonel Roger Parke ..	15 0 13	9 0 0		
,,	,,	Colonel Roger Parke	0 1 6	0 5 0		
,,	,,	Colonel Roger Parke ..	94 1 17	84 15 0	0 10 0	
,,	,,	Colonel Roger Parke ..	0 2 30	0 10 0	—	
,,	Leean ..	Charles C. B. Whyte ..	411 0 8	60 5 0		
,,	Lugalustran ..	Charles C. B. Whyte ..	1 3 11	0 15 0	—	
,,	,,	Charles C. B. Whyte ..	1 2 20	1 0 0	—	
,,	Moneyduff ..	Charles C. B. Whyte ..	45 3 11	8 10 0	—	
,,	,,	Charles C. B. Whyte ..	132 2 13	62 0 0	2 0 0	
,,	,,	Charles C. B. Whyte ..	27 0 4	20 15 0	—	
,,	Rubbal ..	Charles C. B. Whyte ..	32 1 34	22 5 0	0 15 0	
,,	,,	Charles C. B. Whyte ..	10 3 32	2 0 0	—	
,,	Corrycullen ..	Charles C. B. Whyte ..	48 1 1	27 10 0	—	
,,	,,	Charles C. B. Whyte ..	5 1 0	1 15 0	—	
,,	Tomrud ..	Charles C. B. Whyte ..	8 2 0	0 10 0	—	
St. Patrick's ..	Moneenatieve	Henry W. S. L. Montgomery ..	207 1 16	3 5 0	—	
,,	Seltannasaggart or Corry Mountain	James Benison	13 2 20	0 5 0	—	
,,	Greaghnaslieve	Reps. James Fawcett	174 2 23	4 5 0	—	

Z.—RETURN OF UNTENANTED LAND—*continued.*

COUNTY OF LEITRIM, RURAL DISTRICT OF MOHILL.

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation.		Observations.
				Land.	Buildings.	
			A. R. P.	£ s. d.	£ s. d.	
Aghavas ..	Carrickavoher	Matthew W. G. Kane ..	6 0 28	—	—	
,,	Corraneary ..	Matthew W. G. Kane ..	45 2 12	0 10 0	—	
,,	Drumshanbo North	John Madden	43 3 20	0 5 0	—	
,,	Killyfea ..	Reps. M.S. Berry and John Gordon	18 2 23	0 6 0	—	
Beihy ..	Beihy ..	Colonel Henry T. Clements ..	33 2 32	0 5 0	—	
,,	,,	Reps. William N. Irwin, M.D.	42 0 16	1 1 0	—	
,,	Clooncumber ..	Colonel Henry T. Clements ..	138 2 27	0 10 0	—	
,,	Drumshanbo South	Reps. Sir M. G. Crofton, Bart.	95 2 4	0 15 0	—	
,,	Fearglass South	Reps. Hugh O'Beirne	48 2 10	0 15 0	—	
,,	Gubadorris ..	William N. Irwin, M.D. ..	81 3 7	0 15 0	—	
,,	Ross More ..	Reps. Hugh O'Beirne	19 2 5	0 5 0	—	
,,	Tooman ..	Colonel Henry T. Clements ..	64 1 11	0 5 0	—	
,,	Cloonlaughil ..	Robert Dick, M.D.	70 0 13	0 13 0	—	
Breandrum ..	Drumnia ..	Reps. Arthur M. Crofton ..	23 2 28	0 5 0	—	
,,	Drumoghty Beg	Lord Massy	21 2 13	—	—	
,,	Drumoghty More	Lord Massy	4 3 36	—	—	
,,	Sragarn ..	Lord Massy	13 1 26	0 5 0	—	
,,	Finiskil ..	Reps. Arthur M. Crofton ..	16 1 20	0 5 0	—	
Bunnybeg ..	Bunnybeg ..	William Sydney Lawder ..	9 0 0	2 10 0	—	
,,	Bunnymore Upper	Wiliam Sydney Lawder ..	39 1 36	15 15 0	—	
,,	,,	William Sydney Lawder ..	14 1 0	7 5 0	—	
Carrigallen East	Aghavore ..	Rev. John Robinson	7 1 0	—	—	
,,	Cloghlough ..	William A. O'Brien	6 3 4	1 15 0	—	
,,	Corracreeny ..	Reps. William A. O'Brien ..	4 2 3	1 10 0	—	
,,	Drumsillagh ..	Reps. William A. O'Brien ..	111 1 19	67 10 0	15 0 0	Mansion house.
,,	Gulladoo ..	Hon. George Ormsby Gore ..	0 0 30	—	—	
,,	,,	Hon. George Ormsby Gore ..	16 3 24	—	—	
Carrigallen West	Bredagh ..	Joseph Story	0 3 1	0 10 0	—	
,,	,,	Joseph Story	8 2 0	—	—	
,,	Culloughs ..	Hon. George Ormsby Gore ..	0 2 24	0 5 0	—	
,,	Diffin ..	Oswald Story	8 0 22	0 5 0	—	
,,	Druminshin Glebe	Arthur Maguire (in Chancery) ..	29 2 32	0 10 0	—	
,,	Killapurk ..	Thomas Kiernan	15 3 28	9 0 0	0 10 0	
,,	,,	Thomas and Michael Kiernan ..	16 1 34	7 5 0	—	
Cashel ..	Cashel ..	Colonel H. T. Clements ..	118 3 8	0 10 0	—	
,,	Cloonboniagh South	H. J. B. Clements	145 0 21	0 14 0	—	
,,	Clooncarreen ..	Colonel H. T. Clements ..	16 1 20	2 0 0	0 15 0	
,,	,,	Colonel H. T. Clements ..	0 2 0	0 5 0	—	
,,	,,	Colonel H. T. Clements ..	0 2 0	0 5 0	—	
,,	,,	Colonel H. T. Clements ..	0 1 35	0 5 0	—	
,,	,,	Colonel H. T. Clements ..	0 3 6	0 10 0	0 10 0	
,,	,,	Colonel H. T. Clements ..	18 1 26	10 15 0	—	
,,	,,	Colonel H. T. Clements ..	227 3 33	2 0 0	—	
,,	Corracramph South	Colonel H. T. Clements ..	202 0 12	0 15 0	—	
,,	Derreen ..	Colonel H. T. Clements ..	16 1 3	4 15 0	1 0 0	
,,	,,	Colonel H. T. Clements ..	113 2 6	0 10 0	—	
,,	Gubagraffy ..	Colonel H. T. Clements ..	24 0 4	10 10 0	0 10 0	
,,	,,	Colonel H. T. Clements ..	58 3 8	0 4 0	—	
,,	Rooskynamona	Colonel H. T. Clements ..	173 3 35	0 14 0	—	
Castlefore ..	Boneill ..	Charles Y. Peyton	19 1 25	—	—	
,,	Cloondrumman More	Reps. Hugh O'Beirne	16 1 0	6 10 0	0 10 0	
,,	Derreen ..	Hugh O'Beirne	51 2 33	0 5 0	—	
,,	Drumcavan Beg	Reps. Hugh O'Beirne	14 0 1	0 5 0	—	
Cattan ..	Annaghmore ..	Thomas Lloyd	36 0 16	2 15 0	6 5 0	
,,	Cattan ..	William H. White	209 2 12	1 10 0	—	
,,	Drumgownagh	William H. White	98 2 3	1 0 0	—	
,,	Fearglass North	Guy Lloyd	24 0 20	0 5 0	—	
Cloone ..	Drumharkan Glebe	William H. White	12 1 36	9 10 0	28 0 0	Mansion house.
,,	,,	William H. White	64 3 4	26 5 0	3 0 0	
,,	Esker ..	John Madden	6 1 2	0 5 0	—	
,,	Gortnacam-darragh	M. W. G. Kane	59 1 6	1 0 0	—	
,,	Racullen ..	John Madden	11 1 12	4 15 0	1 0 0	
,,	Sunnagh Beg	John Madden	18 0 16	0 5 0	—	
,,	Sunnagh More	John Madden	2 2 32	0 10 0	—	
,,	,,	John Madden	12 1 24	4 0 0	—	
,,	,,	John Madden	59 3 10	0 10 0	—	
,,	,,	John Madden	0 3 21	0 5 0	—	
Corriga ..	Rassaun ..	Archibald Nicholls	7 1 1	2 10 0	0 10 0	
,,	,,	Archibald Nicholls	111 2 29	36 0 0	2 15 0	
Drumard ..	Breanross ..	Colonel H. J. Clements ..	37 2 30	0 5 0	—	
,,	Clooncliv y ..	Colonel H. J. Clements ..	4 1 35	—	—	
,,	Esker South ..	Colonel H. J. Clements ..	0 0 10	0 5 0	—	

APPENDIX X.

Z.—RETURN OF UNTENANTED LAND—*continued.*

COUNTY OF LEITRIM, RURAL DISTRICT OF MOHILL—*continued.*

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation.		Observations.
				Land.	Buildings.	
			A. R. P.	£ s. d.	£ s. d.	
Drumard ..	Esker South ..	Colonel H. J. Clements ..	9 2 0	—	—	
,,	Gortnalamph	Colonel H. J. Clements ..	83 3 38	0 15 0	—	
,,	Tawnaghmore	Colonel H. J. Clements ..	12 3 0	0 10 0	—	
,,	,,	Colonel H. J. Clements ..	20 1 16	9 10 0	—	
,,	Tulcon ..	Colonel H. J. Clements ..	16 1 4	8 5 0	—	
,,	,,	Colonel H. J. Clements ..	0 1 20	0 5 0	—	
,,	,,	Colonel H. J. Clements ..	120 1 32	52 10 0	7 5 0	
,,	,,	Colonel H. J. Clements ..	147 2 23	1 4 0	—	
,,	Drumard (Jones)	C. J. Engledew and William J. Mills	22 1 25	2 4 0	—	
,,	,,	Colonel H. J. Clements ..	22 2 1	0 5 0	—	
,,	Carrigeen ..	Miss Jones	6 2 0	—	—	
,,	Curragha ..	Miss Jones	3 2 1	—	—	
,,	Drumhany North	Colonel H. J. Clements ..	12 2 0	—	—	
,,	Drumraghool North	Colonel H. J. Clements ..	14 2 0	0 5 0	—	
,,	Killamaun ..	Colonel H. J. Clements ..	11 0 17	0 10 0	—	
,,	Rossdoowaun	Colonel H. J. Clements ..	27 1 35	0 5 0	—	
Drumod ..	Aghamore ..	Hon. R. F. Forbes	6 2 0	0 5 0	—	
,,	Aghintass ..	Hon. R. F. Forbes	10 1 1	0 5 0	—	
,,	Aughry ..	Lord Harlech	126 1 1	78 10 0	13 0 0	
,,	Derrycarne Demesne	Lord Harlech	366 2 12	240 10 0	33 0 0	Mansion house.
,,	Derrywillow ..	Lord Harlech	73 1 17	32 15 0	1 5 0	
,,	,,	Lord Harlech	39 1 15	4 15 0	—	
,,	,,	Lord Harlech	7 0 34	3 15 0	—	
,,	,,	Lord Harlech	7 0 13	2 15 0	0 15 0	
,,	Drumlom ..	Hugh O'Beirne	6 1 38	0 5 0	—	
,,	Drumod Beg ..	Lord Harlech	1 2 30	1 5 0	—	
,,	,,	Lord Harlech	9 2 35	5 15 0	1 15 0	
,,	,,	Lord Harlech	0 1 0	0 5 0	1 15 0	
,,	,,	Lord Harlech	26 3 17	0 5 0	—	
,,	,,	Lord Harlech	1 3 0	—	—	
,,	No. 1 Island, in Lough Boderg	Lord Harlech	0 2 27	—	—	
,,	No. 3 Island, in Lough Bofin	Lord Harlech	0 0 6	—	—	
,,	No. 4, Sallon Island, in Lough Bofin	Lord Harlech	0 1 8	—	—	
,,	No. 5 Island (nameless), in Lough Bofin	Lord Harlech	0 0 25	—	—	
,,	No. 6 Island (nameless), in Lough Scannal	Lord Harlech	0 0 20	—	—	
,,	No. 2 Island, Inchmurrin or Rabbit Island, in Lough Bofin	Lord Harlech	27 1 2	16 10 0	—	
,,	Drumod More	Lord Harlech	6 3 23	2 15 0	—	
,,	,,	Lord Harlech	1 0 2	0 10 0	1 0 0	
,,	Faulties ..	Lord Harlech	7 0 30	3 15 0	—	
,,	Fearnaght ..	Lord Harlech	38 2 15	18 5 0	—	
,,	Furnace or Bleankillen	Lord Harlech	32 1 33	20 15 0	0 10 0	
,,	,,	Lord Harlech	60 1 18	1 0 0	—	
,,	,,	Lord Harlech	17 1 37	6 5 0	—	
,,	Killyfad ..	Lord Harlech	11 0 0	5 15 0	—	
,,	,,	Lord Harlech	18 2 36	2 5 0	0 10 0	
,,	,,	Lord Harlech	18 1 36	9 15 0	12 0 0	
,,	Moherrevan ..	Lord Harlech	39 3 30	0 10 0	—	
,,	Mullagh ..	Hon. R. F. Forbes	8 2 12	0 5 0	—	
Fenagh ..	Drumraine Glebe	James Ormsby Lawder ..	1 0 24	0 10 0	—	
,,	,,	James Ormsby Lawder ..	6 3 0	0 5 0	—	
,,	,,	James Ormsby Lawder ..	1 2 20	0 15 0	—	
,,	,,	James Ormsby Lawder ..	0 1 29	0 5 0	—	
,,	,,	James Ormsby Lawder ..	0 1 20	0 3 0	—	
,,	Ardagh ..	Andrew Newton	10 0 7	0 5 0	—	
,,	Commons ..	James Ormsby Lawder ..	85 1 3	60 0 0	0 10 0	
,,	Cornafostra ..	William C. B. Ruthven ..	1 0 5	—	—	
,,	Cuillagh ..	Andrew Newton	14 3 20	0 10 0	—	
,,	Greagh ..	James Ormsby Lawder ..	0 1 20	—	—	
,,	Mongh ..	James Ormsby Lawder ..	175 3 38	81 15 0	31 15 0	Mansion house.
Gortermone ..	Aghawillin ..	John La Touche	3 0 0	1 5 0	—	
,,	,,	John La Touche	6 3 29	0 5 0	—	
,,	,,	John La Touche	3 3 0	0 5 0	—	
,,	Beagh Beg ..	Thomas Kiernan	5 2 35	0 5 0	—	
,,	Beagh More ..	John La Touche	6 2 39	—	—	
,,	Cornaferst ..	Oswald Storey	38 3 35	1 0 0	—	

Z.—RETURN OF UNTENANTED LAND—*continued.* APPENDIX X.

COUNTY OF LEITRIM, RURAL DISTRICT OF MOHILL—*continued.*

Electoral Division.	Townland.	Occupier in Valuation Lists.	Area (statute).	Rateable Valuation.		Observations.
				Land.	Buildings.	
			A. R. P.	£ s. d.	£ s. d.	
Gortermone ..	Drumbreantis	John La Touche	4 3 27	—	—	
,,	Errew ..	John La Touche	9 0 19	4 0 0	—	
,,	,,	John La Touche	6 2 20	—	—	
,,	Tully South ..	John La Touche	2 1 23	0 5 0	—	
,,	,,	John La Touche	3 2 23	—	—	
Keeldra ..	Clonee ..	John H. White	55 1 2	2 5 0	—	
,,	Corduff South	William H. White	59 3 9	—	—	
,,	,,	William H. White	6 3 23	0 5 0	—	
,,	,,	William H. White	8 0 24	3 10 0	—	
,,	Drumadorn ..	William H. White	10 0 0	—	—	
,,	Drummeen ..	William H. White	9 1 16	5 0 0	1 0 0	
,,	,,	William H. White	13 3 19	0 5 0	—	
,,	Edenbawn ..	William H. White	64 2 5	0 15 0	—	
,,	Killyvehy ..	Reps. William H. White ..	51 3 7	0 5 0	—	
,,	Mullaghbrack	Reps. William H. White ..	3 0 37	—	—	
,,	,,	Reps. William H. White ..	3 0 11	1 5 0	—	
,,	Mullyna-drummon ..	Reps. William H. White ..	16 1 8	0 5 0	—	
Lisgillock ..	Bellakiltyfea ..	John Madden	3 1 17	0 5 0	—	
,,	Lisgillock Glebe	William B. Ruthven	9 0 36	1 0 0	—	
Mohill ..	Boeeshill ..	Reps. Arthur M. Crofton ..	0 1 6	0 5 0	—	
,,	Cappagh ..	Reps. Arthur M. Crofton ..	16 0 34	0 5 0	—	
,,	Clooncaher ..	Colonel H. T. Clements ..	255 1 31	75 9 0	4 10 0	
,,	Coolabaun ..	Reps. Arthur M. Crofton ..	38 3 39	0 10 0	—	
,,	Drumboy ..	Reps. Arthur M. Crofton ..	44 3 15	0 5 0	—	
,,	Drumhany South	Reps. Arthur M. Crofton ..	50 0 39	0 5 0	—	
,,	Rosharry ..	Reps. Arthur M. Crofton ..	17 1 35	—	—	
Rinn ..	Breanross South	Colonel H. T. Clements ..	67 2 28	0 5 0	—	
,,	Clooncoe ..	Colonel H. T. Clements ..	436 3 26	135 10 0	2 0 0	
,,	Drumgrania ..	Colonel H. T. Clements ..	105 0 38	0 15 0	—	
,,	Drumhirk ..	William Crofton	34 2 10	0 10 0	—	
,,	Errew ..	Colonel H. T. Clements ..	143 2 5	74 0 0	6 10 0	
,,	Farnaght ..	Colonel H. T. Clements ..	45 1 0	19 5 0	—	
,,	,,	Colonel H. T. Clements ..	20 3 37	12 5 0	1 0 0	
,,	,,	Colonel H. T. Clements ..	26 3 2	9 5 0	4 10 0	
,,	,,	Colonel H. T. Clements ..	8 1 33	3 5 0	2 0 0	
,,	,,	Colonel H. T. Clements ..	1 0 12	0 5 0	—	
,,	,,	Colonel H. T. Clements ..	2 2 25	1 0 0	—	
,,	,,	Colonel H. T. Clements ..	33 2 20	0 5 0	—	
,,	Gortletteragh	Colonel H. T. Clements ..	38 3 19	22 0 0	2 15 0	
,,	,,	Colonel H. T. Clements ..	16 3 31	7 0 0	—	
,,	,,	Colonel H. T. Clements ..	28 1 0	9 5 0	0 10 0	
,,	,,	Colonel H. T. Clements ..	11 1 13	4 5 0	—	
,,	Rinn ..	Colonel H. T. Clements ..	247 2 21	120 0 0	100 0 0	Mansion house.
Riveretown ..	Annaghmacon-way	Reps. John Brady	11 2 8	7 5 0	—	
,,	Drumdarkan ..	Katherine Ensor	103 3 38	50 15 0	0 10 0	
,,	Drumhallagh ..	John Madden	8 1 32	0 5 0	—	
,,	Gortnarah ..	Reps. John Brady	2 2 10	0 1 0	—	
Roosky ..	Aghnamona ..	Earl of Granard	151 1 0	0 9 0	—	
,,	Bellageeher ..	Earl of Granard	152 1 38	0 10 0	—	
,,	Clooncolry ..	Earl of Granard	74 0 33	0 5 0	—	
,,	Cloonneagh ..	Earl of Granard	153 0 17	0 15 0	—	
,,	Cloontumpher	Earl of Granard	22 2 35	0 10 0	—	
,,	Cloonturk ..	Earl of Granard	15 0 8	0 5 0	—	
,,	,,	Earl of Granard	22 0 28	0 10 0	—	
,,	Cornagillagh ..	Earl of Granard	257 2 35	20 3 0	—	
,,	Drumard (Maghervaun)	Earl of Granard	182 3 32	0 15 0	—	
,,	Meelragh (Nagur)	Earl of Granard	183 0 36	0 10 0	—	
,,	Rinnagowna ..	Earl of Granard	44 0 10	0 5 0	—	
,,	Meelragh (Saggart) ..	Earl of Granard	144 0 17	0 15 0	—	
Rowan ..	Annaghaderg Lower	Colonel Clements	41 0 20	14 5 0	0 10 0	
,,	Corrabeagh ..	Colonel H. T. Clements ..	9 2 14	—	—	
,,	Garvagh ..	Colonel H. T. Clements ..	1 2 20	0 15 0	—	
,,	Knockroosk ..	Reps. John King	11 3 10	3 15 0	—	

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